



## FALL BOARD MEETING

Saturday, October 19, 2019

8:30 am – 5:00 pm

New Orleans, LA

Hilton New Orleans, Leeward/Windward Room – Riverside Complex

Board Book available on [Board Page](#)

(Breakfast on Own)

## AGENDA

1. **President's Report** (30 minutes; 8:30-9:00) *Will Simmons*
  - a. Overview of Agenda
  - b. Approval of September 12, 2019 Board Meeting Minutes
  - c. Review of Friday's Officer meeting
2. **President-Elect's Report** (15 minutes; 9:00-9:15) *T.J. BeMent*
  - a. Conference Development Committee Update
  - b. 2020 Annual Conference Registration Rates (Action item)
3. **Vice President's Report** (10 minutes; 9:15-9:25) *Kathy Griffin*
  - a. Education Committee Update
4. **Secretary/Treasurer's Report** (45 minutes; 9:25-10:10) *Jeffrey Tsunekawa*
  - a. 2020 Budget (Action item)
  - b. 2023 Site selection
  - c. SJI Grant
5. **Immediate Past President's Report** (5 minutes; 10:10-10:15) *Paul DeLosh*
- BREAK (10:15-10:30)
6. **Governance Committee** (30 minutes; 10:30-11:00) *Rick Pierce*
  - a. Resolutions (Action Item)
7. **Membership Services** (45 minutes; 11:00-11:45) *Michelle Dunivan*
  - a. Exit Survey
  - b. Marketing Calendar
  - c. 2020 Membership Scholarship
8. **Communications Committee** (30 minutes; 11:45-12:15) *Charleston Carter*
  - a. Court Manager Ad Rates (Action Item)
  - b. Court Express Ad Rates (Action Item)
  - c. Website Review

LUNCH (12:15-1:15)

**9. Other Business** (45 minutes; 1:15-2:00)

- a. 2019 Strategic Planning Priority Report
- b. 2020 Strategic Planning Priorities

*All  
Rick  
Paul*

**10. Overview of Wednesday meeting** (15 minutes; 2:00-2:15)

*T.J. BeMent*

**11. Adjourn** (by 3:00 PM)

**Sunday, October 20, 2019**

Breakfast on Own. Meeting 8:30 – 12:00 Leeward/Windward Room-Riverside Complex

**Strategic Planning**

*All*



# National Association for Court Management

## *Strengthening Court Professionals*

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### BOARD CONFERENCE CALL

Thursday, September 12, 2019 – 2:00 PM ET

### MINUTES

**PRESENT:** Will Simmons, TJ BeMent, Kathy Griffin, Jeffrey Tsunekawa, Charleston Carter, Jeff Chapple, Michelle Dunivan, Dorothy Howell, Kelly Hutton, Tina Mattison, Rick Pierce, Angie VanSchoick, Janet Reid, Callie Dietz

**NOT PRESENT:** Paul DeLosh, Frank Hardester

#### 1. Welcome

*Will Simmons*

- a. Will took roll call and welcomed everyone.
- b. Approval of July 20 and 25, 2019 Meeting Minutes. Will asked for corrections to the meeting minutes. There being none, Kathy made a motion to approve, Dorothy seconded the motion, all in favor and the minutes were approved as submitted.

#### 2. Governance Committee

*Rick Pierce*

- a. The Governance Committee received 5 resolutions from COSCA/CCJ. The resolutions were reviewed by the resolutions committee and will be presented to the Governance Committee and eventually the board moving forward. Instead of supporting the Plain Language Resolution from CCJ/COSCA, a plain language original resolution will be created and presented to highlight the work NACM has done around that topic.
- b. The Ethics Subcommittee met to review different ethics challenges being faced. Peter Kiefer would like a landing page linking to various ethics codes for viewing. Angie invited board members to forward their code of ethics to her for posting.
- c. Angie and Rick are working to get the Court Trends Survey out as well.
- d. Voice of the Profession Survey results have been distributed to the board. Rick asked the board to review; the Governance Committee will look to see what members would like NACM to advocate for and devise a plan. Rick noted that the results to the survey are similar to last year's but telling as to where members stand on specific issues and what they would like NACM to do as the Voice of the Profession.
- e. Landing Pages – Landing pages are being created for non-members coming to the website looking for information about the profession and NACM specific to interests: educators, funding authorities, and so on. The goal is to educate each of these groups about NACM (the value of membership) and why they should attend conferences relative to their interests.
- f. National Agenda – Governance is looking for assistance in developing the next National Agenda. The Strategic Plan references the National Agenda. Paul will speak to the past presidents committee to see if they will help in writing it. The current National Agenda expires December 2020. A committee needs to be formed to create the document, and/or the board itself with determine what the National Agenda will contain and how the

process will work. Previous files are available on box. Rick needs a sense of direction as to how this is related to governance as he does not have a reference point. After discussion it was determined that the Governance Committee should be as a liaison between board and those writing it. This project will take many generations to participate in the working group. Will feels Governance should see how Paul's meeting with past presidents goes before moving forward. It was agreed that the group should probably be large and diverse. Rick hopes he will have a working group set up in October.

- g. Strategic Planning Priorities for 2019 - TJ distributed a document listing the 2019 Strategic Planning priorities at the July 25 meeting. Rick requested committee chairs review with committees and report back regarding the status of these objectives.

### **3. Membership Services**

*Michelle Dunivan*

- a. Membership 2020 Campaign – membership has been working with Charleston and Frank for a membership campaign. Michelle presented proposed logos and a flyer to get people to gift a membership to a nonmember. The membership committee has been trying to determine benefits members would receive in exchange for giving a certain donation amount.
- b. The membership committee is exploring a method of collecting funds but need to be explicitly clear to donors what the funds are going to, which in this case it would go to the general operating fund.
- c. Michelle has researched *Merch by Amazon* with on-demand shirt printing. Amazon keeps track of the royalties which would be funneled back to NACM. The average royalty is about \$5 per item. The downside is that NACM would have to share banking information for royalty deposits, which is a concern, but need to figure out how to overcome. Michelle and Jeffrey will get together with Janet to discuss.
- d. Dual Membership Agreements – Michelle plans to take advantage of the dual member agreements in place and would like to try to market NACM more during state association conferences. Michelle has something drafted to determine when various state association conferences are and how to get their membership list. The committee is working to create strategy on marketing. Michelle indicated they would also like to increase the number of state association dual agreements in place.
- e. The membership committee is working on a marketing campaign, separate from the *LinkedIn* campaign. The focus will be to entice marketing targets to become paying members of NACM.
- f. *LinkedIn* Campaign – The marketing campaign on *LinkedIn* will launch next week.
- g. ECP – Tina will be trying to move the mentorship program forward this year. There is a need for mentors. Paul will be discussing this with past presidents. Tina will also be focusing on universities and students; hoping to develop a standard presentation focused on students focusing on career development opportunities within the court profession.
- h. Will highlighted the letter that went to the ICM Fellows program graduates who were not members. Hopefully the letter will entice them to join.

### **4. Communications Committee**

*Charleston Carter*

- a. The communications committee will meet today at 4 pm.
- b. 20 people have expressed interest in joining the committee.



- c. The *Court Manager* is scheduled for Sept 13. Charleston would like to discuss vendor rates. Janet will send him current rates and they will talk offline.
- d. The next *Court Express* is scheduled to be sent out Sept 19.
- e. Charleston is currently evaluating Communications Plan and making updates to it.
- f. Active Shooter will be the topic of the next podcast September 19.
- g. Charleston has visited 3 universities – they are very interested in podcasts. Students have suggested podcasts focused on what students are working on in the criminal justice system. The students are interested in joining and participating in podcasts. A few have asked about an ambassador program.
- h. Webinar – Charleston is working with the person who said they would do a non-lawyer navigator network program the week of October 21. They plan to do several trials of the webinar software beforehand.
- i. Michael Cuffee and Dorothy Howell are assisting the committee in creating an electronic Communications Committee booklet, which will identify people on the committee.
- j. Will commented that he is thinking about the viability of NACM Chapters at colleges and feels that this is important for the future of NACM. Kathy requested Charleston share what is being sent to universities.

## **5. NCSC Report**

*Janet Reid*

- a. Janet reported that Jesse and Jennifer, along with many NCSC Staff, were in New Orleans wrapping up CTC.

## **6. Immediate Past President**

*Paul DeLosh*

- a. Paul is on vacation and not on the call.

## **7. Secretary/Treasurer**

*Jeffrey Tsunekawa*

- a. Kathy and Jeffrey will be visiting the National Center to work on the budget in early October and plan to meet with Val, Stacey and Jesse. By the time of this meeting, they should have most of the annual conference expenses accounted for.
- b. Jeffrey mentioned that flight to New Orleans are very expensive for the timeframe of the fall board meeting and most of the flights have been over \$500. CTC did not see an impact to attendance, so hopefully the cost of flights will not impact Annual Conference.
- c. Jeffrey will be doing site visits for 2023. Targeting getting an RFP out to hotels this fall, and site visits late this year/early next year.

## **8. Vice President**

*Kathy Griffin*

- a. First State Association Committee and Education Committee calls were held. Things are rolling along.
- b. Kathy is trying to develop State Association round tables. So far, there have been some good responses. Kathy is hoping can the State Association Committee can become more robust.

## **9. President-Elect**

*T.J. BeMent*

- a. Conference Development: TJ reported that the kickoff call was held this week. The Call for Proposals is out. Conference logos are finished. He has a punch list of what needs to be

done in order for the conference site to launch, hopefully after New Orleans Board Meeting. TJ has asked Jeffrey and Kathy to review Registration Rates as they prepare the budget.

- b. A letter from Will was sent to partner organizations regarding the Call for Proposals, inviting them to submit a proposal or forward to members of their organization.
- c. At CTC, TJ reached out to several vendors regarding sponsorship opportunities.
- d. #wetoo grant – TJ talked to Jonathan Mattiello regarding the grant while attending the CTC in New Orleans. Jonathan stated NACM has been awarded the grant, and that details should be received soon. This grant will be a multi-partner collaborative effort.

#### **10. President**

*Will Simmons*

- a. Will mentioned that he saved the association some costs by not attending CTC since Jeffrey and TJ were in attendance.
- b. AJA is having their conference next week; Will has been in touch with their president to let him know he was not attending.

#### **11. Other/New Business**

- a. Will asked the board if there was any new business for the organization which needed to be discussed.
- b. Charleston asked if there was any thought of having a vendor “pay for a spot” on Facebook Live. Charleston feels Facebook Live was of value to membership and should continue. Janet will mention to Stacey.
- c. Janet mentioned that a memo regarding the board book will go out in the next few days.

#### **12. Adjourn** – there being no further business, the meeting was adjourned.



# National Association for Court Management

## *Strengthening Court Professionals*

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### NACM ANNUAL BOARD MEETING MINUTES

Saturday, July 20, 2019 ~ Van Gogh Room

*PRESENT: Paul DeLosh, Will Simmons, TJ BeMent, Kathy Griffin, Vicky Carlson, Michelle Dunivan, Tina Mattison, Frank Hardester, Charleston Carter, Angie VanSchoick, Rick Pierce, Greg Lambard, Jeffrey Tsunekawa, Alyce Roberts, Janet Reid, Jesse Rutledge, Callie Dietz*

*INVITED GUESTS: John Romero, Joey Hastings, Jeff Shorba, Genevieve Citrin Ray, Nancy Smith, Pete Sferrazza*

#### **President's Report**

*Paul DeLosh*

1. Welcome to Guests

Paul welcomed everyone to Nevada and noted that he is looking forward to a great conference in the coming week. In addition, he welcomed NACM's partners present. NACM greatly values the contributions of partners. Summary of partner organizations included in board book. Paul's focus over the past year has been to grow partnerships as he feels partnerships are valuable to the court community and NACM members in general.

2. Overview of the Officers meeting

Paul discussed some of the items discussed by Officers at their meeting held Friday. Officers met exclusively in the morning, and NCSC staff joined them in the afternoon. The officers discussed the events of the coming week.

- A very important vote will take place this week-emails have been sent to the membership advising them on changes. The vote will take place on Monday after Greg presents the details of the Articles of Incorporation amendments. Nuances of how to do this are based on Virginia State Corporation Commission regulations. A link to the survey to vote will be provided on the slide. Please encourage people to download the app. The vote is for NACM members in good standing only. Plan to present results later in the business meeting.
- The officers discussed focus on partnerships – NACM has used a deliberate and strategic approach. NACM plans to focus on Dual Member Agreements and taking advantage of the contract provisions such as free distribution to lists, etc.. Paul gave an example of how MACCM is assisting in promoting the Midyear in Charlotte.
- The officers also discussed the budget and the challenges associated with it. Kathy will present the budgeted bottom line at the business meeting, with an explanation as to why the association is in this position. The cost of living is going up, so expenses are increasing but membership is flat. The board offers additional value to members but keeping membership dues flat.

Want to ensure membership understands the board does not want to take anything away from them.

- Officers reviewed the Crisis Response Plan – available on box for board to review.

3. Approval of minutes – June 4 Board Call

- Paul asked if there were changes or corrections to the June 4 minutes, there being none, the minutes were approved.

### **Introductions and Welcome of Board Guests**

1. The board welcomed guests and gave brief overviews of committee work over the past year.
2. Guest Introductions and updates:
  - **AJA – Hon Pete Sferrezza: Judge Sferrezza is the** former mayor, city of Reno and former Justice of the Peace. AJA thanks NACM for partnership in helping the public understand the role of the courts. Closely affiliated with the NCSC. AJA has mission to help members become better members by providing top quality training. Two of big topics, procedural fairness, pretrial release for juveniles and adults. AJA is the Voice of the Judiciary and provide leadership in speaking nationally for judges on specific issues.
  - **COSCA – Jeff Shorba:** COSCA has enjoyed great partnerships with NACM. Wanted to thank NACM for the free one-year membership- helping to promote this. Reviewed upcoming policy papers and conferences.
  - **NASJE – Nancy Smith:** Nancy reviewed NASJE initiatives to include online learning. Excited to be presenting on Inclusive Leadership with Jeff Schrade for the program on Sunday.
  - **AU Justice Program – Genevieve Citrin Ray:** Working on research, policy and practice.
  - **NCJFCJ – Joey Hastings & John Romero: NCJFCJ is working** to find ways to collaborate with NACM. Have other national organizations participating with the Diversity, Inclusion summit in Orlando. Will Simmons will speak at the summit. Working on the #wetoo movement with State Justice Institute and Women Judges for this to have a meaningful training. Discussed upcoming meetings and initiatives. So many opportunities to amplify court administrator and judge's role.

**Paul highlighted the impact of partners and the meaningfulness of collaborations.**

### **President-Elect/Conf. Dev. Com.**

*Will Simmons*

1. Annual Conference 2019 Housekeeping – Will discussed the conference further and noted that there are more first-time attendees than NACM has had in a while. Will requested the board welcome attendees and encourage them to attend.

2. Invited board to look at announcements so they are familiar with what is taking place.
3. Will thanked Paul and Alyce for help on slides and for the great job they've done.
4. Conference planning started earlier than ever which has helped success. Callie has been a great partner in planning the education for this meeting.
5. Board members are invited to post on the app.
6. Will will be monitoring messaging and remove inappropriate content.
7. Hosts are well covered, and they are prepared.
8. Will requested board give feedback as to anything can do to improve for future years.
9. It is requested committee chairs speak briefly for committee awards and Lady Justice pin.
10. Facebook Live – Peter, Alyce, Angie and Charleston have done significant work to make the FaceBook live recordings happen this week.

#### **Vice President**

*T.J. BeMent*

1. Education Committee –
  - a. TJ mentioned that lengthier Core sessions will be held at this conference to see how members receive them.
  - b. Court Manager document repository – being worked on, should be ready in the next few months. Dawn Palermo has done a huge amount of the work in identifying items. Should be a big resource for members. Jeffrey mentioned inputting internal tracking to see how many people are accessing items. Paul suggested a big marketing push will take place. Documents will be held in a document repository.
  - c. Starting the concept of landing pages on website for particular topics (i.e. [nacmnet.org](http://nacmnet.org)/this topic)
  - d. Annual Summary of NACM Content – this document is being worked on and will be distributed
  - e. #weto project – getting one step closer to putting together grant information with partners. Trying to make deadline of August 1. The grant will include a train the trainer program and program curricula.
  - f. Core Certification Program Proposal – TJ reviewed the proposal and the thought process behind it. A video with protocols will need to be reviewed for some accountability of the honor system. Track via a CLE form? Form located in the member portal. Alyce suggests creating a survey monkey for submitting form. After discussion, the board voted on the proposal with the amendment to add a mechanism with accountability. Nancy Smith suggests more accountability but thinks that linking to Conferences entices people to attend. Jesse Rutledge suggests that they have to provide

information instead of trying to figure out who is attending via ip addresses. TJ made a motion to approve the program as a concept while they explore forms; Alyce seconded the motion. All in favor, none opposed, the motion passed.

- g. TJ presented Alyce Robert a certificate for her commitment to Education Committee.

### **Secretary/Treasurer**

*Kathy Griffin*

1. Budget Update-Kathy thanked everyone for putting up with her as budget monitor. Kathy reviewed budgets. Hoping membership revenues come in as they have historically. Jeffrey mentioned his concern that the association is spinning their wheels trying to stay in black. He suggested a committee or task force to focus on budget for the health of the organization. Alyce suggests drawing from membership to look at this. Paul suggests the message need to be: membership numbers static; membership rate static.
2. The board discussed that it is necessary to come up with a financial plan as to how can get where we want to be.
3. TJ emphasizes need to protect those individuals for whom NACM is all the education they have.
4. Vicky emphasized location of conferences are important.
5. Michelle discussed the cost of a new members is much lower than the cost of a conference participant, so should focus on membership numbers.
6. Janet suggested thinking about alternate revenue streams that aren't conference reliant for the organization's future.

### **Communications Committee**

*Alyce Roberts*

1. Alyce presented certificates of acknowledgement to Charleston Carter, Frank Hardester, Jeffrey Tsunekawa and to Paul DeLosh for their work with the Communications Committee.
2. Website Statistics – Jeffrey reviewed the statistics in the Board Book. Jeffrey suggests refreshing some of the artwork on the website.

### **Governance**

*Greg Lambard*

1. Ethics Committee– Greg requested feedback on the survey in the board book. No comments were made
2. Communications Strategy for Resolution 2019-1 – Resolution was approved, but board needs to determine how to promote. TJ suggests a press release. Paul pointed out that the marketing plan includes promotion of resolutions and should be referenced.
3. State of the Profession Survey – will be going out as soon as the State of the Profession is given on Tuesday. The Governance Committee is interested to see how the trends are evolving. The committee is also excited about the Speech that is coming out. Vicky asked about tying the National Agenda into the State

of the Profession. Greg said some of this could be done easily. Question he has is about some of the other things that have been done in the past that don't marry with the State of the Profession. Greg doesn't think National Agenda should be "full court press," but there are aspects that can be continued. Paul has a power point from the past and will share it with the committee.

4. National Agenda Communication Strategy– The National Agenda is meant to be a helpful guide to jurisdictions as to what the nation thinks is important. It can be different than court trends. Greg and Rick want to determine if want to continue as a board. The National Agenda bigger than Strategic Plan.
5. This fall the Governance committee will track the strategic plan progress.
6. Operations Manual annual review process – Angie created hyperlinks to eliminate the appendices of the operations manual. Need to have the blessing of the board to be able to move forward with the revisions. Everything will update with Frank's naming conventions so know which is the most updated information. Greg acknowledged the work Angie did for the Operations Manual. Will moved to approve the Operations Manual changes. Rick seconded the motion to approve the Operations Manual as presented. No discussion. All in favor, none opposed.

#### **Immediate Past President**

*Vicky Carlson*

1. Past President Committee – The committee reviewed the bylaws and Articles of Incorporation change and have assisted in reviewing documents. This seemed to be a good place for them.
2. Nominations Committee – Vicky has created some documents for the committee and the committee will be doing interviews on Sunday.

#### **Membership Committee**

*Michelle Dunivan*

1. Membership Appreciation Week was held with 47 participants. Jeffrey managed it solely.
2. Michelle reviewed her report. The Career Fair has 5 tables there will also be a mentorship program table.
3. LinkedIn Recruitment – Michelle would like to move forward with this and get going as soon as possible after conference so have numbers to discuss at fall board meeting. Michelle discussed targeted campaigns and the possibilities, whether geographic, title or otherwise. LinkedIn recommends adding subtitles to videos. After discussion, it was determined that Michelle will target Louisiana and North Carolina. One will be future conference related, one ad on membership, one on past conferences and live stream resources.
4. Vicky suggests improving the conference registration form to say "call to join" so people know it is an option. Alyce has an issue is with the online

membership/registration – as you have to join and then log back in to register.

### **NCSC Update**

*Jesse Rutledge*

1. Jesse brought greetings from Mary McQueen. Jesse talked about staff from the National Center with NACM this week. Jesse discussed that only costs for Shay, Stacey, Val, Janet & Callie are covered by NACM. The National Center pays for the rest of their staff who are here due to the value of NCSC spending time at the conference.
2. Jesse has been with the Center for 11 years, doesn't know that he has seen a time with so much happening. Very busy time, and reflected in education program. Things not on education program:
  - a. NCSC Website Explainer Video – Whiteboard – a successor to graphic novels looks at Courts & Society
  - b. Trends in State Courts Publication 2019 edition just was printed.
  - c. Meeting held that discussed disinformation and how being used to undermine faith in courts.
  - d. Plan to hold CTC in New Orleans. Keynote is Richard Seskind from Scotland, a leading authority on the future of online courts.
  - e. Other NCSC Staff: Paul Embley & Nicole Waters, Open Data Standards, Patti Tobias on Mental Health, Alicia Davis on Family Justice Initiative, Danielle Hirsch & Stacey Marz on Self-Represented litigants, Nora Acido National Opioid Task Force, Paula Hannaford, Jesse on what he has learned from 5 years of Public Polling

### **New Business / Open Discussion / Carryover**

*All*

- Paul discussed the individuals from Colorado who have been in the news and advised the board that they had been disinvited to speak. Will and Callie have sent email as they had not provided personal information.
- Logistically on Monday – Paul noted that he was sending an email to partners to sit at a President's Table. He will also recognize partners in the announcements.
- Paul is in room 32061 in the Casino Tower. Thought would do cocktail hour from 5-6pm. Vicky was thinking of organizing dueling pianos at New York, NY at 7:30 pm.
- Angie stated Colorado judges are considering creating a Municipal Court Association because feel NACM isn't providing what need. The board



discussed this as an opportunity for discussion to bring them together and show value of NACM.

- Will made a presentation to Paul and presented with a gift in appreciation. Paul made brief remarks and acknowledged Vicky's service and the others rolling off the board.

**Adjourn** – There being no further business, the meeting was adjourned.

***Invited Guests:***

<b><u>Name</u></b>	<b><u>Organization</u></b>
<b>Pete Sferrazza</b>	<u>American Judges Association (AJA)</u>
<b>Jeff Shorba</b>	<u>Conference of State Court Administrators (COSCA)</u>
<b>Nancy Smith</b>	<u>National Association of State Judicial Educators (NASJE)</u>
<b>Judge John J. Romero, Jr. &amp; Ms. Joey Hastings</b>	<u>National Council of Juvenile and Family Court Judges (NCJFCJ)</u>
<b>Genevieve Citrin Ray</b>	<u>Right to Counsel Campaign</u>



# **National Association for Court Management**

*Strengthening Court Professionals*

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## **POST-CONFERENCE BOARD MEETING**

**THURSDAY, JULY 25, 2019**

**12:30 – 2:30 PM**

**Van Gogh 1**

### **MINUTES**

Present: Will Simmons, TJ BeMent, Kathy Griffin, Jeffrey Tsunekawa,  
Paul DeLosh, Charleston Carter, Jeff Chapple, Michelle Dunivan,  
Frank Hardester, Dorothy Howell, Kelly Hutton, Tina Mattison, Rick  
Pierce, Angie VanSchoick, Janet Reid, Callie Dietz

Guests: Val Gardner, Shay Robertson

**1. Welcome and Introductions**

*Will Simmons*

Will called the meeting to order.

**2. Debrief of Annual Conference**

*All*

Will asked for general feedback about conference:

- Kathy heard feedback about Voice of the Profession- not as full. Perhaps should have paired the speech with a stronger plenary or later in the day (or Monday).
- People want/requested longer sessions. Callie mentioned they will be continuing to do this.
- Two-part Core sessions competed against Mark Lanterman (Son of a Breach, Don't Be Another Fish in the Dark 'Net), so they were not well attended.
- Business Meeting - Michelle mentioned that that people who go last have the smallest audience. Possibly should make reports while people are eating?
- The Career Fair was successful, and people were engaged. Michelle is going to send out an email requesting feedback from those with tables. Val requested to check re: space if going to move forward with Career Fairs each year as contracts have been signed for 2020, 2021, and 2022. Michelle would like to move forward for New Orleans. Try to have better marketing for the Fair - possibly making it a headliner for Court Express. It was estimated approximately 70 people had walked through. In the future, the board would like to include mentors and a possible resume workshop. Janet

mentioned the need to consider vendors/exhibitors when adding programming during the exhibit hall. Michelle stated another day may work.

- Paul asked about the technical difficulties and whether a discount could be requested. Callie responded that most of the issues were caused by speakers themselves. Embedded video was an issue with some of the speakers.
- Frank stated that he missed the presentation of colors or would like to at a minimum have a flag on display. Fundraising was a great opportunity. Perhaps use scholarship recipients to staff the desk. Nice to see a plan that comes together.
- Rick stated that attendees like the networking opportunities and want more. Last day, possible to add more opportunities. People were energized by podcasts/live stream. Need a succession plan for these components.
- Michelle discussed a networking event for New Orleans (i.e. ghost tour) and volunteer activity.
- Tina mentioned that she heard that some colleagues felt having a sponsored plenary had a captive audience. Committee meetings overlapped so attendees could not go to all of them. Perhaps 45 minutes for committees would be sufficient? Will suggested Education/Conference Development meet together. The board discussed doing one committee meeting a day vs. during the exhibit show.
- Janet suggested board members use the app to promote committee meetings. A description of committees should be included on the app in the future.
- Provide 10-15 minutes tutorial on the app at the beginning of the conference for those who may not know how to use it.
- Be careful not to put nothing with the exhibit hall so people don't feel like a free day.
- Exhibitors like the format of the exhibit show now and were happy with the number of attendees at the show. Exhibit hall fees are the highest of any of the National Center for State Court associations so cost cannot be increased. Consider lead retrieval and investigate costs - Kathy stated the savings weren't that great. Kathy asked about if a 50/50 raffle was possible.

### 3. NACM/NCSC Relationship/Explanation of responsibilities NCSC

Janet reviewed the partnership between the National Center for State Courts.

### 4. Board Resources

- a. Board Resource Guide - gives you structure and committee information.
- b. NACM email - new members email has been set up
- c. Box

### 5. Conference Call Schedule (*see attached*)

Will called attention to the conference call schedule and noted that meetings are on the NACM Google calendar.

### 6. NACM Permanent and Standing Committees

*Will Simmons*

New members will be contacted by Will in the near future regarding their committee

assignments. Will reviewed the current committee assignments:

- a. Nominations - Paul DeLosh
- b. Governance - Rick Pierce & Angie VanSchoick
- c. Communication - Charleston Carter & Frank Hardester
- d. Education - Kathy
  - i. Conference Development - TJ
  - ii. Core Committee- Jeffrey
- e. Membership Services - Michelle Dunivan
- f. Past Presidents - Paul DeLosh
- g. New members will be assigned soon. Will requested board members to fill out the skills assessment.
- h. Kathy asked if there should be an IT/Web committee. Jeffrey has some members that expressed an interest. More assistance will be needed with the website.
- i. Tina has volunteered to assist with Awards for 2020.

7. 2019 Strategic Priorities

Will discussed strategic priorities for 2019. Rick stated that he will be giving a report as Governance Chair, on the progress of the priorities and objectives of the year. This will be coordinated in October.

- a. Priority #1: Member Engagement
- b. Priority #2: Financial Stability
- c. Priority #3: Partnership Maximization
- d. Priority #4: Board Recruitment/Engagement

8. Conflict of Interest Policy and Emergency Contact

Board members were asked to sign and return to Janet.

9. Upcoming in-person Meeting Dates

*Will Simmons*

**Fall Board Meeting, New Orleans, LA**

Officers: Friday, October 18, 2019

Board: Saturday and Sunday, October 19-20, 2019

**Midyear Conference, Charlotte, NC**

Officers: Friday, February 7, 2020

Board: Saturday, February 8, 2020

**Annual Conference, New Orleans, LA**

*Pre-conference:*

Officers: Friday, Jul 10, 2020

Board: Saturday, July 11, 2020

Post-conference:

Board: Thursday, Jul 16, 2020

10. Will opened the floor for general feedback. Dorothy asked about a take-away, selling items for the conference. Will stated that there used to be sales. This conference had requests for lapel pins. to the Board should entertain ideas to sell items. Dorothy suggests a polo shirt. Idea of perhaps doing a shirt day. Idea of professional portfolio or cardigan sweater. Could they make them onsite? The board will discuss at the Fall Board Meeting.
11. Frank raised the issue of press releases for new Board Members. He asked if new members would like one and volunteered to write them. He plans to send out a release about the board as a whole and will include partner organizations in the distribution.
12. Charleston & Michelle would like to embark on a membership campaign. Donate \$20.20 to assist in additional scholarships and get a total of 2,020 members by 2020. Dorothy would like to get newer folks to attend conferences. #iamnacm hashtag should be utilized. Charleston would like to make a flyer for the 2020/\$20.20 - will present proposal by the Fall Board Meeting. Michelle asked about membership scholarships and the board will consider that.
13. It was requested that personal cell numbers be added to the board roster.
14. Jeffrey requested board committee chairs send meeting times when they are confirmed and requested bios from everyone for the website update. The previous year of committee materials will be archived and made available on committee pages. The President's message and page has been updated.
15. Make sure all committee dates are on NA CM calendar.
16. Michelle would like info for LinkedIn campaign.
17. Adjournment  
There being no further business, the meeting was adjourned.

*Will Simmons*





## National Association for Court Management 2020 Conferences

### 2020

#### **Midyear Conference February 9-11, 2020 – Charlotte, NC The Westin Charlotte**

601 South College Street, Charlotte NC, 28202  
(704) 375-2600

Room Rate: \$192 per night single/double occupancy + 15.25%  
Cut Off Date: Friday, January 17, 2020

	<u>Member</u>	<u>Nonmember</u>
On or Before 12/1	\$475 early	\$640 early
12/1 – 1/31	\$575 regular	\$740 regular
2/1- onsite	\$625 onsite	\$790 onsite
Group (5 or more)	\$425/\$525 after 12/1	\$590/\$690 after 12/1
ECP	\$425/\$525 after 12/1	n/a
Daily	\$200	\$240

\*\*Max occupancy 250

#### **Extra pricing for guests:**

Welcome reception:	\$35
Exhibit lunch:	\$45
Plenary lunch:	\$50

#### **Annual Conference July 21-25, 2019 – Las Vegas, NV Hilton New Orleans Riverside**

Two Poydras Street, New Orleans, LA 70130  
(504) 561-0500

Room Rate: \$185 per night single/double occupancy + \$3 + 14%  
Cut-off date: Friday, June 19, 2020

	<u>Member</u>	<u>Nonmember</u>
On or Before 5/1	\$615 early	\$755 early
5/2 – 6/30	\$715 regular	\$855 regular
6/30 – Onsite	\$785	\$925
Group (10 or more)	\$615/\$715 after 5/31	\$755/\$855 after 5/31
ECP	\$615/\$715 after 5/31	n/a
Daily	\$275	\$300

\*\*Max occupancy 726

#### **Extra pricing for Guests:**

Welcome reception:	\$75
Lunch:	\$60
Social event:	\$75
Exhibit lunch:	\$50
Breakfast:	\$60



# National Association for Court Management

*Strengthening Court Professionals*

## Education Committee Progress Report Form – 2019-2020

	Report	Due Date	Submission Date
<b>X</b>	Fall Progress Report	October 1, 2019	October 1, 2019
	Midyear Progress Report	January 15, 2020	
	Annual Progress Report	June 17, 2020	

Project	Project Status	Strategic Priority? (Yes/No)	Discussion Needed? (Yes/No)	Board Action Needed? (Yes/No)	If Yes to discussion or action, please describe what needed
Education Committee	Conference Tracks Leadership Assessment / Rubric	Yes Yes	No No	No No	
Conference Development Subcommittee	Midyear and Annual Call for Proposals posted and soliciting responses. Themes and logos complete. Team to review 2019 evaluations for takeaways.  Conference Rates for 2020	No  No	No  Yes	No  Yes	Set rates for 2020 Conferences
Core Subcommittee	Forming next review groups. Determine Core Sessions for Conferences Rollout Core Achievement Program	Yes Yes Yes	No No No	No No No	

Time needed at meeting for Committee report: 10 Minutes

Submitted by: Kathy Griffin

Date: October 1, 2019



**National Association for Court Management  
Supplemental Report  
For the Eight Months Ended August 31, 2019**

**National Association for Court Management**  
**Budget vs Actual**  
**For the Eight Months Ended August 31, 2019**

	<b>YTD</b>	<b>Annual Budget</b>	<b>Variance</b>	<b>% Budget</b>
<b>Revenue</b>				
4000 · Membership Dues/Regular	\$ 129,580.00	\$ 180,000.00	\$ (50,420.00)	72%
4005 · Membership Dues/Associate	14,720.00	7,625.00	7,095.00	193%
4010 · Membership Dues/Sustaining	2,950.00	4,500.00	(1,550.00)	66%
4015 · Membership Dues/Retired	950.00	1,600.00	(650.00)	59%
4025 · Membership Dues/Student	175.00	245.00	(70.00)	71%
4030 · Membership Dues/DUAL	7,245.00	1,200.00	6,045.00	604%
4035 · Membership Dues/eLimited	315.00	900.00	(585.00)	35%
4050 · Scholarship Fund	2,103.53	3,000.00	(896.47)	70%
4065 · Donations/Other	60,000.00	90,000.00	(30,000.00)	67%
4070 · Interest Income/Regular	4,326.24	-	4,326.24	0%
4080 · Unrealized Gain/Loss	60,718.42	3,500.00	57,218.42	1735%
4090 · Fees and Registrations	507,575.69	508,000.00	(424.31)	100%
4100 · Social/Other Income	8,605.00	10,000.00	(1,395.00)	86%
4110 · Vendor Income	235,490.00	226,875.00	8,615.00	104%
4120 · Sponsorship Income	108,750.00	101,000.00	7,750.00	108%
4130 · Grant Income	63,528.21	156,350.00	(92,821.79)	41%
4140 · Advertising Income	6,992.50	14,500.00	(7,507.50)	48%
4150 · Publication Sales	1,536.00	500.00	1,036.00	307%
<b>Total Revenue</b>	<b>1,215,560.59</b>	<b>1,309,795.00</b>	<b>(94,234.41)</b>	<b>93%</b>
<b>Expense</b>				
5100 · Travel/General	20,096.24	61,500.00	(41,403.76)	33%
5105 · Travel/President	5,986.34	20,000.00	(14,013.66)	30%
5110 · Travel/Officer	-	1,500.00	(1,500.00)	0%
5120 · Travel/Site Visit	495.70	4,000.00	(3,504.30)	12%
5125 · Travel/Association Serv.	9,808.63	20,800.00	(10,991.37)	47%
5130 · SJI Speaker Travel	11,875.35	15,500.00	(3,624.65)	77%
5200 · Honoraria	14,700.00	15,000.00	(300.00)	98%
5300 · Conference Expenses	31,498.45	54,849.00	(23,350.55)	57%
5310 · Food and Beverages	279,100.62	418,000.00	(138,899.38)	67%
5320 · Audio Visual	20,000.00	80,000.00	(60,000.00)	25%
5400 · President's Discretionary	334.26	2,500.00	(2,165.74)	13%
5600 · Scholarships	2,420.00	7,865.00	(5,445.00)	31%
5650 · Awards	853.22	1,300.00	(446.78)	66%
5700 · Presidents Gifts	170.13	400.00	(229.87)	43%
6000 · Telephone	0.82	3,600.00	(3,599.18)	0%
6010 · Webinars	-	2,988.00	(2,988.00)	0%
6200 · Postage	1,871.94	4,250.00	(2,378.06)	44%
6300 · Printing/Photocopying	6,019.88	11,125.00	(5,105.12)	54%
6400 · Office Supplies	121.36	100.00	21.36	121%
6410 · Linkedin	-	2,000.00	(2,000.00)	0%
6500 · Insurance Expense	7,507.83	7,700.00	(192.17)	98%
6600 · Consultant	47,012.80	52,758.00	(5,745.20)	89%
6610 · Audit Fee	3,500.00	10,000.00	(6,500.00)	35%
6700 · Website Devp/Internet Exp	3,500.00	-	3,500.00	0%
6800 · Credit Card Fees	18,606.59	15,000.00	3,606.59	124%
6810 · Licenses & Fees	181.00	281.00	(100.00)	64%
6820 · Admin Supp/Contract Fee	256,348.64	384,523.00	(128,174.36)	67%
6950 · Depreciation	2,955.53	-	2,955.53	0%
7000 · Grant Match-Travel	2,276.78	15,500.00	(13,223.22)	15%
7010 · Grant Match-Honorarium	750.00	15,000.00	(14,250.00)	5%
7020 · Grant Match-Audio Visual	29,188.18	96,150.00	(66,961.82)	30%
7030 · Grant Match-Admin Support	45,238.00	67,857.00	(22,619.00)	67%
<b>Total Expense</b>	<b>822,418.29</b>	<b>1,392,046.00</b>	<b>(569,627.71)</b>	<b>59%</b>
<b>Change in Net Assets</b>	<b>\$ 393,142.30</b>	<b>\$ (82,251.00)</b>	<b>\$ 475,393.30</b>	

**National Association for Court Management  
Budget Vs Actual - Annual Conference  
For the Eight Months Ended August 31, 2019**

Class Code:	Annual Conference- SJI Grant 1010	Annual Conference- Planning 1030	Annual Conference- Other 1000	Total Annual Conference 1000	Annual Conference Budget	Annual Conference % of Budget
<b>Revenue</b>						
4090 • Fees and Registrations	-	-	428,010.69	428,010.69	414,300.69	103%
4100 • Social/Other Income	-	-	8,610.00	8,610.00	8,235.00	105%
4110 • Vendor Income	-	-	181,900.00	181,900.00	181,900.00	100%
4120 • Sponsorship Income	-	-	96,250.00	96,250.00	96,250.00	100%
4130 • Grant Income	-	-	-	-	108,800.00	0%
<b>Total Revenue</b>	-	-	714,770.69	714,770.69	809,485.69	88%
<b>Expense</b>						
5130 • SJI Speaker Travel	-	-	7,734.64	7,734.64	12,500.00	0%
5200 • Honoraria	-	-	9,700.00	9,700.00	10,000.00	97%
5300 • Conference Expenses	-	61.47	23,339.68	23,401.15	43,400.00	54%
5310 • Food and Beverages	-	-	242,281.38	242,281.38	363,000.00	67%
5320 • Audio Visual	-	-	-	-	60,000.00	0%
5400 • President's Discretionary	-	-	240.10	240.10	-	0%
5650 • Awards	-	-	853.22	853.22	1,300.00	66%
5700 • Presidents Gifts	-	-	170.13	170.13	400.00	43%
6200 • Postage	-	-	777.05	777.05	2,000.00	39%
6300 • Printing/Photocopying	-	-	-	-	100.00	0%
6400 • Office Supplies/Expense	-	-	4.28	4.28	-	0%
6500 • Insurance Expense	-	-	2,000.00	2,000.00	2,000.00	100%
6600 • Consultant	26,300.00	-	-	26,300.00	26,300.00	100%
6810 • Licenses & Fees	-	-	131.00	131.00	128.00	102%
7000 • Grant Match-Travel	-	-	1,323.18	1,323.18	11,500.00	12%
7010 • Grant Match-Honorarium	-	-	-	-	10,000.00	0%
7020 • Grant Match-Audio Visual	-	-	-	-	76,150.00	0%
<b>Total Expense</b>	26,300.00	61.47	288,554.66	314,916.13	618,778.00	51%
<b>Change in Net Assets</b>	<b>\$ (26,300.00)</b>	<b>\$ (61.47)</b>	<b>\$ 426,216.03</b>	<b>\$ 399,854.56</b>	<b>\$ 190,707.69</b>	

**National Association for Court Management**

**Budget Vs Actual - Mid Year Conference**

**For the Eight Months Ended August 31, 2019**

Class Code:	Mid Year Conference- SJI Grant 1510	Mid Year Conference- Other 1500	Total Midyear Conference 1500	Mid Year Conference Budget	Mid Year Conference % of Budget
<b>Revenue</b>					
4090 • Fees and Registrations	-	79,490.00	79,490.00	88,000.00	90%
4100 • Social/Other Income	-	70.00	70.00	3,000.00	2%
4110 • Vendor Income	-	53,590.00	53,590.00	42,375.00	126%
4120 • Sponsorship Income	-	12,500.00	12,500.00	17,700.00	71%
4130 • Grant Income	63,528.21	-	63,528.21	47,550.00	134%
4140 • Advertising Income	-	-	-	-	0%
4150 • Publication Sales	-	-	-	-	0%
<b>Total Revenue</b>	<b>63,528.21</b>	<b>145,650.00</b>	<b>209,178.21</b>	<b>198,625.00</b>	<b>105%</b>
<b>Expense</b>					
5100 • Travel/General	-	234.61	234.61	-	0%
5130 • SJI Speaker Travel	840.65	3,300.06	4,140.71	3,000.00	138%
5200 • Honoraria	-	5,000.00	5,000.00	5,000.00	100%
5300 • Conference Expenses	-	8,097.30	8,097.30	11,449.00	71%
5310 • Food and Beverages	-	34,395.35	34,395.35	55,000.00	63%
5320 • Audio Visual	20,000.00	-	20,000.00	20,000.00	100%
6200 • Postage	-	477.22	477.22	1,500.00	32%
6500 • Insurance Expense	-	629.01	629.01	500.00	126%
6600 • Consultant	19,550.00	-	19,550.00	19,550.00	100%
7000 • Grant Match-Travel	-	953.60	953.60	4,000.00	24%
7010 • Grant Match-Honorarium	-	750.00	750.00	5,000.00	15%
7020 • Grant Match-Audio Visual	-	29,188.18	29,188.18	20,000.00	146%
7030 • Grant Match-Admin Support	-	-	-	-	0%
<b>Total Expense</b>	<b>40,390.65</b>	<b>83,025.33</b>	<b>123,415.98</b>	<b>144,999.00</b>	<b>85%</b>
<b>Change in Net Assets</b>	<b>\$ 23,137.56</b>	<b>\$ 62,624.67</b>	<b>\$ 85,762.23</b>	<b>\$ 53,626.00</b>	

**National Association for Court Management**  
**Budget Vs Actual - Other Program**  
**For the Eight Months Ended August 31, 2019**

Class Code:	Communications 2000	Court Manager 2020	Court Express 2030	Membership 3000	Guides 4000	Restricted-Special Project Fund 6000	General Operations 9000	Total Other	Other Class Budget	Other Class % of Budget
<b>Revenue</b>										
4000 • Membership Dues/Regular	\$ -	\$ -	\$ -	\$ 129,580.00	\$ -	\$ -	\$ -	\$ 129,580.00	\$ 180,000.00	72%
4005 • Membership Dues/Associate	-	-	-	14,720.00	-	-	-	14,720.00	7,625.00	193%
4010 • Membership Dues/Sustaining	-	-	-	2,950.00	-	-	-	2,950.00	4,500.00	66%
4015 • Membership Dues/Retired	-	-	-	950.00	-	-	-	950.00	1,600.00	59%
4025 • Membership Dues/Student	-	-	-	175.00	-	-	-	175.00	245.00	71%
4030 • Membership Dues/DUAL	-	-	-	7,245.00	-	-	-	7,245.00	1,200.00	604%
4035 • Membership Dues/eLimited	-	-	-	315.00	-	-	-	315.00	900.00	35%
4050 • Scholarship Fund	-	-	-	-	-	2,103.53	-	2,103.53	3,000.00	70%
4065 • Donations/Other	-	-	-	-	-	-	60,000.00	60,000.00	90,000.00	67%
4070 • Interest Income/Regular	-	-	-	-	-	-	4,326.24	4,326.24	-	0%
4080 • Unrealized Gain/Loss	-	-	-	-	-	-	60,718.42	60,718.42	3,500.00	1735%
4090 • Fees and Registrations	-	-	-	-	-	-	-	-	-	0%
4140 • Advertising Income	2,000.00	4,392.50	600.00	-	-	-	-	6,992.50	14,500.00	48%
4150 • Publication Sales	-	570.00	-	-	966.00	-	-	1,536.00	500.00	100%
<b>Total Revenue</b>	<b>2,000.00</b>	<b>4,962.50</b>	<b>600.00</b>	<b>155,935.00</b>	<b>966.00</b>	<b>2,103.53</b>	<b>125,044.66</b>	<b>291,611.69</b>	<b>307,570.00</b>	<b>95%</b>
<b>Expense</b>										
5100 • Travel/General	-	-	-	-	-	-	19,861.63	19,861.63	61,500.00	32%
5105 • Travel/President	-	-	-	-	-	-	5,986.34	5,986.34	20,000.00	30%
5110 • Travel/Officer	-	-	-	-	-	-	-	-	1,500.00	0%
5120 • Travel/Site Visit	-	-	-	-	-	-	495.70	495.70	4,000.00	12%
5125 • Travel/Association Serv.	-	-	-	-	-	-	9,808.63	9,808.63	20,800.00	47%
5310 • Food and Beverages	-	-	-	-	-	-	2,423.89	2,423.89	-	0%
5400 • President's Discretionary	-	-	-	-	-	-	94.16	94.16	2,500.00	4%
5600 • Scholarships	-	-	-	-	-	2,420.00	-	2,420.00	7,865.00	31%
6000 • Telephone	-	-	-	-	-	-	0.82	0.82	3,600.00	0%
6010 • Webinars	-	-	-	-	-	-	-	-	2,988.00	0%
6200 • Postage	-	-	-	-	-	-	617.67	617.67	750.00	82%
6300 • Printing/Photocopying	-	5,810.00	-	-	-	-	209.88	6,019.88	11,025.00	55%
6400 • Office Supplies/Expense	-	-	-	-	-	-	117.08	117.08	100.00	117%
6410 • Linkedin	-	-	-	-	-	-	-	-	2,000.00	0%
6500 • Insurance Expense	-	-	-	-	-	-	4,878.82	4,878.82	5,200.00	94%
6600 • Consultant	-	-	-	-	-	-	1,162.80	1,162.80	6,908.00	17%
6610 • Audit Fee	-	-	-	-	-	-	3,500.00	3,500.00	10,000.00	35%
6700 • Website Devp/Internet Exp	-	-	-	-	-	-	3,500.00	3,500.00	-	0%
6800 • Credit Card Fees	-	-	-	-	-	-	18,606.59	18,606.59	15,000.00	124%
6810 • Licenses & Fees	-	-	-	-	-	-	50.00	50.00	153.00	33%
6820 • Admin Supp/Contract Fee	-	-	-	-	-	-	256,348.64	256,348.64	384,523.00	67%
6950 • Depreciation	-	-	-	-	-	-	2,955.53	2,955.53	-	0%
7000 • Grant Match-Travel	-	-	-	-	-	-	-	-	-	0%
7030 • Grant Match-Admin Support	-	-	-	-	-	-	45,238.00	45,238.00	67,857.00	67%
<b>Total Expense</b>	<b>-</b>	<b>5,810.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,420.00</b>	<b>375,856.18</b>	<b>384,086.18</b>	<b>628,269.00</b>	<b>61%</b>
<b>Change in Net Assets</b>	<b>\$ 2,000.00</b>	<b>\$ (847.50)</b>	<b>\$ 600.00</b>	<b>\$ 155,935.00</b>	<b>\$ 966.00</b>	<b>\$ (316.47)</b>	<b>\$ (250,811.52)</b>	<b>\$ (92,474.49)</b>	<b>\$ (320,699.00)</b>	

								NOTES				
		2017 Actual	2018 Annual Budget	2018 Actual			2019 Annual Budget	2019 Actual YTD (8.31.2019)	2019 Projected	2020 Proposed Budget		
Revenue												
4000 - Membership Dues/Regular	\$	152,480.00	\$ 184,375.00	\$ 144,835.00	4000 - Membership Dues/Regular	\$	180,000.00	\$ 129,580.00	\$ 160,000.00	\$	180,000	1333 members, increase by 75
4005 - Membership Dues/Associate	\$	13,785.00	7,625.00	7,920.00	4005 - Membership Dues/Associate	\$	7,625.00	14,720.00	16,000.00	\$	14,000	103 members
4010 - Membership Dues/Sustaining	\$	4,550.00	3,500.00	4,855.00	4010 - Membership Dues/Sustaining	\$	4,500.00	2,950.00	4,800.00	\$	4,500	9 members
4015 - Membership Dues/Retired	\$	1,650.00	1,600.00	1,600.00	4015 - Membership Dues/Retired	\$	1,600.00	950.00	1,600.00	\$	1,600	16 members
4025 - Membership Dues/Student	\$	210.00	245.00	140.00	4025 - Membership Dues/Student	\$	245.00	175.00	140.00	\$	245	7 members
4030 - Membership Dues/DUAL			-	1,800.00	4030 - Membership Dues/DUAL	\$	1,200.00	7,245.00	10,000.00	\$	14,000	127 members
4035 - Membership Dues/eLimited			-	1,640.00	4035 - Membership Dues/eLimited	\$	900.00	315.00	500.00	\$	245	7 members
4050 - Scholarship Fund	\$	1,500.00	6,500.00	3,498.56	4050 - Scholarship Fund	\$	3,000.00	2103.53	2103.53	\$	3,000	Gallas \$1500 + \$1500 fundraising
4065 - Donations/Other	\$	90,000.00	90,000.00	90,000.00	4065 - Donations/Other	\$	90,000.00	60,000.00	90,000.00	\$	90,000	NCSC Contribution
4070 - Interest Income/Regular	\$	27,326.00	-	33,976.66	4070 - Interest Income/Regular	\$	-	4,326.24				
4080 - Unrealized Gain/Loss	\$	67,404.00	-	(66,923.42)	4080 - Unrealized Gain/Loss	\$	3,500.00	60,718.42				
4090 - Fees and Registrations	\$	574,671.32	343,490.00	430,174.90	4090 - Fees and Registrations	\$	508,000.00	507,575.69	507,575.69	\$	450,000	based on: annual: 500 @\$715, midyear 200 @\$475 max reg: annual 726 and midyear 250 (2019 MY 117, 2019 AC 602)
4095 - In-Kind Registration			-	23,430.00	4095 - In-Kind Registration							stacey says same as last year
4100 - Social/Other Income	\$	14,040.00	8,300.00	11,060.00	4100 - Social/Other Income	\$	10,000.00	8,605.00	8,605.00	\$	10,000	stacey says expect same as last year
4110 - Vendor Income	\$	237,625.00	225,000.00	267,315.00	4110 - Vendor Income	\$	226,875.00	235,490.00	235,490.00	\$	235,000	SJI...
4120 - Sponsorship Income	\$	78,533.00	80,000.00	101,000.00	4120 - Sponsorship Income	\$	101,000.00	108,750.00	108,750.00	\$	120,000	grant income per WETOO GRANT
4130 - Grant Income	\$	133,568.00	137,050.00	137,050.00	4130 - Grant Income	\$	156,350.00	63,528.21	156,350.00	\$	156,350	not as many spots in CM
					#WETOO Grant					\$	113,346	online sales
4140 - Advertising Income	\$	16,008.00	16,500.00	9,664.00	4140 - Advertising Income	\$	14,500.00	6,992.50	12,000.00	\$	13,000	
4150 - Publication Sales	\$	2,362.00	500.00	1,106.74	4150 - Publication Sales	\$	500.00	1,536.00	2,000.00	\$	500	
Total Revenue	\$	1,415,712.32	1,104,685.00	1,204,142.44	Total Revenue	\$	1,309,795.00	1,215,560.59	1,315,914.22	\$	1,405,786	
Expense												
5100 - Travel/General	\$	28,762.50	53,000.00	36,008.64	5100 - Travel/General	\$	61,500.00	20,096.24	61,500.00	\$	58,714	board travel - MY, AC, Fall Board Mtg
5105 - Travel/President	\$	17,231.15	20,000.00	17,422.85	5105 - Travel/President	\$	20,000.00	5,986.34	15,000.00	\$	15,000	does not include NACM conference travel
5110 - Travel/Officer	\$	294.33	1,500.00	865.69	5110 - Travel/Officer	\$	1,500.00	-	1500	\$	1,500	secretary/treasurer orientation
5120 - Travel/Site Visit	\$	4,231.00	4,000.00	747.94	5120 - Travel/Site Visit	\$	4,000.00	495.70	4000.00	\$	4,000	Site visits
5125 - Travel/Association Serv.	\$	13,432.68	20,000.00	10,315.95	5125 - Travel/Association Serv.	\$	20,800.00	9,808.63	19,000.00	\$	16,549	Association Services Travel to Conf
5130 - SJI Speaker Travel	\$	8,290.10	-	5,974.84	5130 - SJI Speaker Travel	\$	15,500.00	11,875.35	15,500.00	\$	15,500	SJI Grant travel
5200 - Honoraria	\$	24,584.90	25,000.00	27,025.16	5200 - Honoraria	\$	15,000.00	14,700.00	15,000.00	\$	15,000	SJI Honoraria
5300 - Conference Expenses	\$	229,632.81	135,500.00	179,346.39	5300 - Conference Expenses	\$	54,849.00	31,498.45	30,000.00	\$	39,599	various conf expenses to include the app
5310 - Food and Beverages	\$	265,913.25	362.00	210,235.19	5310 - Food and Beverages	\$	418,000.00	279,100.62	418,000.00	\$	374,000	F&B/Social event at annual - Board Meeting Catering
5320 - Audio Visual	\$	57,754.60	58,350.00	59,145.80	5320 - Audio Visual	\$	80,000.00	20,000.00	80,000.00	\$	60,000	SJI Audio Visual - 50% of estimate
5400 - President's Discretionary	\$	2,305.80	2,500.00	2,591.25	5400 - President's Discretionary	\$	2,500.00	334.26	1500.00	\$	2,500	Discretionary - sympathy flowers, cards, stamps, gift cards for ECP/FTA Reception
5500 - Committee Expenses	\$	1,716.08	2,700.00	140.07	WE TOO					\$	113,346	
5600 - Scholarships	\$	12,521.00	8,000.00	6,765.00	5600 - Scholarships	\$	7,865.00	2420	7865	\$	6,410	includes \$1500 Gallas, \$1500 ICM, Conference Scholarships (\$4360 - \$615 x 4 = \$2460 and 475 x 2 = \$950)
5650 - Awards	\$	699.69	2,200.00	583.06	5650 - Awards	\$	1,300.00	853.22	853.22	\$	1,300	Award of Merit, Enhancing Justice, ECP, Perkins, Technology
5700 - Presidents Gifts	\$	792.56	-	611.44	5700 - Presidents Gifts	\$	400.00	170.13	170.13	\$	400	Gift & Plaque to president only
6000 - Telephone	\$	4,686.87	4,200.00	3,069.86	6000 - Telephone	\$	3,600.00	0.82	1.00	\$	-	eliminate this expense: all done through webinar/gotomeeting
6010 - Webinars			1,600.00	3,859.83	6010 - Webinars	\$	2,988.00	-	2988	\$	2,988	gotomeeting for webinars, podcasts and conference calls
6100 - Conference Calls			-	-								
6200 - Postage	\$	7,595.69	6,000.00	3,863.91	6200 - Postage	\$	4,250.00	1871.94	3250.00	\$	3,900	New member packets & other correspondence, SJI Grant, Trunk Shipments to Conferences
6300 - Printing/Photocopying	\$	50,391.10	13,250.00	11,310.00	6300 - Printing/Photocopying	\$	11,125.00	6,019.88	11,125.00	\$	12,625	1 guide and 4 court managers (no guide design in 2019)
6400 - Office Supplies	\$	1,471.78	600.00	108.69	6400 - Office Supplies	\$	100.00	121.36	121.36	\$	100	Envelopes/Staff Name Tags
6410 - LinkedIn	\$	1,741.00	4,000.00	400.00	6410 - LinkedIn	\$	2,000.00	-	2000	\$	-	campaign to continue?
6500 - Insurance Expense	\$	7,832.92	7,500.00	7,613.32	6500 - Insurance Expense	\$	7,700.00	7,507.83	7,507.82	\$	8,200	
6600 - Consultant	\$	44,700.00	45,850.00	46,667.30	6600 - Consultant	\$	52,758.00	47,012.80	52,758.00	\$	47,705	live stream (\$45850), survey monkey (\$900), icontract, (\$954.75)
6610 - Audit Fee	\$	2,750.00	1,500.00	2,885.00	6610 - Audit Fee	\$	10,000.00	3,500.00	10,000.00	\$	3,000	no audit in 2020, so should be \$3000
6700 - Website Devp/Internet Exp	\$	12,948.80	32,205.00	17,904.76	6700 - Website Devp/Internet Exp	\$	-	3,500.00	6,500.00	\$	6,500	howell maintenance plan - moved from consultant and domain license, wp
6800 - Credit Card Fees	\$	22,255.00	15,000.00	13,990.76	6800 - Credit Card Fees	\$	15,000.00	18,606.59	20,000.00	\$	17,000	
6810 - Licenses & Fees	\$	151.95	170.00	153.00	6810 - Licenses & Fees	\$	281.00	181.00	181.00	\$	1,085	ASCAP, SCC Filing, Trademark for CORE \$925 for 5 years
6820 - Admin Suppl/Contract Fee	\$	369,462.96	376,983.50	391,481.54	6820 - Admin Suppl/Contract Fee	\$	384,523.00	256,348.64	395,000.00	\$	403,383	NACM ANNUAL CONTRACT less 15%+Trigger Clause Bonus
6950 - Depreciation			-	2,216.67	6950 - Depreciation		-	2,955.53	4,433.29	\$	4,000	for website, mandated by Marcom
7000 - Grant Match-Travel	\$	3,688.70	16,500.00	5,150.63	7000 - Grant Match-Travel	\$	15,500.00	2276.78	15500.00	\$	15,500	Speaker Travel
7010 - Grant Match-Honorarium	\$	13,936.30	7,000.00	18,254.84	7010 - Grant Match-Honorarium	\$	15,000.00	750.00	15000.00	\$	15,000	Speaker Honoraria & Conf discount
7020 - Grant Match-Audio Visual	\$	66,565.06	58,200.00	71,225.89	7020 - Grant Match-Audio Visual	\$	96,150.00	29,188.18	96,150.00	\$	66,539	
7030 - Grant Match-Admin Support	\$	65,351.04	66,526.50	66,525.96	7030 - Grant Match-Admin Support	\$	67,857.00	45,238.00	67,857.00	\$	69,214	15% of annual contract
Total Expense	\$	1,343,691.62	1,227,835.00	1,224,461.23	Total Expense	\$	1,392,046.00	\$ 822,418.29	\$ 1,380,260.82	\$	1,400,556	
Change in Net Assets	\$	73,497.42	(\$ 123,150.00)	(20,318.79)	Change in Net Assets	\$	(\$ 82,251.00)	\$ 393,142.30	-\$ 64,346.60	\$	5,230	
Net Assets at beginning of year	\$	667,708.00		\$ 645,806.00		\$	627,315.63					
Net Assets at end of year	\$	645,806.00		\$ 627,315.63								



# National Association for Court Management

## *Strengthening Court Professionals*

### Governance Committee Progress Report Form – 2019-2020

	Report	Due Date	Submission Date
<b>X</b>	Fall Progress Report	October 1, 2019	
	Midyear Progress Report	January 15, 2020	
	Annual Progress Report	June 17, 2020	

Project	Project Status	Strategic Priority? (Yes/No)	Discussion Needed? (Yes/No)	Board Action Needed? (Yes/No)	If Yes to discussion or action, please describe what needed
<b>Ethics Committee</b>	The subcommittee developed and distributed a survey of ethics codes and ethic review boards to courts and administrative offices	yes	No	no	
<b>Resolutions</b>	The resolutions subcommittee submitted an original resolution promoting courts commitment to plain language. In addition, the subcommittee and the Governance Committee recommend the adoption of three separate supportive resolutions originally adopted by COSCA and CCJ.	No	Yes	yes	<b>Acknowledgment of the resolutions with a notation board will vote on their adoption at its next meeting</b>
<b>Educational Landing pages</b>	Content and design of landing pages for educators and students as well as funding authorities is in the preparation stage	No	No	no	

<b>Project</b>	<b>Project Status</b>	<b>Strategic Priority? (Yes/No)</b>	<b>Discussion Needed? (Yes/No)</b>	<b>Board Action Needed? (Yes/No)</b>	<b>If Yes to discussion or action, please describe what needed</b>
<b>VOP survey results</b>	The Voice of the Profession Survey results were disseminated to the Governance Committee and NACM board for review and comment. At this time, the Committee is exploring how best to recommend to the Board a position on the top three topics, IT, court security, and public trust	<b>Yes</b>	<b>yes</b>	<b>no</b>	
<b>National Agenda</b>	The committee, in conjunction with Past Presidents is in the process of identifying and recruiting a group of authors for upcoming National Agenda. Governance will provide liaisons to this group as well as access to documentation used in the formation of the current National Agenda	<b>Yes</b>	<b>Yes</b>	<b>no</b>	
<b>Track the implementation of the 2019 strategic plan priorities</b>	Each committee responsible for a specific priority under an identified goal is in the process of providing an update as to the status of completion of said priorities. Report will be given by this chair as a separate agenda item at the Fall Board meeting.	<b>Yes</b>	<b>Yes</b>	<b>yes</b>	<b>Review of priorities status and acceptance of report as submitted</b>

**Time needed at meeting for Committee report: 20 minutes**

**Additional time will be necessary to include project 6 as a separate item on the agenda**

**Submitted by: Rick Pierce**

**Date: September 19, 2019**





**National Association for Court Management**  
*Strengthening Court Professionals*

## **Original Resolution No. 3 of 2019**

### **Usage of Plain Language in all Courts**

WHEREAS, for over 40 years the National Association for Court Management (NACM) has been a pioneer in the administration of justice and has long recognized the value and significance of access to justice for all people who come before our courts; and

WHEREAS, NACM is keenly aware that legal terminology and court processes may prove difficult for court customers to understand and successfully navigate when doing business with the courts; and

WHEREAS, NACM, in collaboration with the Self-Represented Litigation Network, presented and recorded a webinar on plain language for judicial officers and other court professionals to increase awareness of plain language writing principles and initiatives and to enhance access to our courts through better comprehension, and

WHEREAS, NACM produced a Plain Language Guide as a training manual for court administrators and staff to employ in their court; and

WHEREAS NACM has presented seminars at its conferences on the importance of using plain language writing principles to ensure all court materials are comprehensible to court consumers; and

NOW, THEREFORE BE IT RESOLVED that the National Association of Court Management will continue to place access to justice and comprehension of the court environment as of utmost importance to its membership and court officers throughout the nation,

BE IT FURTHER RESOLVED that NACM will continue to provide programs at its conferences and make available to its members training materials and guides designed to assist courts to create an environment that is accessible and comprehensible to all people.

BE IT FURTHER RESOLVED that NACM urges its members to support and encourage the use of plain language writing principles in their courts.

\*Adapted from [Resolution 5 from the Conference of Chief Justices and Conference of State Court Administrators adopted on July 31, 2019.](#)



# **National Association for Court Management**

*Strengthening Court Professionals*

## **Supported Resolution 1 of 2019**

### **CONFERENCE OF CHIEF JUSTICES**

### **CONFERENCE OF STATE COURT ADMINISTRATORS**

#### **Resolution 1**

#### **In Support of Increased Funding for Court Improvement Programs**

WHEREAS, the Conference of Chief Justices and Conference of State Court Administrators (Conferences) recognize the importance of securing safe and permanent homes for children and the importance of moving children in state custody to permanent and safe homes as quickly as possible through the efficient and effective handling of child abuse and neglect cases; and

WHEREAS, the Conferences have made reform of child welfare systems a priority and undertaken

initiatives to strengthen court oversight of child welfare cases; and

WHEREAS, in 1993, Congress created the original Court Improvement Program (CIP), a grant program to assist state courts in improving their handling of child abuse and neglect cases. By passage of this legislation (P.L. 103-66), Congress explicitly recognized the effect of federal mandates on the state judicial systems and provided funds directly to the highest court in each state; and

WHEREAS, Congress required each state to use its CIP funds in the first year to conduct an assessment, identify problems in processing child abuse and neglect cases, and develop strategies for addressing those problems. Subsequent year CIP funds have been used to implement system improvements and evaluate the effectiveness of the improvements; and

WHEREAS, the Deficit Reduction Act of 2005 (P.L. 109-171) required and encouraged collaboration between courts and public child welfare agencies and authorized two additional CIP grants. One grant was dedicated to assisting courts to improve the training of judges, court personnel, and attorneys handling child abuse and neglect cases. The other grant was dedicated to assisting courts in improving the timeliness of their efforts on behalf of children in foster care; and

WHEREAS, state courts have completed comprehensive assessments, developed and implemented innovative solutions for improving court processes and procedures, and evaluated the effectiveness of reform efforts. Children across the country have benefited from this funding, as courts have been able to improve and expedite the processing of child abuse and neglect cases with the goal of placing children in permanent and safe homes and improving outcomes for children; and

WHEREAS, state courts have combined the CIP funds with state and local dollars to make significant changes in the way they handle child abuse and neglect cases. The availability

of CIP funds has stimulated a synergy among judicial, executive and private resources, which has resulted in broad changes in how state courts handle child abuse and neglect cases; and

WHEREAS, these CIP funds have been critical in accomplishing reform efforts, such as revising trial court and appellate court procedures, establishing and enhancing automated case tracking systems, developing data exchanges between the courts and child welfare agencies, implementing court performance measurements, providing training for judges and court personnel in both substantive law and issues impacting child development, and developing resources (e.g., bench books and bench cards) that assist judges in fulfilling their responsibilities; and

WHEREAS, the CIP funds have been essential to enabling courts to implement federal legislation and policy, particularly related to training judges, court personnel, and attorneys on federal laws and regulations and to collecting data to ensure timelines of case processing and to monitor court performance; and

WHEREAS, although the courts have been able to leverage these federal dollars to accomplish reforms, more enhancements and reforms are needed and the CIP funds continue to be a critical factor to improving the adjudication of child welfare cases; and

WHEREAS, in 2018, the Family First Prevention Services Act was signed into law as part of the Bipartisan Budget Act of 2018 (P.L. 115-123), creating new funding and requirements for prevention services and placing the vast majority of children in foster care with family members or in family foster homes. The law limits the use of federal funding for congregate and group home placements to children in foster care who are in need of special services or treatment. State courts must evaluate whether child welfare agencies have made reasonable efforts in child protection cases to prevent foster care placement, and state courts are assigned new roles in overseeing congregate and group home placements and the well-being of children in foster care. The Act also reauthorized and extended CIP for five years through FY 2021; and

WHEREAS, the 116<sup>th</sup> Congress will be considering additional legislation, such as the Family First Transition and Support Act of 2019 (S. 1376/H.R. 2702), which proposes to increase funding for the CIP grant program in recognition of the new responsibilities placed on state courts and the critical role that state courts will play in the implementing the Family First Prevention Services Act;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and Conference of State

Court Administrators strongly urge Congress to increase funding to the three CIP grant programs so that state courts are able to sustain, enhance, and expand child welfare reforms and effectively implement the provisions of the Family First Prevention Services Act.

Adopted as proposed by the Conference of Chief Justices Board of Directors and the Conference of State Court Administrators Board of Directors on June 10, 2019.



# **National Association for Court Management**

*Strengthening Court Professionals*

## **Supported Resolution 2 of 2019**

### **CONFERENCE OF CHIEF JUSTICES**

### **CONFERENCE OF STATE COURT ADMINISTRATORS**

#### **Resolution 2**

#### **In Support of the Policy Recommendations of the National Judicial Opioid Task Force**

WHEREAS, the misuse and abuse of opioids and other addictive substances is a devastating national public health crisis affecting the administration of justice in state and local courts in every state; and

WHEREAS, courts are positioned to respond to the epidemic; and

WHEREAS, in 2017, the Conference of Chief Justices and the Conference of State Court Administrators established the National Judicial Opioid Task Force to develop tools, resources, and policy recommendations to address the epidemic; and\*

WHEREAS, in 2019 the National Judicial Opioid Task Force developed a set of best practice and policy recommendations to guide state and local courts in their development, operation, and assessment of judicial responses to the epidemic; and

WHEREAS, the recommendations are structured into six primary categories: Judicial Leadership; Communication and Collaboration; Treatment and Services; Court-based Programs and Strategies; Judicial Branch Education; and Legislation and Funding;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators endorse the recommendations developed by the National Judicial Opioid Task Force; and

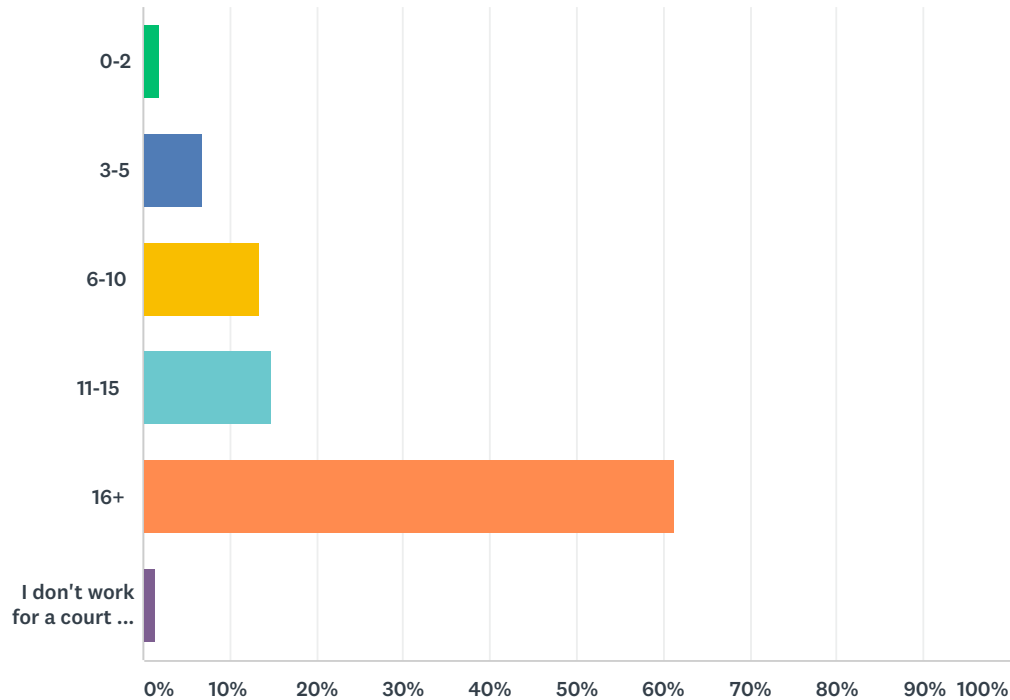
BE IT FURTHER RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators encourage inclusion of the policy recommendations in training and education for court staff and judicial officers, as well as the development and operation of court programs, practices, and policies implemented in response to the abuse and misuse of opioids and other addictive substances.

Adopted as proposed by the CCJ/COSCA Boards of Directors at the 2019 Annual Meeting on July 31, 2019.

\*The National Association for Court Management actively participated on the National Opioid Task Force. NACM was asked and provided representation on the task force as a voice for court professionals across the nation.

## Q1 How many years have you worked for a court or judicial-branch office?

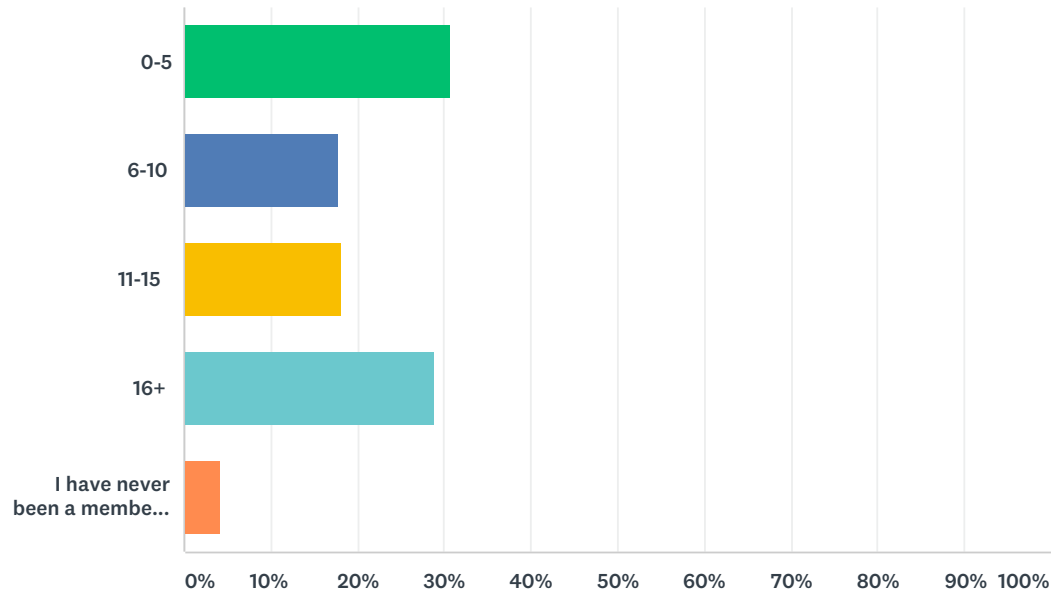
Answered: 215 Skipped: 0



ANSWER CHOICES	RESPONSES	
0-2	1.86%	4
3-5	6.98%	15
6-10	13.49%	29
11-15	14.88%	32
16+	61.40%	132
I don't work for a court or judicial-branch office.	1.40%	3
<b>TOTAL</b>		<b>215</b>

## Q2 How many years have you been a member of court associations?

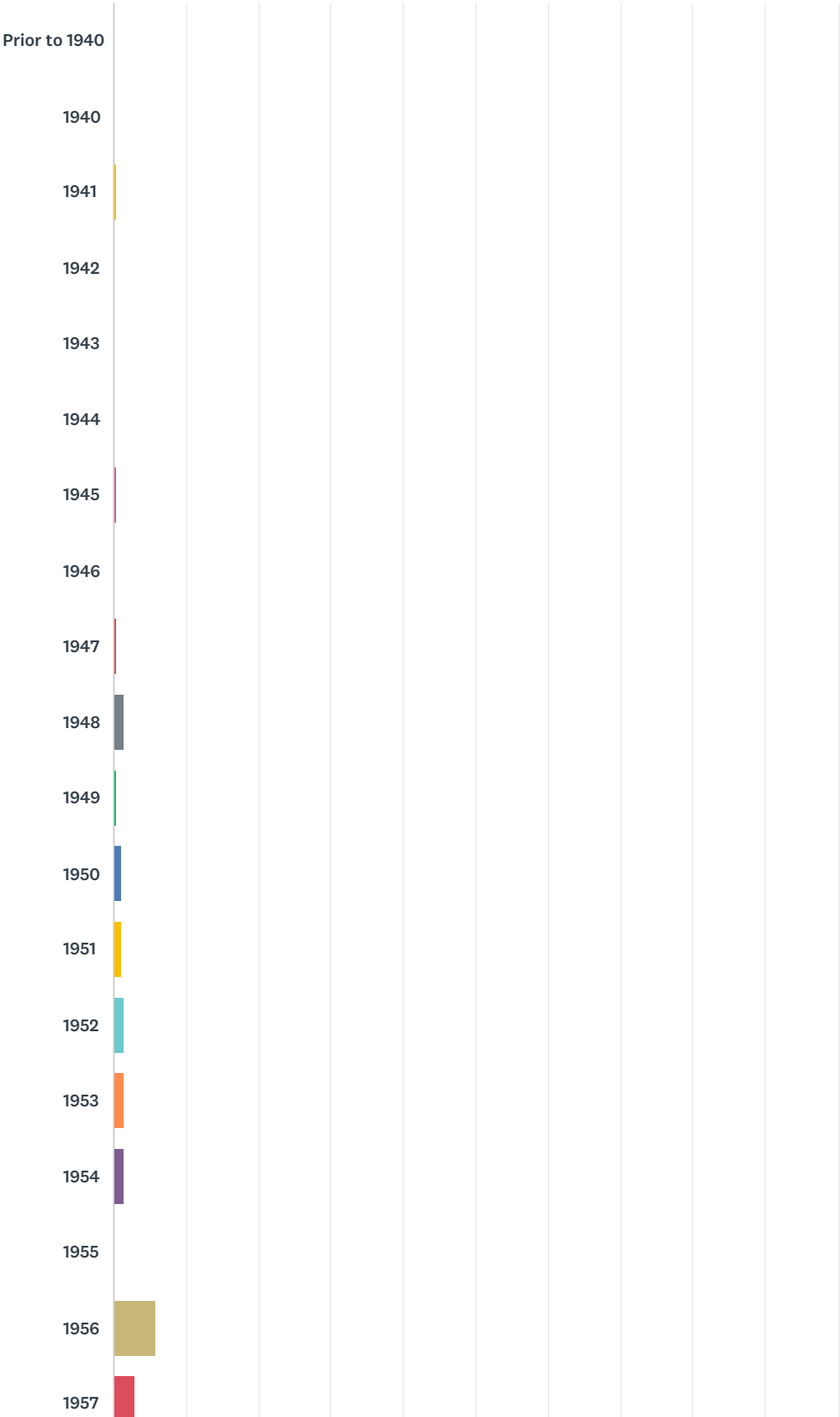
Answered: 214 Skipped: 1

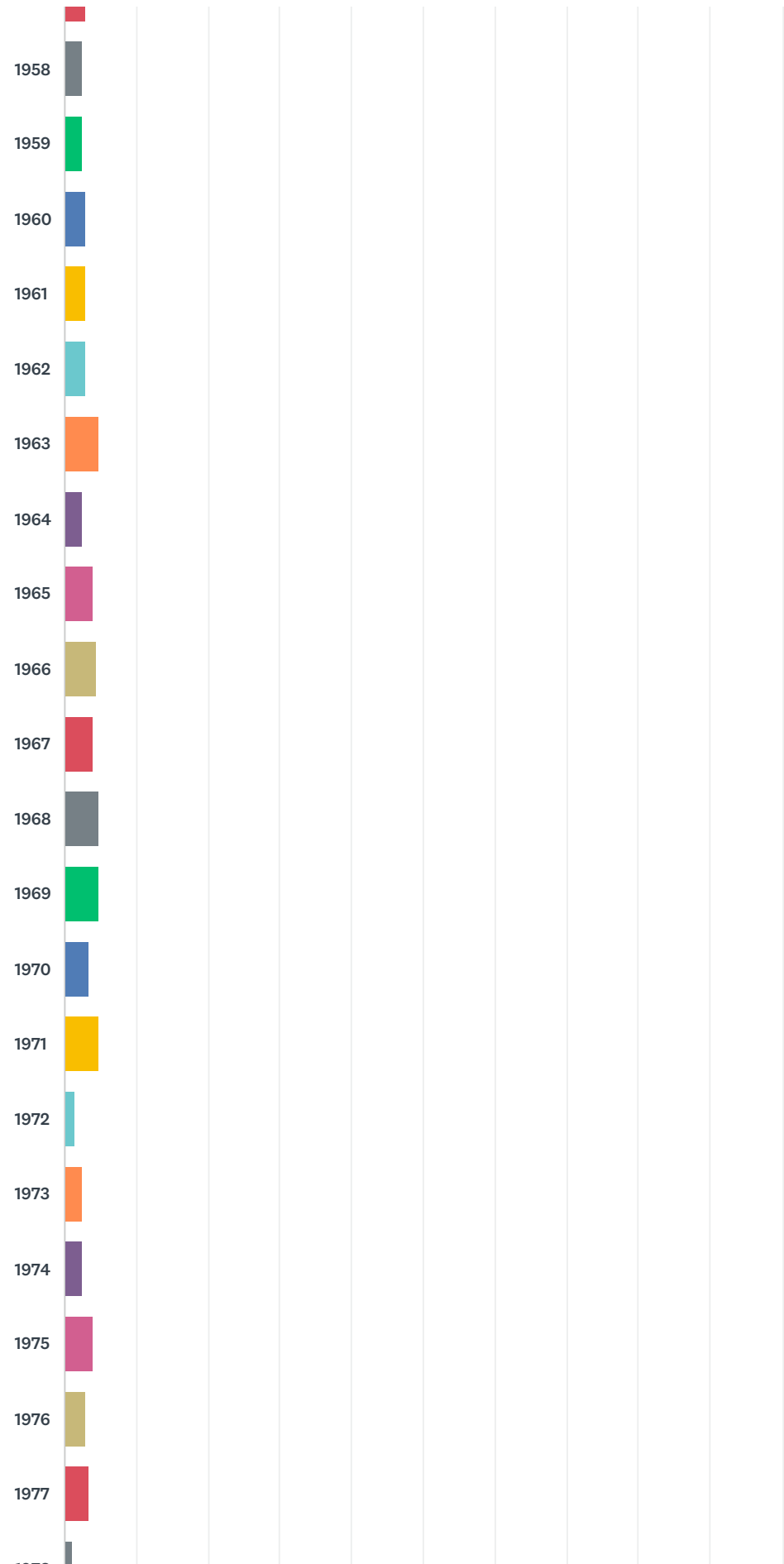


ANSWER CHOICES	RESPONSES	
0-5	30.84%	66
6-10	17.76%	38
11-15	18.22%	39
16+	28.97%	62
I have never been a member of a court association.	4.21%	9
TOTAL		214

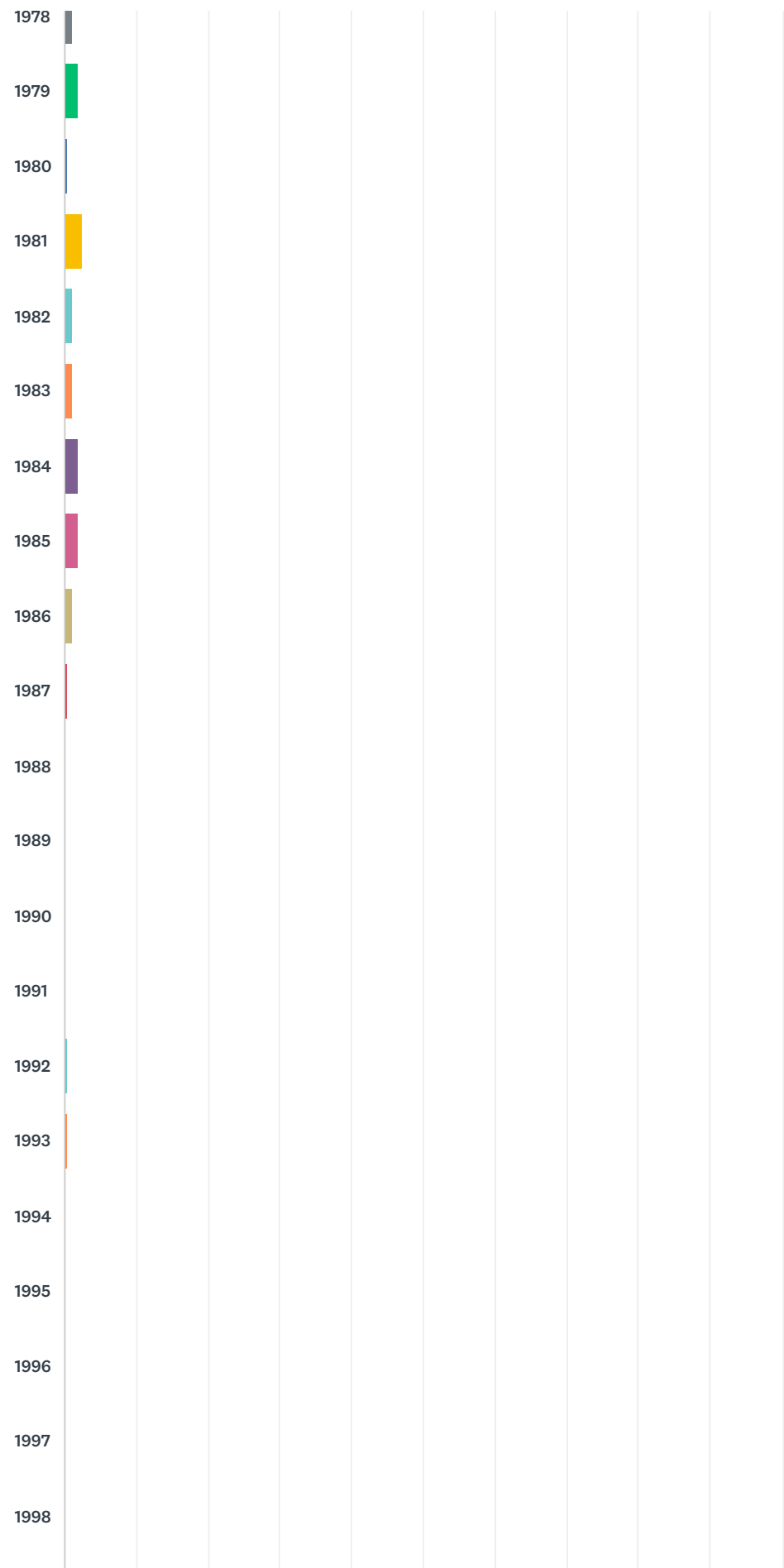
### Q3 In what year were you born?

Answered: 206    Skipped: 9

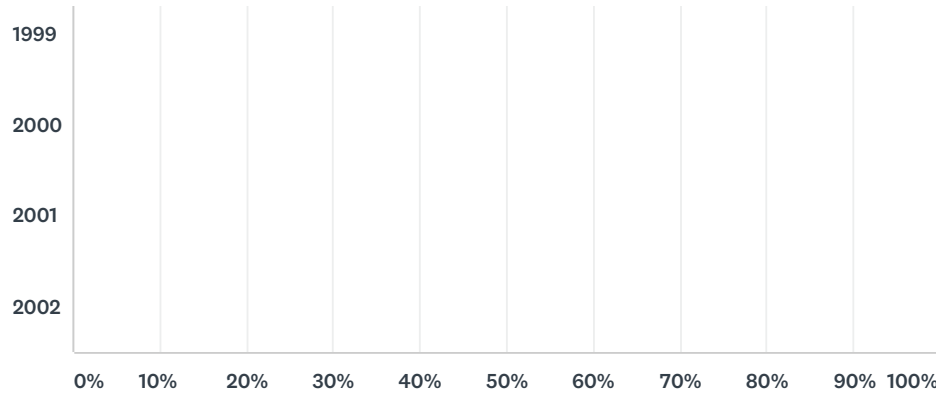








# National Association for Court Management NACM Voice of the Profession Survey - 2019



ANSWER CHOICES	RESPONSES	
Prior to 1940	0.00%	0
1940	0.00%	0
1941	0.49%	1
1942	0.00%	0
1943	0.00%	0
1944	0.00%	0
1945	0.49%	1
1946	0.00%	0
1947	0.49%	1
1948	1.46%	3
1949	0.49%	1
1950	0.97%	2
1951	0.97%	2
1952	1.46%	3
1953	1.46%	3
1954	1.46%	3
1955	0.00%	0
1956	5.83%	12
1957	2.91%	6
1958	2.43%	5
1959	2.43%	5
1960	2.91%	6
1961	2.91%	6
1962	2.91%	6
1963	4.85%	10

# National Association for Court Management NACM Voice of the Profession Survey - 2019

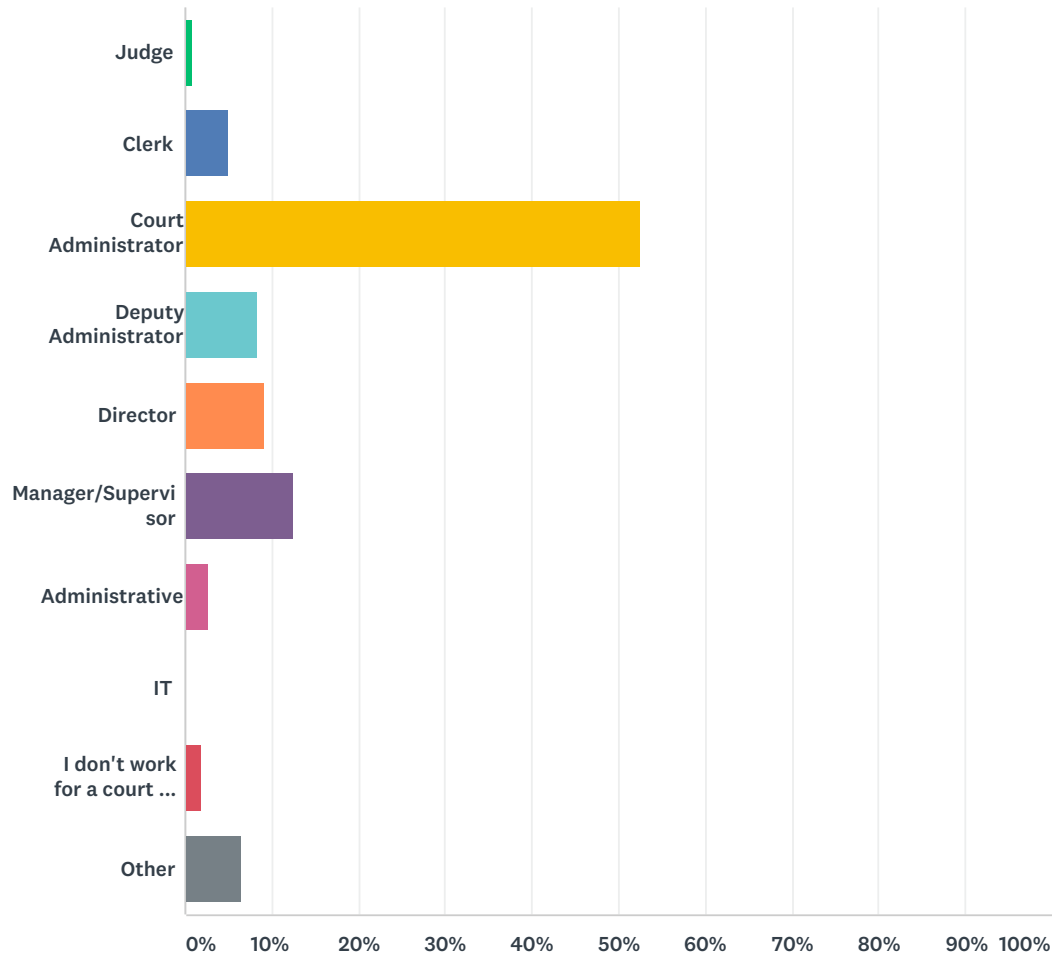
1964	2.43%	5
1965	3.88%	8
1966	4.37%	9
1967	3.88%	8
1968	4.85%	10
1969	4.85%	10
1970	3.40%	7
1971	4.85%	10
1972	1.46%	3
1973	2.43%	5
1974	2.43%	5
1975	3.88%	8
1976	2.91%	6
1977	3.40%	7
1978	0.97%	2
1979	1.94%	4
1980	0.49%	1
1981	2.43%	5
1982	0.97%	2
1983	0.97%	2
1984	1.94%	4
1985	1.94%	4
1986	0.97%	2
1987	0.49%	1
1988	0.00%	0
1989	0.00%	0
1990	0.00%	0
1991	0.00%	0
1992	0.49%	1
1993	0.49%	1
1994	0.00%	0
1995	0.00%	0
1996	0.00%	0
1997	0.00%	0

National Association for Court Management NACM Voice of the Profession Survey - 2019

1998	0.00%	0
1999	0.00%	0
2000	0.00%	0
2001	0.00%	0
2002	0.00%	0
TOTAL		206

## Q4 Job Title (Select one closest to your job description):

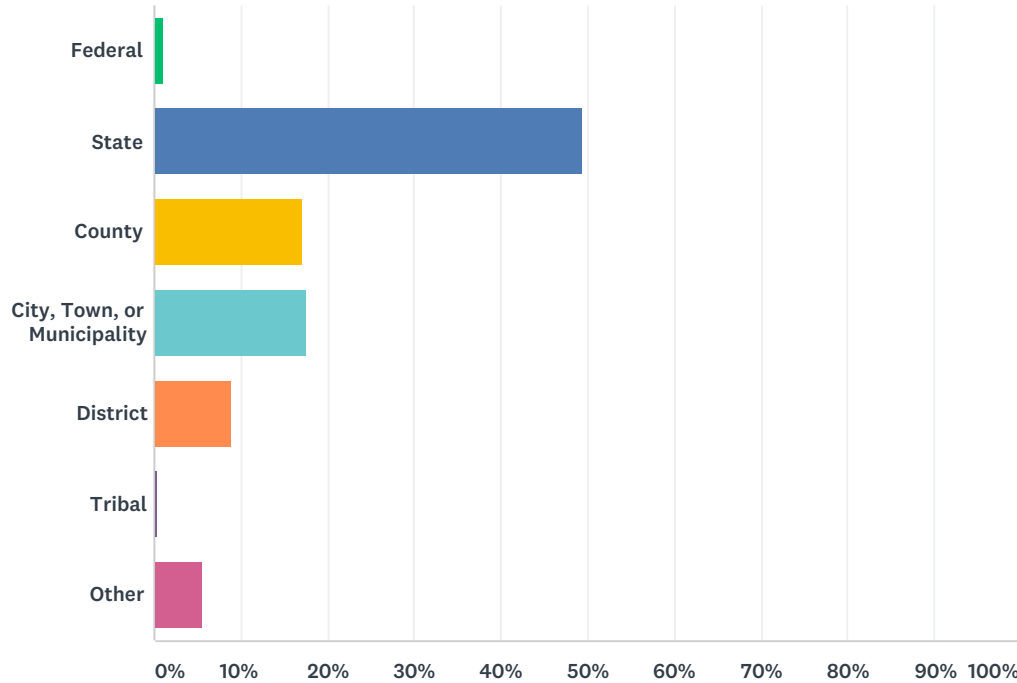
Answered: 215 Skipped: 0



ANSWER CHOICES	RESPONSES	
Judge	0.93%	2
Clerk	5.12%	11
Court Administrator	52.56%	113
Deputy Administrator	8.37%	18
Director	9.30%	20
Manager/Supervisor	12.56%	27
Administrative	2.79%	6
IT	0.00%	0
I don't work for a court or judicial-branch office	1.86%	4
Other	6.51%	14
TOTAL		215

## Q5 Court Type (Select one):

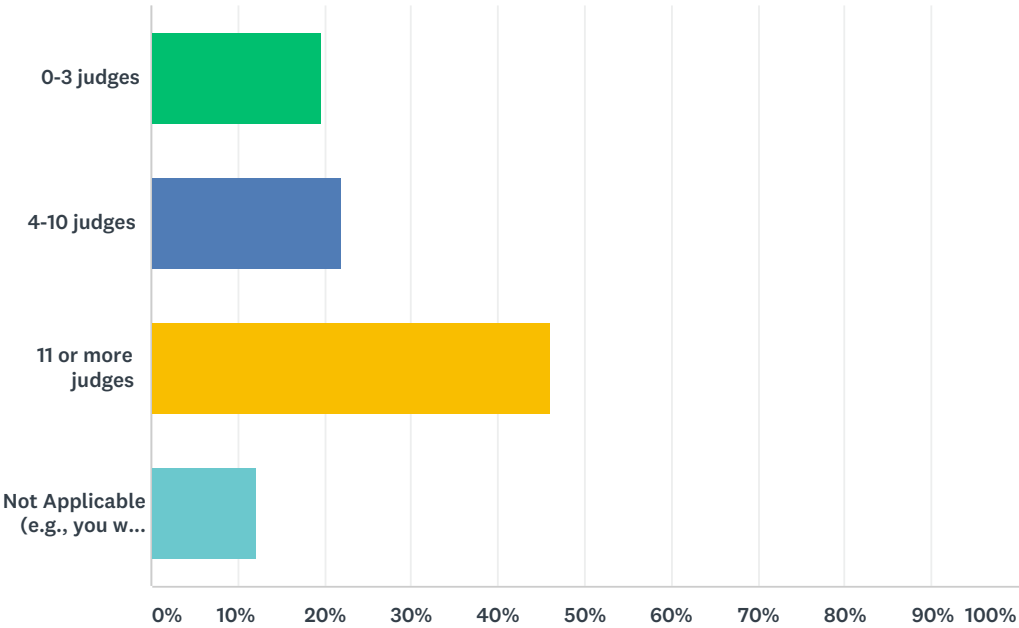
Answered: 211 Skipped: 4



ANSWER CHOICES	RESPONSES	
Federal	0.95%	2
State	49.29%	104
County	17.06%	36
City, Town, or Municipality	17.54%	37
District	9.00%	19
Tribal	0.47%	1
Other	5.69%	12
TOTAL		211

Q6 How many judges serve in your court?

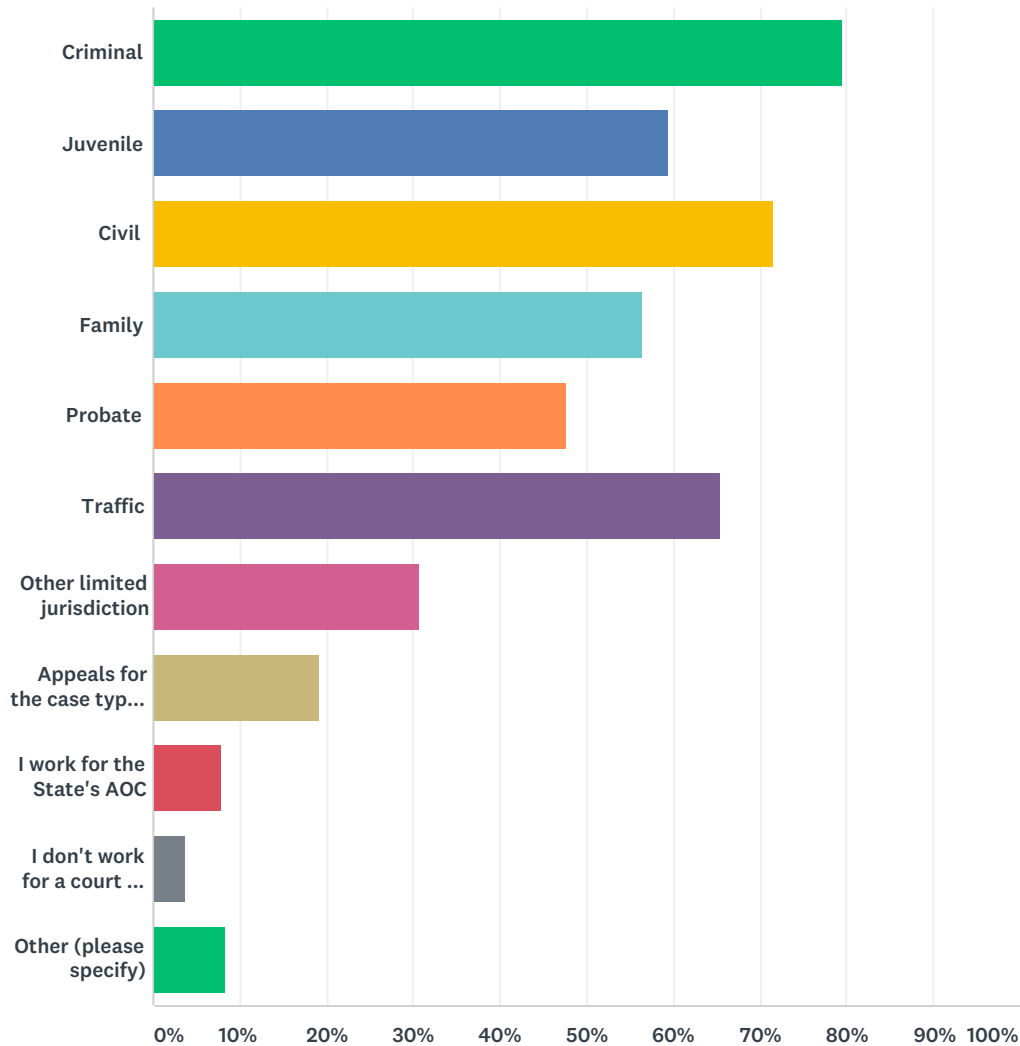
Answered: 213 Skipped: 2



ANSWER CHOICES	RESPONSES	
0-3 judges	19.72%	42
4-10 judges	22.07%	47
11 or more judges	46.01%	98
Not Applicable (e.g., you work in an AOC office or don't work for a court)	12.21%	26
TOTAL		213

## Q7 What types of cases does your court hear? (Check all that apply.)

Answered: 214 Skipped: 1



ANSWER CHOICES	RESPONSES	
Criminal	79.44%	170
Juvenile	59.35%	127
Civil	71.50%	153
Family	56.54%	121
Probate	47.66%	102
Traffic	65.42%	140
Other limited jurisdiction	30.84%	66
Appeals for the case types checked above.	19.16%	41
I work for the State's AOC	7.94%	17
I don't work for a court or judicial-branch office	3.74%	8



Other (please specify)	8.41%	18
Total Respondents: 214		

## Q8 What State do you work in? (If you work outside of the US please ignore this question and answer the next question.)

Answered: 211 Skipped: 4

ANSWER CHOICES	RESPONSES	
Name	0.00%	0
Company	0.00%	0
Address	0.00%	0
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	100.00%	211
ZIP/Postal Code	0.00%	0
Country	0.00%	0
Email Address	0.00%	0
Phone Number	0.00%	0

Q9

(If Applicable per the previous question) What Country do you work in?

Answered: 11    Skipped: 204

AD - Andorra										
AE - United Arab Emirates										
AF - Afghanistan										
AG - Antigua and Barbuda										
AI - Anguilla										
AL - Albania										
AM - Armenia										
AO - Angola										
AQ - Antarctica										
AR - Argentina										
AS - American Samoa										
AT - Austria										
AU - Australia										
AW - Aruba										
AZ - Azerbaijan										
BA - Bosnia and Herzegovina										
BB - Barbados										
BD - Bangladesh										

## National Association for Court Management NACM Voice of the Profession Survey - 2019

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## National Association for Court Management NACM Voice of the Profession Survey - 2019

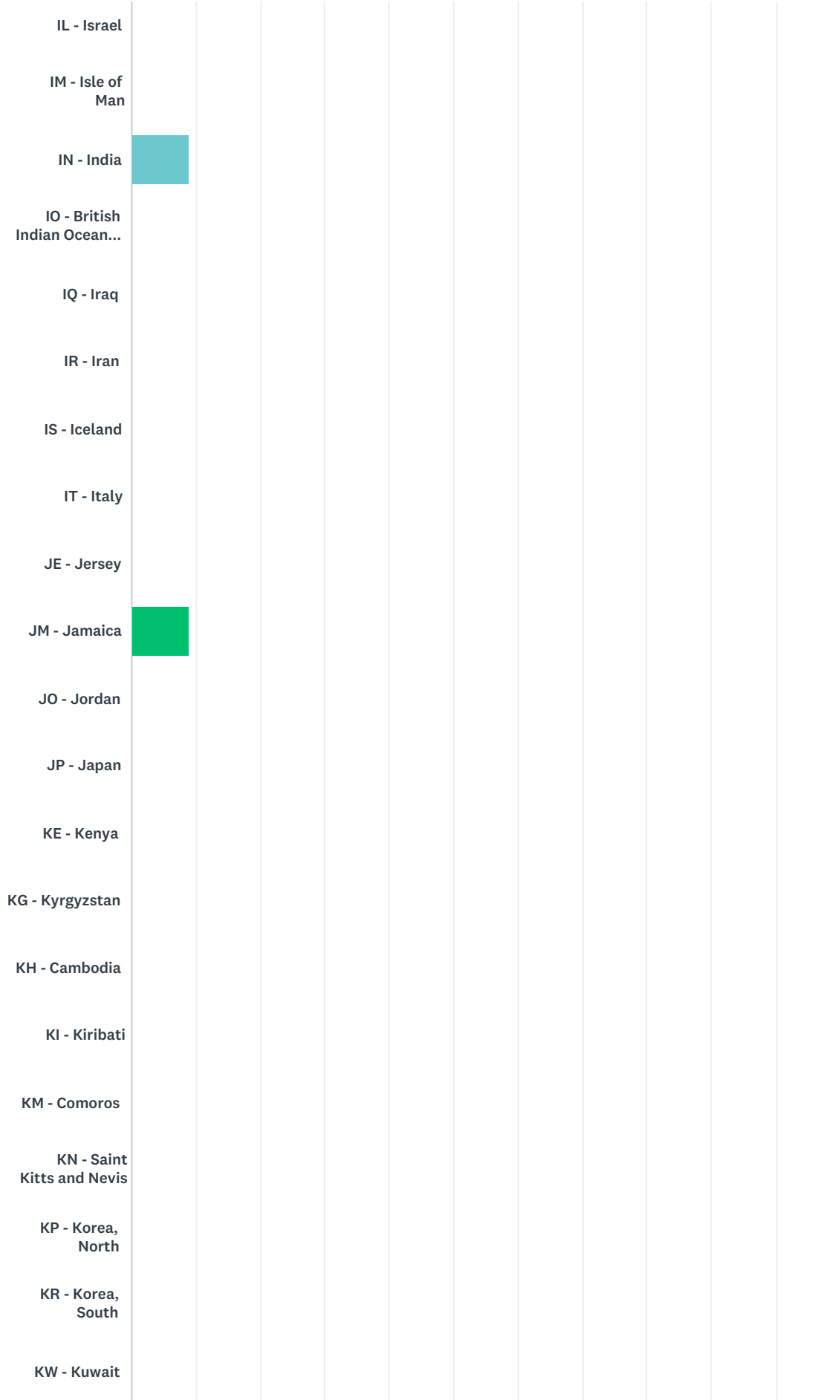
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[illegible]

## National Association for Court Management NACM Voice of the Profession Survey - 2019

[illegible]

National Association for Court Management NACM Voice of the Profession Survey - 2019





## National Association for Court Management NACM Voice of the Profession Survey - 2019

[illegible]

ML - Mali									
MM - Burma									
MN - Mongolia									
MO - Macau									
MP - Northern Mariana Islands									
MQ - Martinique									
MR - Mauritania									
MS - Montserrat									
MT - Malta									
MU - Mauritius									
MV - Maldives									
MW - Malawi									
MX - Mexico									
MY - Malaysia									
MZ - Mozambique									
NA - Namibia									
NC - New Caledonia									
NE - Niger									
NF - Norfolk Island									
NG - Nigeria									

## National Association for Court Management NACM Voice of the Profession Survey - 2019

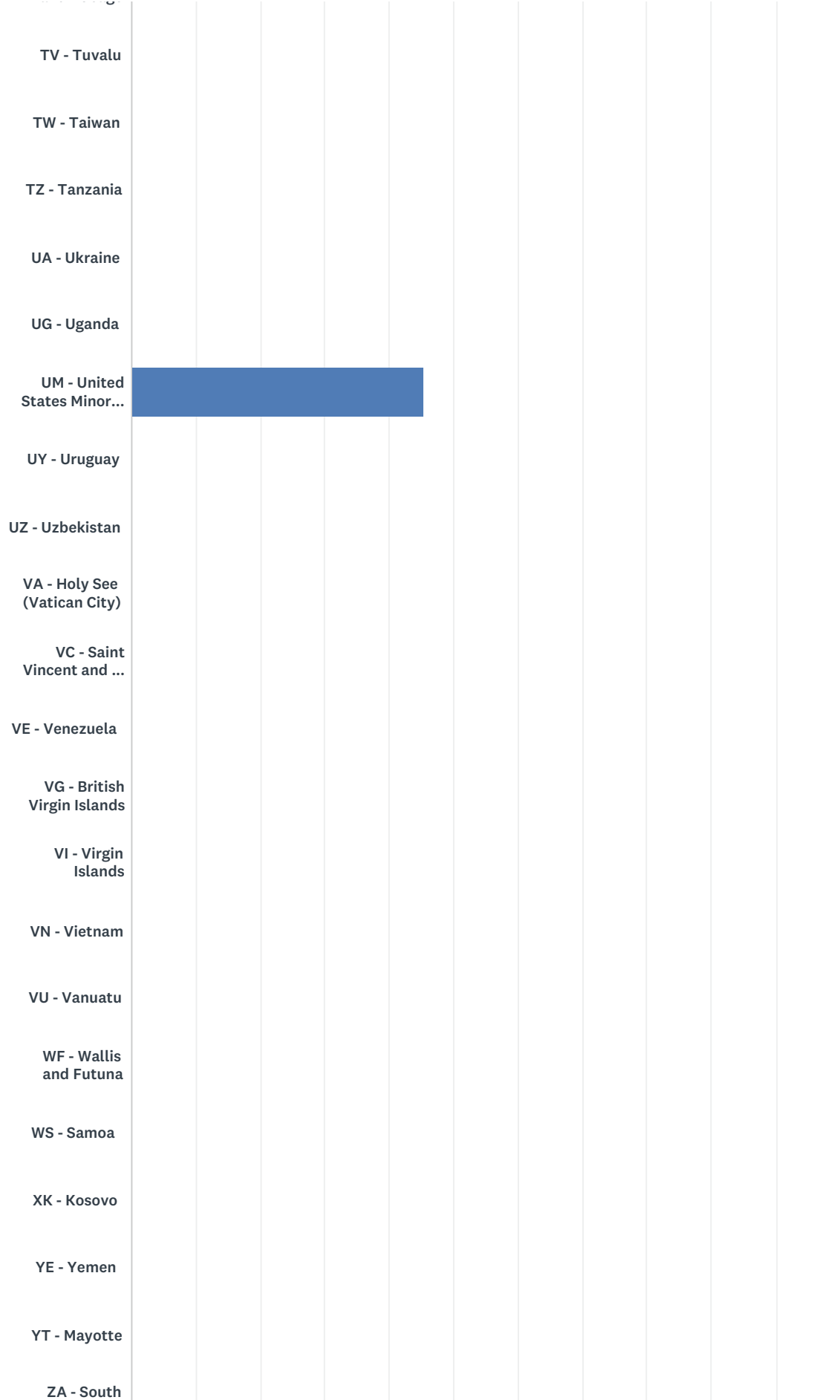
NI - Nicaragua									
NL - Netherlands									
NO - Norway									
NP - Nepal									
NR - Nauru									
NU - Niue									
NZ - New Zealand									
OM - Oman									
PA - Panama									
PE - Peru									
PF - French Polynesia									
PG - Papua New Guinea									
PH - Philippines									
PK - Pakistan									
PL - Poland									
PM - Saint Pierre and...									
PN - Pitcairn Islands									
PR - Puerto Rico									
PS - Gaza Strip									
PS - West Bank									
PT - Portugal									

## National Association for Court Management NACM Voice of the Profession Survey - 2019

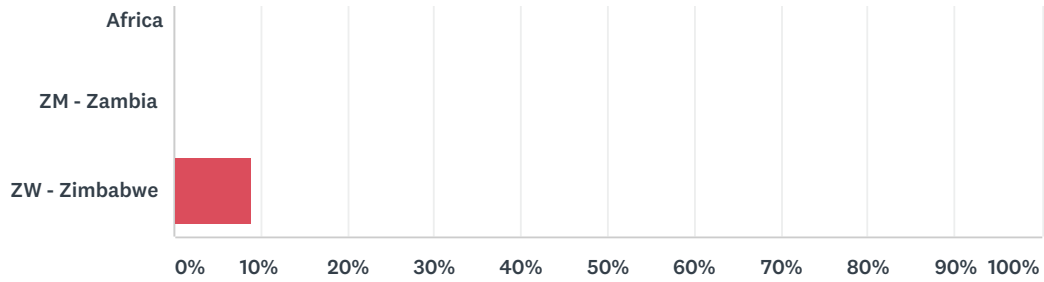
[illegible]

## National Association for Court Management NACM Voice of the Profession Survey - 2019

SO - Somalia
SR - Suriname
SS - South Sudan
ST - Sao Tome and Principe
SV - El Salvador
SX - Sint Maarten
SY - Syria
SZ - Swaziland
TC - Turks and Caicos Islands
TD - Chad
TF - French Southern and...
TG - Togo
TH - Thailand
TJ - Tajikistan
TK - Tokelau
TL - Timor-Leste
TM - Turkmenistan
TN - Tunisia
TO - Tonga
TR - Turkey
TT - Trinidad and Tobago



## National Association for Court Management NACM Voice of the Profession Survey - 2019



ANSWER CHOICES	RESPONSES	
AD - Andorra	0.00%	0
AE - United Arab Emirates	0.00%	0
AF - Afghanistan	0.00%	0
AG - Antigua and Barbuda	0.00%	0
AI - Anguilla	0.00%	0
AL - Albania	0.00%	0
AM - Armenia	0.00%	0
AO - Angola	0.00%	0
AQ - Antarctica	0.00%	0
AR - Argentina	0.00%	0
AS - American Samoa	0.00%	0
AT - Austria	0.00%	0
AU - Australia	0.00%	0
AW - Aruba	0.00%	0
AZ - Azerbaijan	0.00%	0
BA - Bosnia and Herzegovina	0.00%	0
BB - Barbados	0.00%	0
BD - Bangladesh	0.00%	0
BE - Belgium	0.00%	0
BF - Burkina Faso	0.00%	0
BG - Bulgaria	0.00%	0
BH - Bahrain	0.00%	0
BI - Burundi	0.00%	0
BJ - Benin	0.00%	0
BL - Saint Barthelemy	0.00%	0
BM - Bermuda	0.00%	0
BN - Brunei	0.00%	0
BO - Bolivia	0.00%	0

# National Association for Court Management NACM Voice of the Profession Survey - 2019

BR - Brazil	0.00%	0
BS - Bahamas, The	0.00%	0
BT - Bhutan	0.00%	0
BV - Bouvet Island	0.00%	0
BW - Botswana	0.00%	0
BY - Belarus	0.00%	0
BZ - Belize	0.00%	0
CA - Canada	0.00%	0
CC - Cocos (Keeling) Islands	0.00%	0
CD - Congo, Democratic Republic of the	0.00%	0
CF - Central African Republic	0.00%	0
CG - Congo, Republic of the	0.00%	0
CH - Switzerland	0.00%	0
CI - Cote d'Ivoire	0.00%	0
CK - Cook Islands	0.00%	0
CL - Chile	0.00%	0
CM - Cameroon	0.00%	0
CN - China	0.00%	0
CO - Colombia	0.00%	0
CR - Costa Rica	0.00%	0
CU - Cuba	0.00%	0
CV - Cape Verde	0.00%	0
CW - Curacao	0.00%	0
CX - Christmas Island	0.00%	0
CY - Cyprus	0.00%	0
CZ - Czech Republic	0.00%	0
DE - Germany	0.00%	0
DJ - Djibouti	0.00%	0
DK - Denmark	0.00%	0
DM - Dominica	0.00%	0
DO - Dominican Republic	0.00%	0
DZ - Algeria	0.00%	0
EC - Ecuador	0.00%	0
EE - Estonia	0.00%	0



# National Association for Court Management NACM Voice of the Profession Survey - 2019

EG - Egypt	0.00%	0
EH - Western Sahara	0.00%	0
ER - Eritrea	0.00%	0
ES - Spain	0.00%	0
ET - Ethiopia	0.00%	0
FI - Finland	0.00%	0
FJ - Fiji	0.00%	0
FK - Falkland Islands (Islas Malvinas)	0.00%	0
FM - Micronesia, Federated States of	9.09%	1
FO - Faroe Islands	0.00%	0
FR - France	0.00%	0
FX - France, Metropolitan	0.00%	0
GA - Gabon	0.00%	0
GB - United Kingdom	0.00%	0
GD - Grenada	0.00%	0
GE - Georgia	0.00%	0
GF - French Guiana	0.00%	0
GG - Guernsey	0.00%	0
GH - Ghana	0.00%	0
GI - Gibraltar	0.00%	0
GL - Greenland	0.00%	0
GM - Gambia, The	0.00%	0
GN - Guinea	0.00%	0
GP - Guadeloupe	0.00%	0
GQ - Equatorial Guinea	0.00%	0
GR - Greece	0.00%	0
GS - South Georgia and the Islands	0.00%	0
GT - Guatemala	0.00%	0
GU - Guam	0.00%	0
GW - Guinea-Bissau	0.00%	0
GY - Guyana	0.00%	0
HK - Hong Kong	0.00%	0
HM - Heard Island and McDonald Islands	0.00%	0
HN - Honduras	0.00%	0
HR - Croatia	0.00%	0

# National Association for Court Management NACM Voice of the Profession Survey - 2019

HT - Haiti	0.00%	0
HU - Hungary	9.09%	1
ID - Indonesia	0.00%	0
IE - Ireland	0.00%	0
IL - Israel	0.00%	0
IM - Isle of Man	0.00%	0
IN - India	9.09%	1
IO - British Indian Ocean Territory	0.00%	0
IQ - Iraq	0.00%	0
IR - Iran	0.00%	0
IS - Iceland	0.00%	0
IT - Italy	0.00%	0
JE - Jersey	0.00%	0
JM - Jamaica	9.09%	1
JO - Jordan	0.00%	0
JP - Japan	0.00%	0
KE - Kenya	0.00%	0
KG - Kyrgyzstan	0.00%	0
KH - Cambodia	0.00%	0
KI - Kiribati	0.00%	0
KM - Comoros	0.00%	0
KN - Saint Kitts and Nevis	0.00%	0
KP - Korea, North	0.00%	0
KR - Korea, South	0.00%	0
KW - Kuwait	0.00%	0
KY - Cayman Islands	0.00%	0
KZ - Kazakhstan	0.00%	0
LA - Laos	0.00%	0
LB - Lebanon	0.00%	0
LC - Saint Lucia	0.00%	0
LI - Liechtenstein	0.00%	0
LK - Sri Lanka	0.00%	0
LR - Liberia	0.00%	0
LS - Lesotho	0.00%	0
LT - Lithuania	0.00%	0

# National Association for Court Management NACM Voice of the Profession Survey - 2019

LU - Luxembourg	0.00%	0
LV - Latvia	0.00%	0
LY - Libya	0.00%	0
MA - Morocco	0.00%	0
MC - Monaco	0.00%	0
MD - Moldova	0.00%	0
ME - Montenegro	0.00%	0
MF - Saint Martin	0.00%	0
MG - Madagascar	0.00%	0
MH - Marshall Islands	0.00%	0
MK - Macedonia	0.00%	0
ML - Mali	0.00%	0
MM - Burma	0.00%	0
MN - Mongolia	0.00%	0
MO - Macau	0.00%	0
MP - Northern Mariana Islands	0.00%	0
MQ - Martinique	0.00%	0
MR - Mauritania	0.00%	0
MS - Montserrat	0.00%	0
MT - Malta	0.00%	0
MU - Mauritius	0.00%	0
MV - Maldives	0.00%	0
MW - Malawi	0.00%	0
MX - Mexico	0.00%	0
MY - Malaysia	0.00%	0
MZ - Mozambique	0.00%	0
NA - Namibia	0.00%	0
NC - New Caledonia	0.00%	0
NE - Niger	0.00%	0
NF - Norfolk Island	0.00%	0
NG - Nigeria	0.00%	0
NI - Nicaragua	0.00%	0
NL - Netherlands	0.00%	0
NO - Norway	0.00%	0
NP - Nepal	0.00%	0

# National Association for Court Management NACM Voice of the Profession Survey - 2019

NR - Nauru	0.00%	0
NU - Niue	0.00%	0
NZ - New Zealand	0.00%	0
OM - Oman	0.00%	0
PA - Panama	0.00%	0
PE - Peru	0.00%	0
PF - French Polynesia	0.00%	0
PG - Papua New Guinea	0.00%	0
PH - Philippines	0.00%	0
PK - Pakistan	0.00%	0
PL - Poland	0.00%	0
PM - Saint Pierre and Miquelon	0.00%	0
PN - Pitcairn Islands	0.00%	0
PR - Puerto Rico	0.00%	0
PS - Gaza Strip	0.00%	0
PS - West Bank	0.00%	0
PT - Portugal	0.00%	0
PW - Palau	0.00%	0
PY - Paraguay	0.00%	0
QA - Qatar	0.00%	0
RE - Reunion	0.00%	0
RO - Romania	0.00%	0
RS - Serbia	0.00%	0
RU - Russia	0.00%	0
RW - Rwanda	0.00%	0
SA - Saudi Arabia	0.00%	0
SB - Solomon Islands	0.00%	0
SC - Seychelles	0.00%	0
SD - Sudan	0.00%	0
SE - Sweden	0.00%	0
SG - Singapore	0.00%	0
SH - Saint Helena, Ascension, and Tristan da Cunha	0.00%	0
SI - Slovenia	0.00%	0
SJ - Svalbard	0.00%	0

# National Association for Court Management NACM Voice of the Profession Survey - 2019

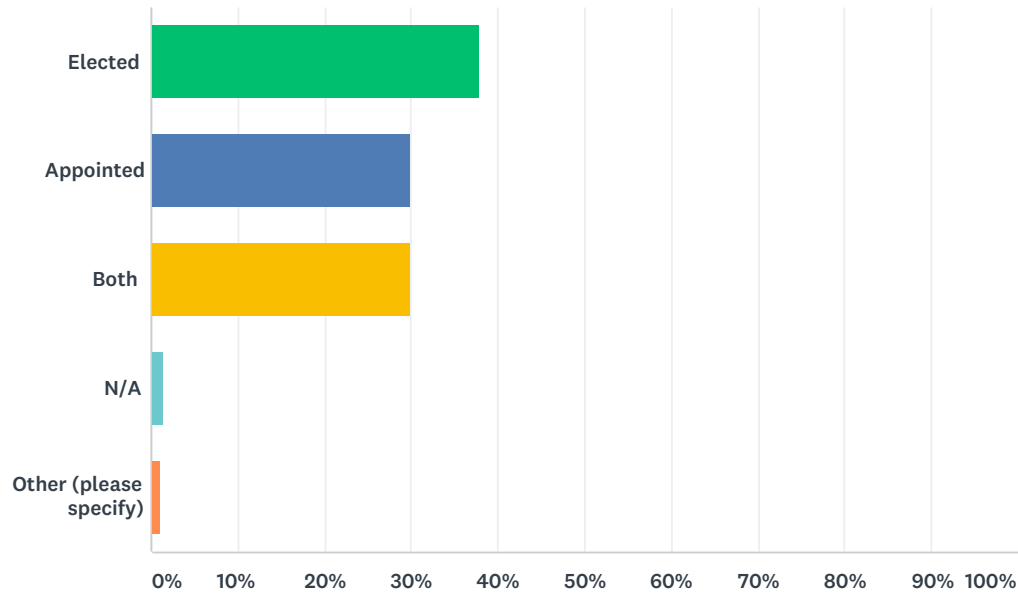
SK - Slovakia	0.00%	0
SL - Sierra Leone	0.00%	0
SM - San Marino	0.00%	0
SN - Senegal	0.00%	0
SO - Somalia	0.00%	0
SR - Suriname	0.00%	0
SS - South Sudan	0.00%	0
ST - Sao Tome and Principe	0.00%	0
SV - El Salvador	0.00%	0
SX - Sint Maarten	0.00%	0
SY - Syria	0.00%	0
SZ - Swaziland	0.00%	0
TC - Turks and Caicos Islands	9.09%	1
TD - Chad	0.00%	0
TF - French Southern and Antarctic Lands	0.00%	0
TG - Togo	0.00%	0
TH - Thailand	0.00%	0
TJ - Tajikistan	0.00%	0
TK - Tokelau	0.00%	0
TL - Timor-Leste	0.00%	0
TM - Turkmenistan	0.00%	0
TN - Tunisia	0.00%	0
TO - Tonga	0.00%	0
TR - Turkey	0.00%	0
TT - Trinidad and Tobago	0.00%	0
TV - Tuvalu	0.00%	0
TW - Taiwan	0.00%	0
TZ - Tanzania	0.00%	0
UA - Ukraine	0.00%	0
UG - Uganda	0.00%	0
UM - United States Minor Outlying Islands	45.45%	5
UY - Uruguay	0.00%	0
UZ - Uzbekistan	0.00%	0
VA - Holy See (Vatican City)	0.00%	0

# National Association for Court Management NACM Voice of the Profession Survey - 2019

VC - Saint Vincent and the Grenadines	0.00%	0
VE - Venezuela	0.00%	0
VG - British Virgin Islands	0.00%	0
VI - Virgin Islands	0.00%	0
VN - Vietnam	0.00%	0
VU - Vanuatu	0.00%	0
WF - Wallis and Futuna	0.00%	0
WS - Samoa	0.00%	0
XK - Kosovo	0.00%	0
YE - Yemen	0.00%	0
YT - Mayotte	0.00%	0
ZA - South Africa	0.00%	0
ZM - Zambia	0.00%	0
ZW - Zimbabwe	9.09%	1
TOTAL		11

## Q10 Are judges in your jurisdiction elected or appointed?

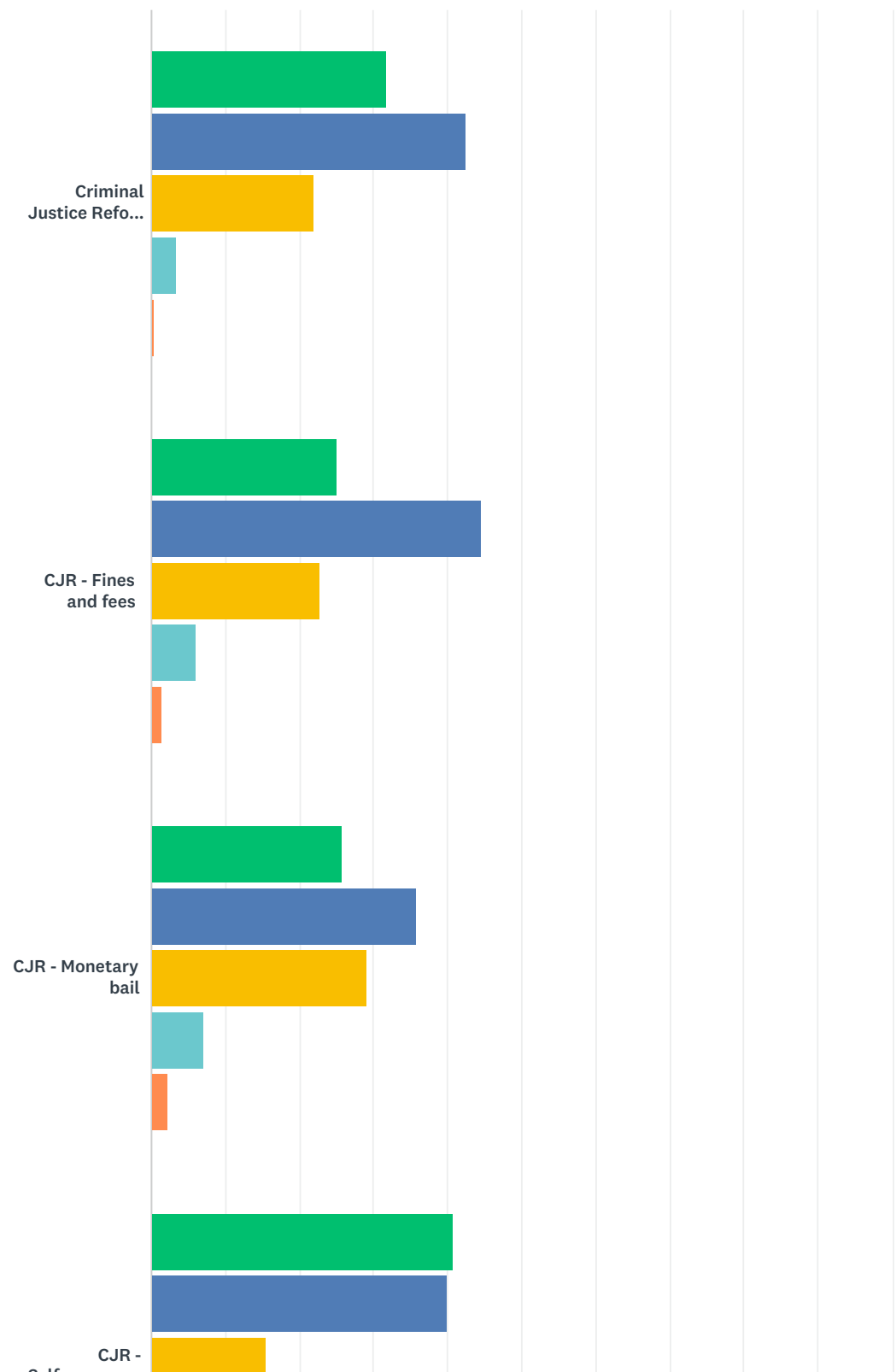
Answered: 211 Skipped: 4



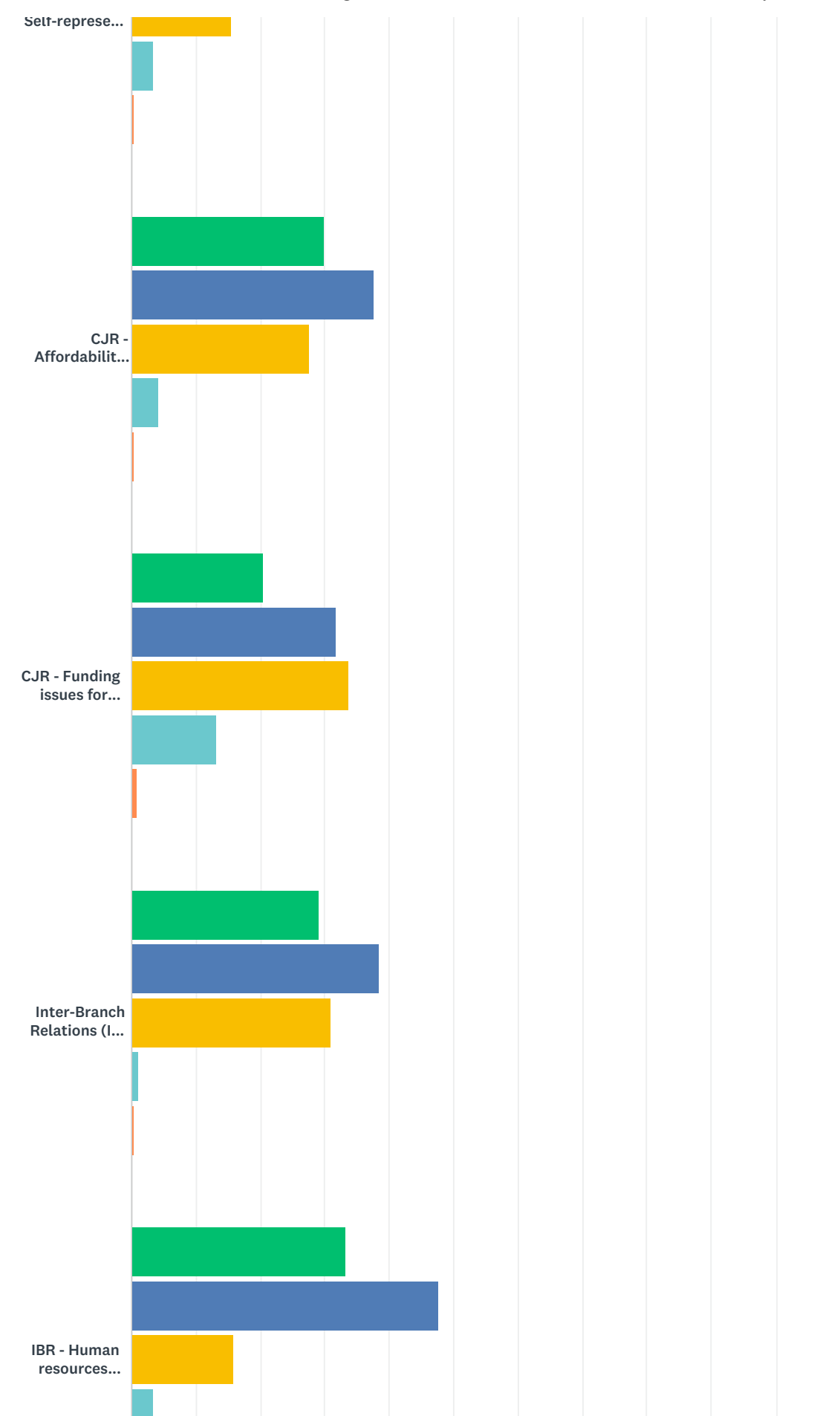
ANSWER CHOICES	RESPONSES	
Elected	37.91%	80
Appointed	29.86%	63
Both	29.86%	63
N/A	1.42%	3
Other (please specify)	0.95%	2
TOTAL		211

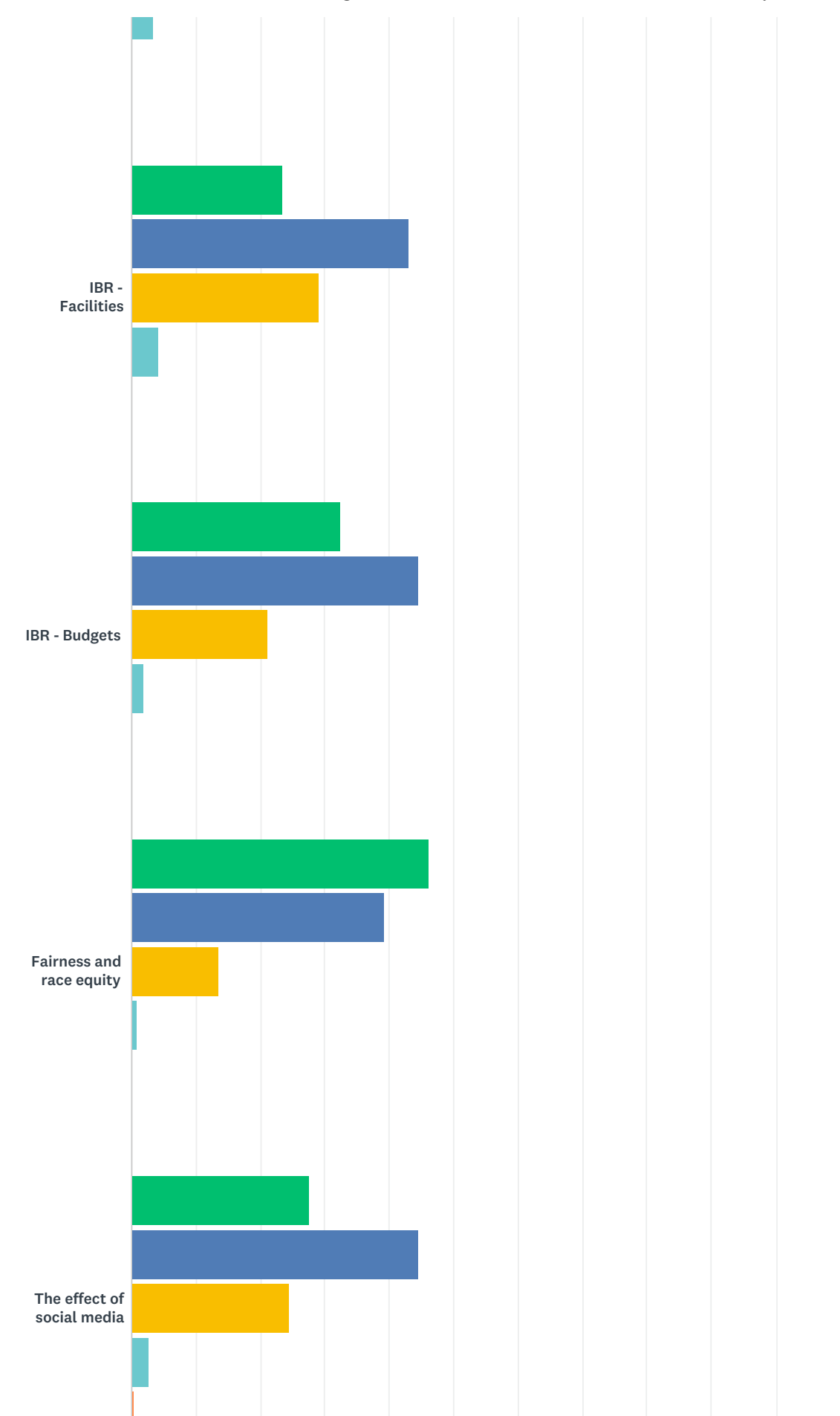
Q11 For each of the issues/trends below, please rate your level of agreement on whether NACM should advocate for these issues/trends on behalf of courts.

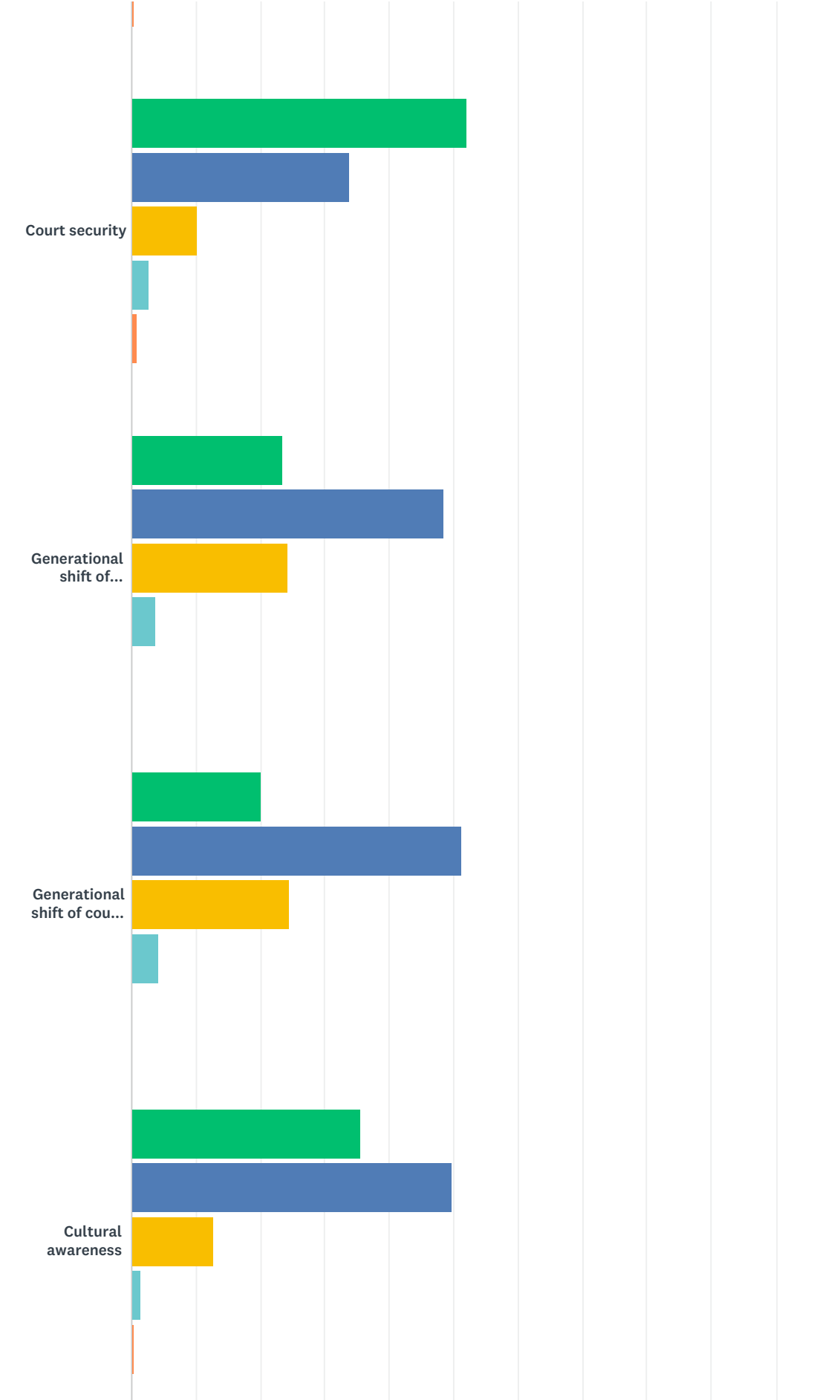
Answered: 215 Skipped: 0

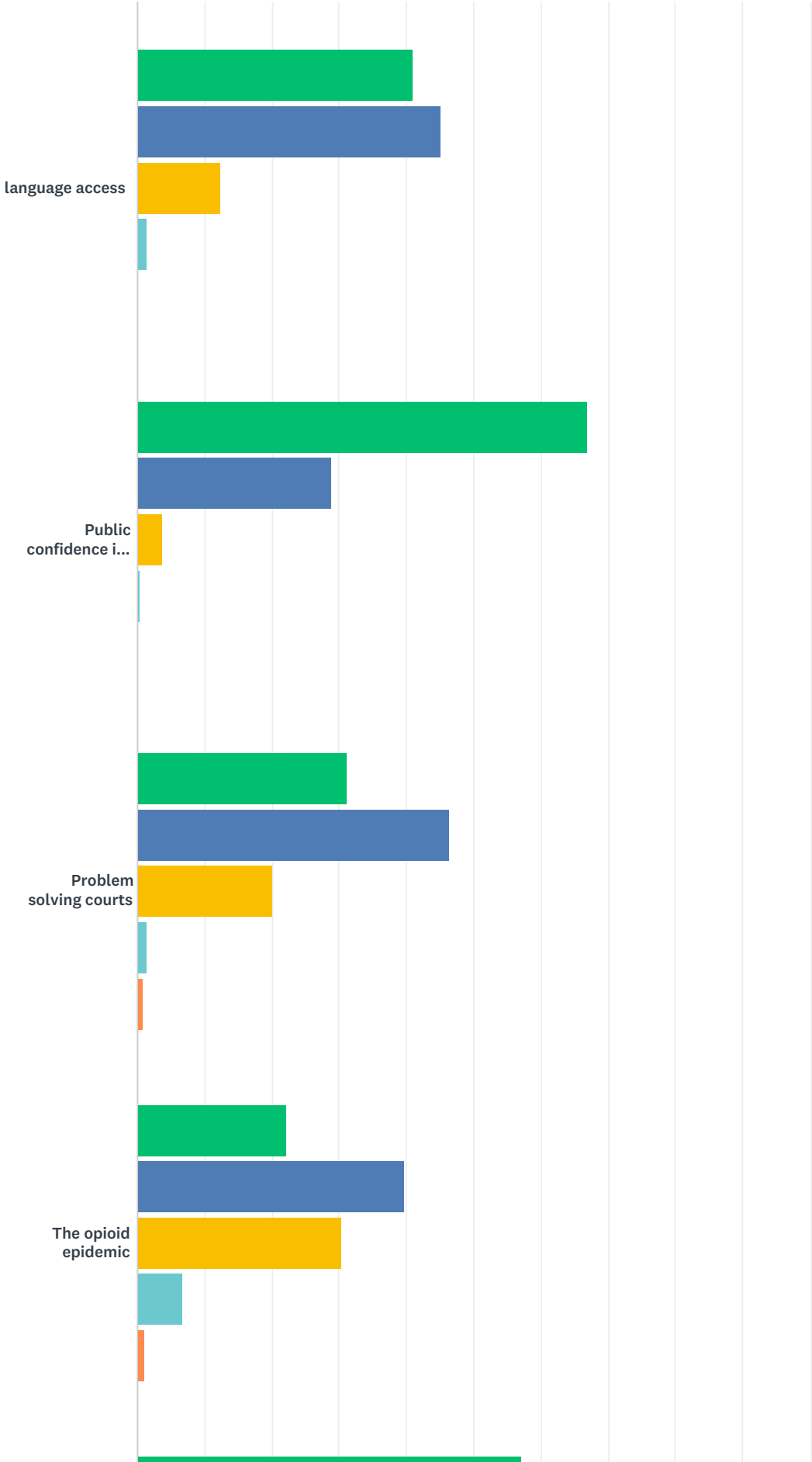


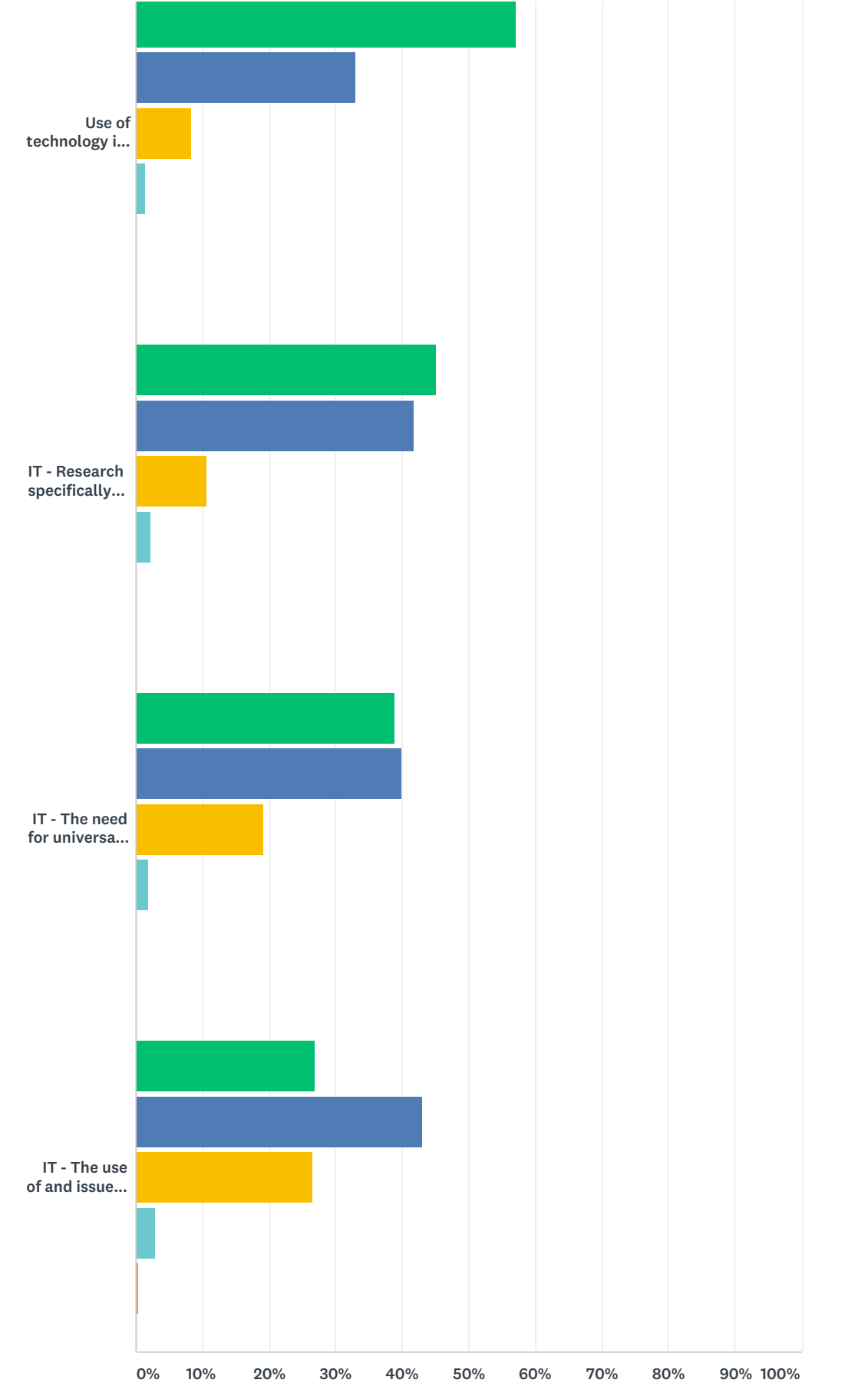












# National Association for Court Management NACM Voice of the Profession Survey - 2019

■ Strongly agree   
 ■ Agree   
 ■ Neither agree nor disagree   
 ■ Disagree  
■ Strongly disagree

	STRONGLY AGREE	AGREE	NEITHER AGREE NOR DISAGREE	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Criminal Justice Reform (CJR) Generally	31.78% 68	42.52% 91	21.96% 47	3.27% 7	0.47% 1	214	4.02
CJR - Fines and fees	25.12% 53	44.55% 94	22.75% 48	6.16% 13	1.42% 3	211	3.86
CJR - Monetary bail	25.71% 54	35.71% 75	29.05% 61	7.14% 15	2.38% 5	210	3.75
CJR - Self-represented litigants	40.85% 87	39.91% 85	15.49% 33	3.29% 7	0.47% 1	213	4.17
CJR - Affordability of litigation	30.00% 63	37.62% 79	27.62% 58	4.29% 9	0.48% 1	210	3.92
CJR - Funding issues for public defenders	20.56% 44	31.78% 68	33.64% 72	13.08% 28	0.93% 2	214	3.58
Inter-Branch Relations (IBR) Generally	29.05% 61	38.57% 81	30.95% 65	0.95% 2	0.48% 1	210	3.95
IBR - Human resources (recruitment & salaries)	33.18% 71	47.66% 102	15.89% 34	3.27% 7	0.00% 0	214	4.11
IBR - Facilities	23.47% 50	43.19% 92	29.11% 62	4.23% 9	0.00% 0	213	3.86
IBR - Budgets	32.39% 69	44.60% 95	21.13% 45	1.88% 4	0.00% 0	213	4.08
Fairness and race equity	46.26% 99	39.25% 84	13.55% 29	0.93% 2	0.00% 0	214	4.31
The effect of social media	27.70% 59	44.60% 95	24.41% 52	2.82% 6	0.47% 1	213	3.96
Court security	52.09% 112	33.95% 73	10.23% 22	2.79% 6	0.93% 2	215	4.33
Generational shift of employees	23.33% 49	48.57% 102	24.29% 51	3.81% 8	0.00% 0	210	3.91
Generational shift of court customers	20.19% 43	51.17% 109	24.41% 52	4.23% 9	0.00% 0	213	3.87
Cultural awareness	35.55% 75	49.76% 105	12.80% 27	1.42% 3	0.47% 1	211	4.18
language access	41.04% 87	45.28% 96	12.26% 26	1.42% 3	0.00% 0	212	4.26
Public confidence in the courts	66.98% 142	28.77% 61	3.77% 8	0.47% 1	0.00% 0	212	4.62
Problem solving courts	31.16% 67	46.51% 100	20.00% 43	1.40% 3	0.93% 2	215	4.06
The opioid epidemic	22.27% 47	39.81% 84	30.33% 64	6.64% 14	0.95% 2	211	3.76
Use of technology in the courts (IT) Generally	57.21% 123	33.02% 71	8.37% 18	1.40% 3	0.00% 0	215	4.46
IT - Research specifically on the use of IT in courts	45.12% 97	41.86% 90	10.70% 23	2.33% 5	0.00% 0	215	4.30

# National Association for Court Management NACM Voice of the Profession Survey - 2019

IT - The need for universal data standards	38.97% 83	39.91% 85	19.25% 41	1.88% 4	0.00% 0	213	4.16
IT - The use of and issues with Artificial Intelligence in the courts	27.01% 57	43.13% 91	26.54% 56	2.84% 6	0.47% 1	211	3.93

**Q12 Please tell us what you think NACM should be saying about the topics you rated as "strongly agree" or "agree."**

Answered: 82   Skipped: 133



**Q13 I. NACM should also advocate on the following issue/trend. (If you wish, please describe what NACM should be saying about this issue.)**

Answered: 40   Skipped: 175

**Q14 II. NACM should also advocate on the following issue/trend. (If you wish, please describe what NACM should be saying about this issue.)**

Answered: 15   Skipped: 200

**Q15 III. NACM should also advocate on the following issue/trend. (If you wish, please describe what NACM should be saying about this issue.)**

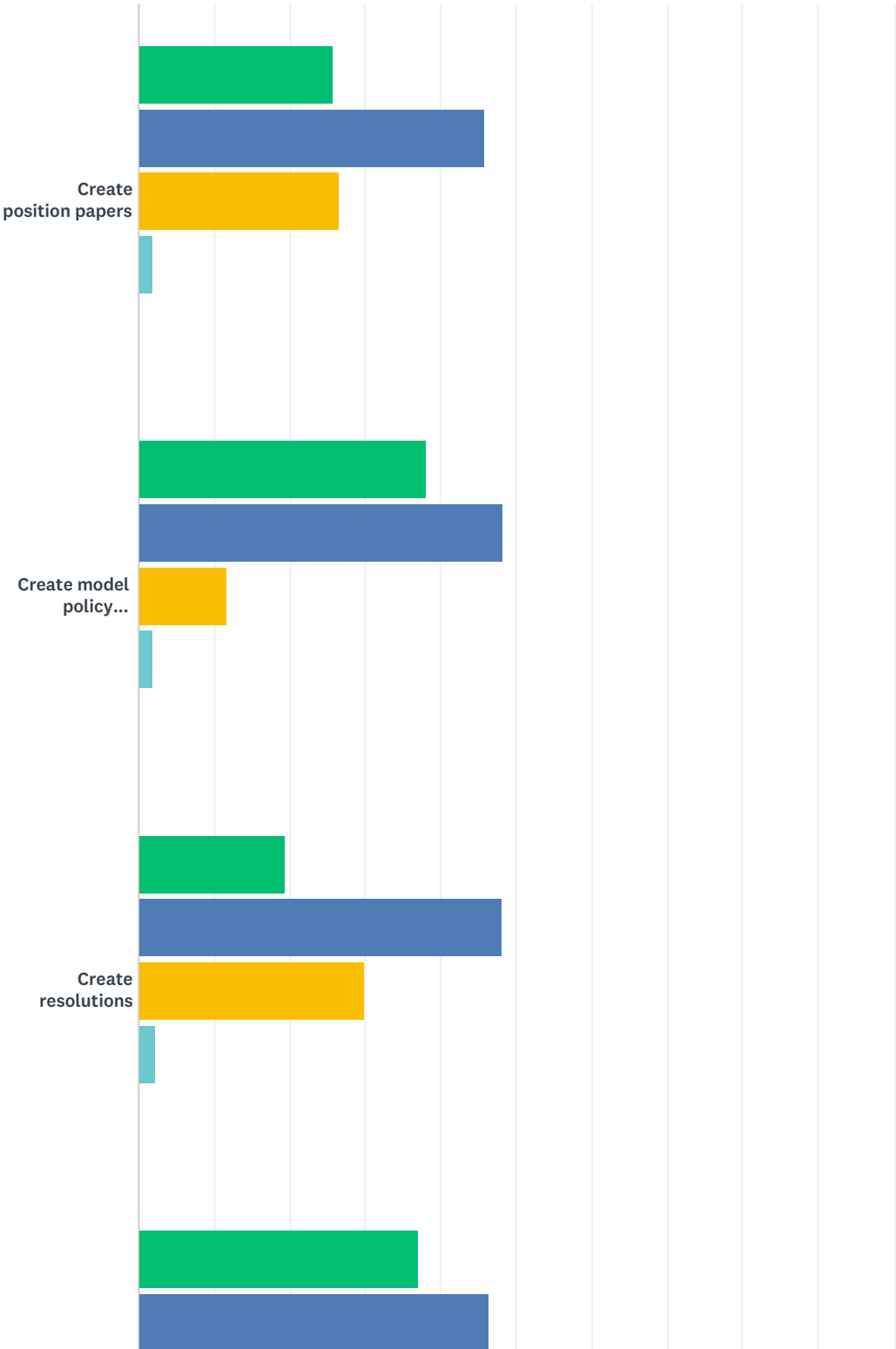
Answered: 9   Skipped: 206

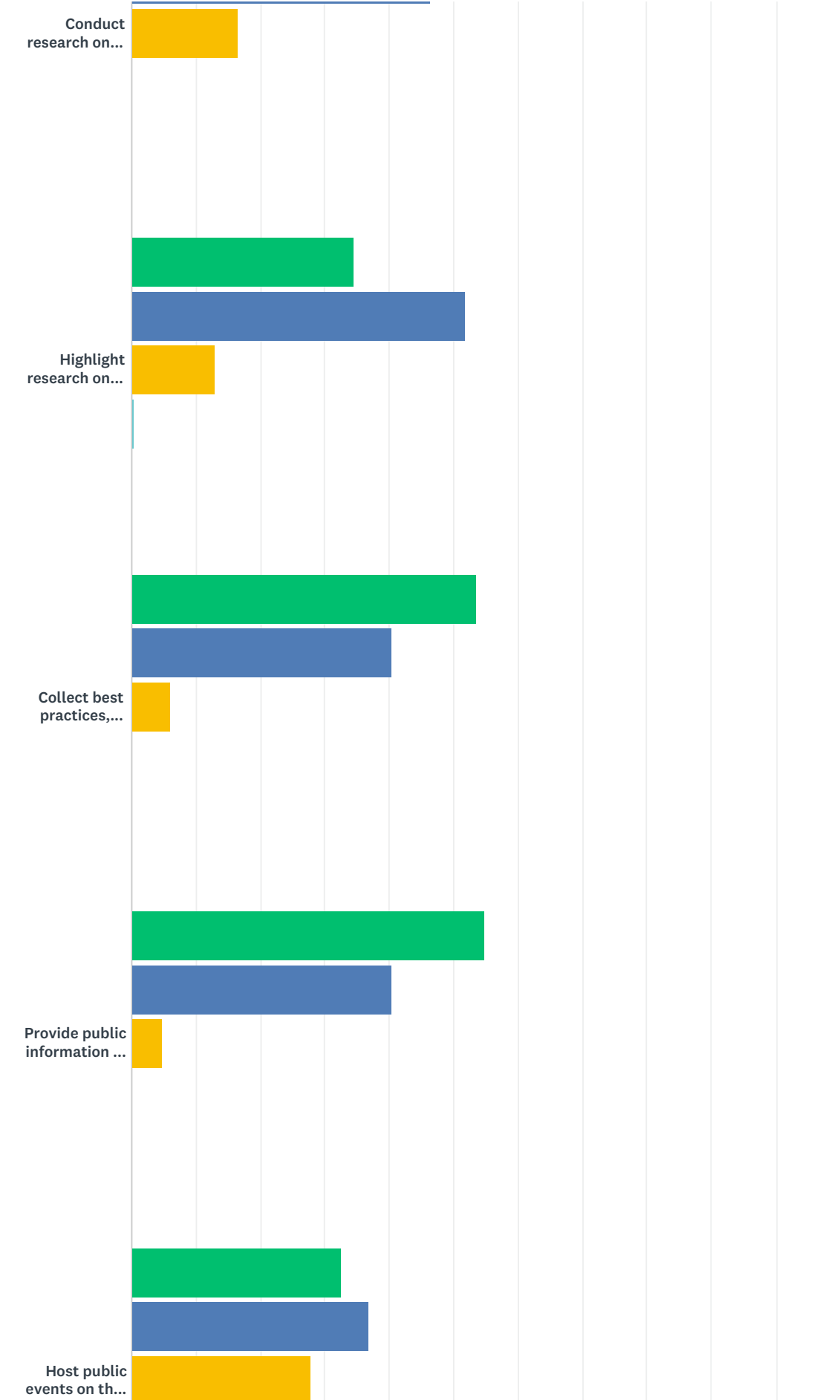
**Q16 IV. NACM should also advocate on the following issue/trend. (If you wish, please describe what NACM should be saying about this issue.)**

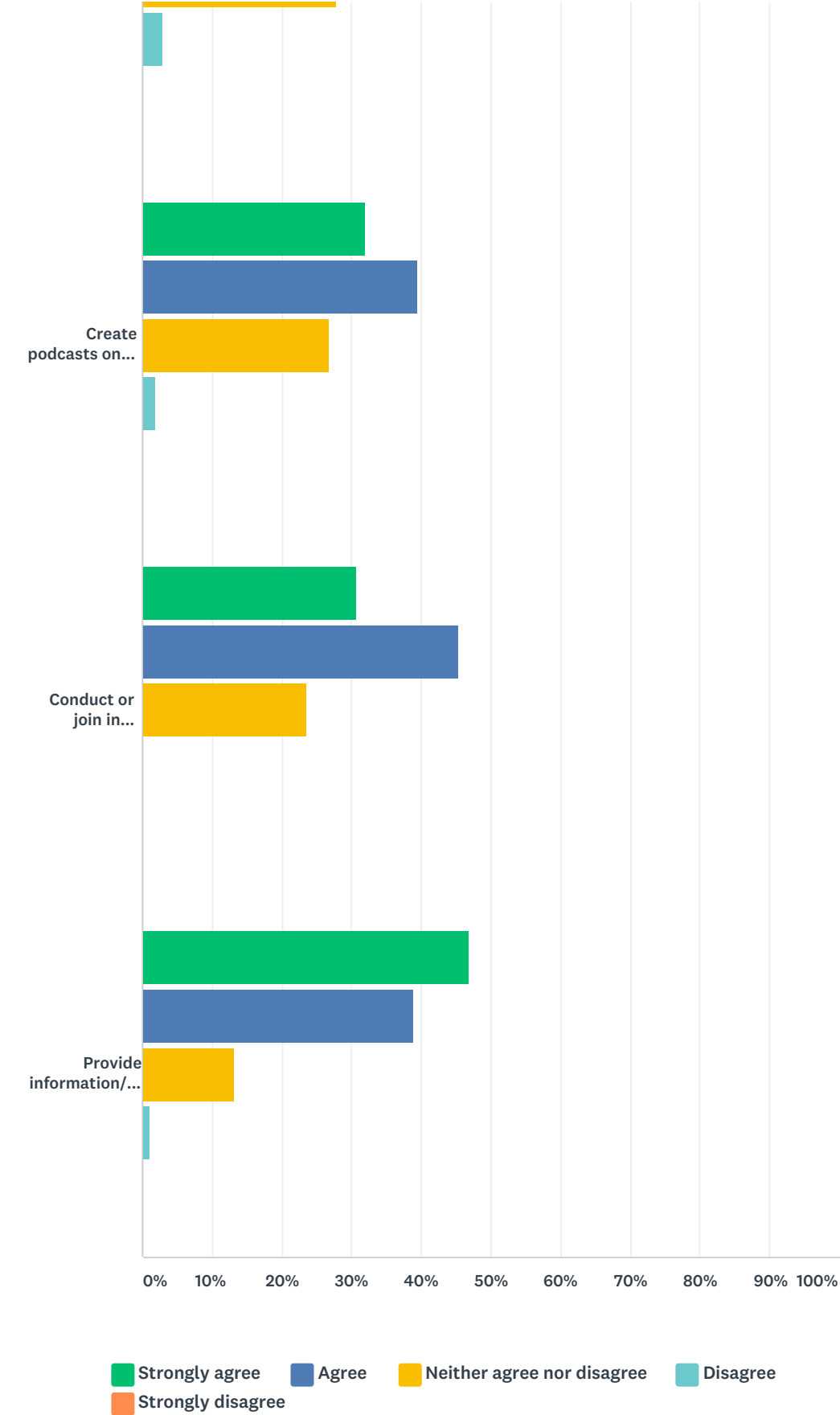
Answered: 4   Skipped: 211

Q17 In the 2018 Voice of the Profession Survey NACM's members placed Public Confidence in the Courts as the number one issue that NACM should advocate on. Please indicate your level of agreement that regarding Public Confidence in the Courts NACM should...

Answered: 215 Skipped: 0







National Association for Court Management NACM Voice of the Profession Survey - 2019

	STRONGLY AGREE	AGREE	NEITHER AGREE NOR DISAGREE	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Create position papers	25.71% 54	45.71% 96	26.67% 56	1.90% 4	0.00% 0	210	3.95
Create model policy statements and suggested standards	38.03% 81	48.36% 103	11.74% 25	1.88% 4	0.00% 0	213	4.23
Create resolutions	19.52% 41	48.10% 101	30.00% 63	2.38% 5	0.00% 0	210	3.85
Conduct research on this topic	36.97% 78	46.45% 98	16.59% 35	0.00% 0	0.00% 0	211	4.20
Highlight research on this topic	34.62% 72	51.92% 108	12.98% 27	0.48% 1	0.00% 0	208	4.21
Collect best practices, success stories, and lessons learned	53.52% 114	40.38% 86	6.10% 13	0.00% 0	0.00% 0	213	4.47
Provide public information and educational materials	54.76% 115	40.48% 85	4.76% 10	0.00% 0	0.00% 0	210	4.50
Host public events on this topic	32.55% 69	36.79% 78	27.83% 59	2.83% 6	0.00% 0	212	3.99
Create podcasts on this topic	31.92% 68	39.44% 84	26.76% 57	1.88% 4	0.00% 0	213	4.01
Conduct or join in National forums on this topic	30.81% 65	45.50% 96	23.70% 50	0.00% 0	0.00% 0	211	4.07
Provide information/education to the other branches of government on this topic	46.92% 99	38.86% 82	13.27% 28	0.95% 2	0.00% 0	211	4.32

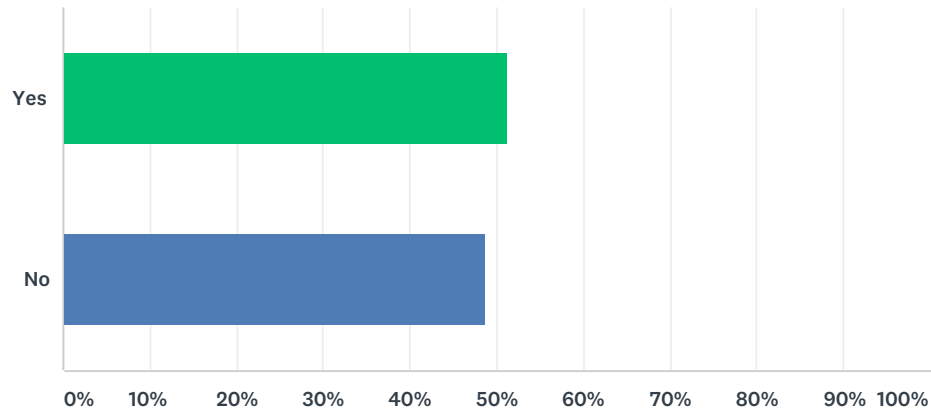


**Q18 Are there any other methods you think NACM should employ in advocating on the issue of Public Confidence in the Courts?**

Answered: 22   Skipped: 193

Q19 May we contact you if we have questions about your responses?

Answered: 207 Skipped: 8



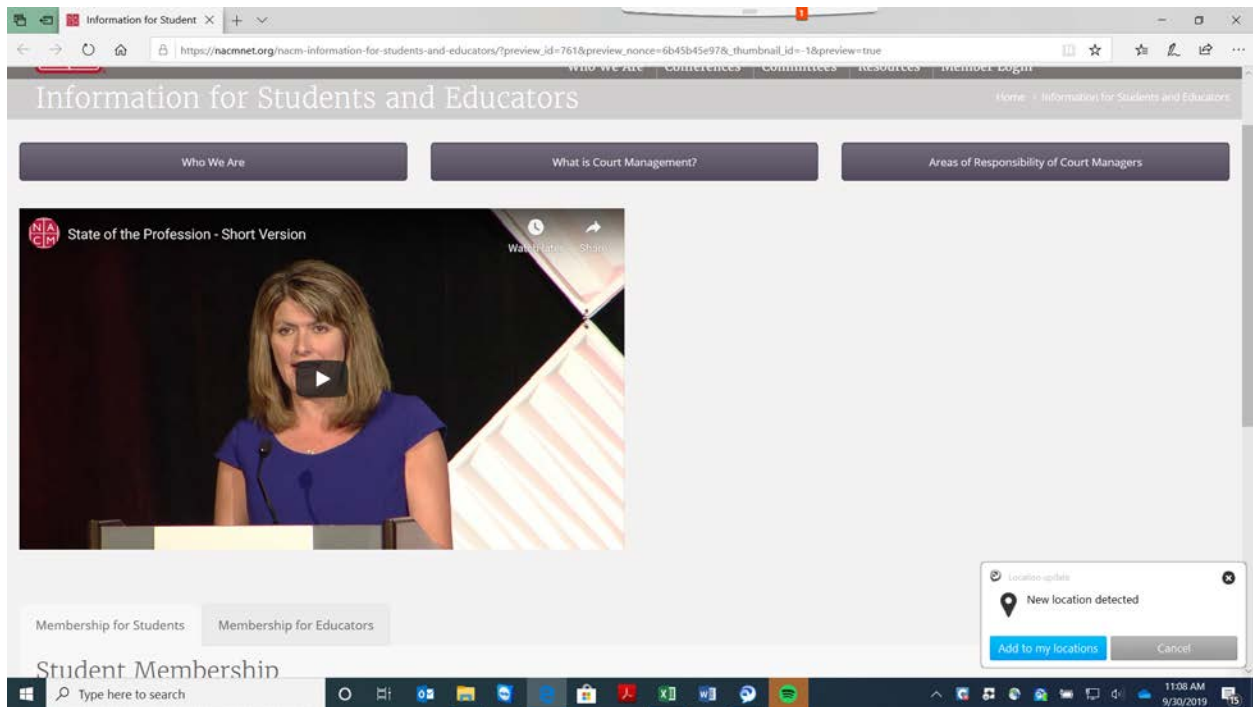
ANSWER CHOICES	RESPONSES	
Yes	51.21%	106
No	48.79%	101
TOTAL		207

## Q20 Please provide your contact information.

Answered: 103   Skipped: 112

ANSWER CHOICES	RESPONSES	
Name	100.00%	103
Company	0.00%	0
Address	0.00%	0
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	0.00%	0
ZIP/Postal Code	0.00%	0
Country	0.00%	0
Email Address	100.00%	103
Phone Number	95.15%	98

## EDUCATIONAL LANDING PAGE EXAMPLE



Dear ,

The **National Association of Court Management (NACM)** is a member organization dedicated to educating court professionals, providing community, sharing information, and advocating on important court and justice system topics. NACM's 1700+ members from around the nation, U.S. territories, and other countries take advantage of many benefits beyond conferences. This includes guides on Plain Language, Domestic Violence, Electronic Records Management, and many more.

Through committee work, NACM directs the national agenda for education programs and topics, governance, and advocacy. We continually innovate ways to meet the needs of our members. Committee participation provides opportunities for court professionals to develop their leadership skills and increases exposure to the broader court community.

The judicial/court system is a unique niche profession. As such, it can be difficult to connect with professionals who experience similar challenges and who can share relevant ideas, innovations and opportunities. As court professionals, we cannot always address controversial issues regarding the court directly. NACM serves as an objective voice advocating for the needs and values of the Judicial Branch of government.

Additionally, the ability to create best practices, based upon the implementation in other courts, allows for more consistency, transparency, and accountability to those we serve.

We invite you to learn more about NACM at <http://www.nacmnet.org>, where you can find information on the various committees, see our mission and vision, read our strategic plan and peruse our National Agenda. We appreciate your support of our organization, and your staff, in recognizing the value NACM can add to their profession.

Thank you,

Date

Supv Name  
Address  
City, State Zip

Dear \_\_\_\_\_,

The **National Association of Court Management (NACM)** is a member organization dedicated to educating court professionals, providing community, sharing information, and advocating on important court and justice system topics. We are also a preferred source for education and innovative practices, as well as a leading voice for the court management profession. While we promote court management at all court levels, we are a volunteer organization. Our strength comes from our members sharing their ideas and experiences with each other. One of the best ways to do this is by volunteering to help NACM through committee work.

\_\_\_\_\_ has been instrumental in the success of the (committee/subcommittee name). [Add sentences as to the areas the committee member has participated.]

We realize important volunteer work often goes unrecognized, and we want to thank you for supporting \_\_\_\_ in their contributions and assistance with our work.

Sincerely,

Xxx  
Xxx Committee



# National Association *for* Court Management

*Strengthening Court Professionals*

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## Membership Committee Progress Report Form – 2019-2020

	Report	Due Date	Submission Date
<b>X</b>	Fall Progress Report	October 1, 2019	
	Midyear Progress Report	January 15, 2020	
	Annual Progress Report	June 17, 2020	

<b>Project</b>	<b>Project Status</b>	<b>Strategic Priority? (Yes/No)</b>	<b>Discussion Needed? (Yes/No)</b>	<b>Board Action Needed? (Yes/No)</b>	<b>If Yes to discussion or action, please describe what needed</b>
International: Court Association Development	Create Court Association Formation Templates, Mentoring Plan – partner with IACA to assist countries in association development	No	No	No	
International: Submit Articles for Court Manager, Court Express	Interview International members	No	No	No	
International: Review and Update NACM Website Resources	Items located under committee information and initiatives.	No	No	No	
ECP: Mentorship	Working with past presidents to find mentors for those who have already sent in an application for a mentor	No	No	No	
ECP: Podcast	Developing a podcast with discussions around generational differences; Developing another podcast that will continue the conversation started at last year's annual Shared Interest Group led by Zanelle Brown on Engaging Generations.	Yes	No	No	
ECP: NACM Cares	Identifying a charity to focus on at mid-year conference.	No	No	No	
Letter writing campaigns	ICM graduates, non-members before and after conferences, Dual membership partners, AOC's without state associations, non-dual member state associations, exiting members	Yes	No	No	



Exit survey	To accompany an exiting members email	<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>We should discuss the extent of questions on an exit survey.</b>
LinkedIn campaign	Working out logistics and instituting a data-driven targeted campaign.	<b>Yes</b>	<b>No</b>	<b>No</b>	
Marketing calendar	Tracking ongoing monthly and annual efforts as well as unique monthly campaigns supported by social media.	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>We must discuss how and when to use the dual membership lists; monthly membership incentives must be approved.</b>
2020 Membership Scholarship	Determining funding and scholarship eligibility criteria	<b>No</b>	<b>Yes</b>	<b>Yes</b>	<b>We must discuss if a membership scholarship drive is approved; if so, we must decide how monies will be collected, expended, and eligibility criteria determined and approved.</b>

**Time needed at meeting for Committee report: 45 Minutes**

**Submitted by: Michelle Dunivan**

**Date: 10/1/2019**

Dear \_\_\_,

Thank you for supporting your organization's status as a Dual Membership Partner with the National Association for Court Management. I am reaching out to you regarding the [association]'s Dual Membership Agreement. As partners, our organizations have access to each other's membership lists twice per year, as well as a distribution area available at your conferences for marketing materials. As you may know, NACM has a variety of resources for every size and type of court. If you are interested, we may even be able to present on our organization, our CORE curriculum, or any of our recent publications, such as the Plain Language Guide. To ensure your members have the easiest access to NACM's best resources, I'd like to start by finding out when and where your upcoming conferences will be held. We have \_\_\_ NACM members in your state/region, and we would like to show our support. Please let me know if you have any questions or concerns, and I look forward to hearing back from you about your upcoming conference.

Thank you,

Michelle Dunivan



# National Association for Court Management

## Strengthening Court Professionals

2018-2019 Board

### OFFICERS

#### President

**William T. Simmons**  
District Court Administrator  
6<sup>th</sup> Judicial District, Georgia  
(770) 898-7623  
will@nacmnet.org

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#### Vice President

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kathy@nacmnet.org

#### Secretary/Treasurer

**Jeffrey Tsunekawa**  
Director of Research & Court Services  
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jeffrey@nacmnet.org

#### Immediate Past President

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Director of Judicial Services  
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rick@nacmnet.org

#### Angie VanSchoick

Court Administrator  
Town of Breckenridge, Colorado  
(970) 453-3165  
angie@nacmnet.org

August 20, 2019

Dear Mr. Edward McNachtan,

Congratulations on your recent accomplishment of completing the Institute of Court Management Fellowship. Your commitment to the profession and personal improvement is enviable. As a valued member of our court community, I want to make sure you are aware of all that NACM has to offer court professionals such as yourself.

NACM's 1700+ members from around the nation, U.S. territories, and other countries take advantage of the following NACM membership benefits:

- World-class conferences at a reduced rate. ICM fellows have dedicated time for a leadership seminar and reception at each Annual Conference. Sessions are selected to address needs of all court types, structures, and sizes.
- Free electronic copies of guides, like the new Plain Language Guide. Other guides include The Domestic Violence Guide, Electronic Records Management Guide for the Judiciary, and The Court Administrator: A Guide to the Profession of Court Administration.
- Opportunities to participate in committee work, guiding the national agenda for education programs and topics, governance, and advocacy.
- Periodical publications delivered directly to your inbox: *Court Express* bimonthly and *Court Manager* quarterly.
- A discount on memberships with our partner organizations.
- Unparalleled networking opportunities. Court management is a unique niche profession and as such, it can be difficult to connect with professionals who experience similar challenges and who can share relevant ideas, innovations, and opportunities. Active membership with NACM provides a community of court professionals during and between conferences.
- Advocacy on issues of nationwide importance; court professionals cannot always address controversial issues regarding the court directly because doing so may interfere with others' perception of the court's impartiality. NACM can be an objective voice advocating for the needs and values of the Judicial Branch of government.

We would be delighted for you to join our organization; more information about membership can be found online at [www.nacmnet.org/join-us/](http://www.nacmnet.org/join-us/). If you have any questions, please do not hesitate to contact us.

Sincerely,

Will Simmons, President

Dear \_\_\_\_\_,

The National Association of Court Management is reaching out to Administrative Office of the Courts, to increase awareness of our organization. NACM is a member organization dedicated to educating court professionals, providing community, sharing information, and advocating on important court and justice system topics.

NACM's 1700+ members from around the nation, U.S. territories, and other countries take advantage of the following NACM membership benefits:

- World-class conferences at a reduced rate.
  - Sessions are selected to address needs of all court types, structures, and sizes.
  - Through its partnership with NCSC, NACM offers "The Doctor is In" consulting services on issues specific to your court.
- Free electronic copies of guides, like the new Plain Language Guide. Other guides include The Domestic Violence Guide, Electronic Records Management Guide for the Judiciary, and The Court Administrator: A Guide to the Profession of Court Administration, and many more.
- Opportunities to participate in committee work, guiding the national agenda for education programs and topics, governance, and advocacy.
  - NACM is continually innovating new ways to meet the needs of its members. Participating on committees ensures your voice is heard about new educational programs and opportunities, the focus for new publications and webinars, and ideas for making conferences the premier source for professional growth and development in the court management profession.
  - Committee work provides opportunities for court managers to further develop their leadership and public speaking skills and it provides increased exposure to the broader court community and cascading career opportunities.
- Periodical publications delivered directly to your inbox: *Court Express* bimonthly and *Court Manager* quarterly.
- A discount on memberships with our partner organizations [update website].
- Unparalleled networking opportunities. Court Management is a unique niche profession and as such, it can be difficult to connect with professionals who experience similar challenges and who can share relevant ideas, innovations, and opportunities. Active membership with NACM provides a community of court professionals during and between conferences.
- Advocacy on issues of nationwide importance; court professionals cannot always address controversial issues regarding the court directly because doing so may interfere with others' perception of the court's impartiality. NACM's can be an objective voice advocating for the needs and values of the Judicial Branch of government.

We would be delighted if you could share our organization's information within your state; more information about membership can be found online at [www.nacmnet.org/join-us/](http://www.nacmnet.org/join-us/). If you have any questions, please do not hesitate to contact us.

Sincerely,

Will Simmons, PhD, President

Michelle Dunivan, PhD, Membership Services Chair

## Exit Survey

1. How long were you a NACM member?
2. Why is your membership inactive? (Check all that apply.)
  - I chose to let my membership expire
  - I was unaware my membership has lapsed (send them to the join us link)
  - I tried to renew but was unable
  - Not enough time to use the benefits
  - Retiring
  - Relocation
  - Active in other associations
  - Time pressures
  - Services too general
  - Did not receive the expected value to justify the cost
  - Change of job/career/business focus
  - Change of interest
  - Dissatisfied with association performance
  - Not enough local activity
  - Association was ineffective in representing the profession/community/sector
  - The group was not the right one for me
  - Disagreed with the association's national political/advocacy position
  - Disagreed with local policy
  - Dissatisfied with local branch
  - Was not welcomed by the group
  - Feel the association no longer addresses my concerns
  - This is no longer a priority for me
  - Employer stopped paying membership subscription
  - Other.....
3. Did you attend the annual or mid year conference last year?
  - Annual
  - Midyear
  - Both
  - Streamed some sessions
  - None of the above
4. During your membership, how often did you take advantage of:
  - Mentor program
  - Career resources
  - Webinars
  - Podcasts
  - The Court Manager quarterly publication
  - Committee Calls
  - Conference Scholarships
  - ICM Scholarships
  - CORE Curriculum
  - Website resources
  - Discounted conference rates

5. How likely/Would you still recommend the association to a friend or colleague? [ ] Yes [ ] No
6. Might you re-join at some point in the future? If so, what might encourage you to re-join?
7. How does the price of your membership compare with the value?
  - More value than would expect for the money
  - A lot of value for the money
  - Some value for the money
  - A little value for the money
  - Not enough value for the money

Dear \_\_,

I am reaching out to you on behalf of the National Association for Court Management. I notice that your State/Regional Association is not yet a Dual Membership partner. The process is easy, and mutually beneficial for our organizations and our members. As you may know, NACM has a variety of resources for every size and type of court. If you are interested, we may even be able to present on our organization, our CORE curriculum, or any of our recent publications, such as the Plain Language Guide.

For your convenience I have attached an agreement we can use, assuming the terms are agreeable. If you have any questions or concerns, please don't hesitate to ask.

Thank you,

Kathy Griffin

	<b>January</b>	<b>February</b>	<b>March</b>
	New member iContact messages scheduled	New member iContact messages scheduled	New member iContact messages scheduled
	Non-renewal message and exit survey	Non-renewal message and exit survey	Non-renewal message and exit survey
Conference	ID Conference buddies for ECP/non-members/mentors	Donor spotlights	Conference scholarship applications due
Membership 2020 campaign/social media	Swag with membership	New Member on site sign up incentive	Membership appreciation
Membership scholarships	Membership scholarship applications due	Membership scholarship recipients notified	
Dual Memberships			Pull membership lists to invite to Annual
Letter writing campaigns		Non-members pre/post conference	
Association Conferences			
	<b>April</b>	<b>May</b>	<b>June</b>
	New member iContact messages scheduled	New member iContact messages scheduled	New member iContact messages scheduled
	Non-renewal message and exit survey	Non-renewal message and exit survey	Non-renewal message and exit survey
Conference	Conference Scholarship recipients notified	Send Career Fair solicitation	ID Conference buddies for ECP-non members/mentors
Membership 2020 campaign/social media	Refer-a-friend discount - full membership discount for one, swag for the other	State by state competition	Purged member annual push
Membership scholarships		Membership scholarship applications due	Membership scholarship applicants notified
Dual Memberships			
Letter writing campaigns			ICM graduates
Association Conferences	<b>Arizona</b>	<b>Michigan</b>	
	<b>July</b>	<b>August</b>	<b>September</b>
	New member iContact messages scheduled	New member iContact messages scheduled	New member iContact messages scheduled
	Non-renewal message and exit survey	Non-renewal message and exit survey	Non-renewal message and exit survey
Conference	Donor spotlights		
Membership 2020 campaign/social media	Raffle scholarships for non-members at conference	Fire sale	Back-to-school sale - student memberships
Membership scholarships			Membership scholarship applications due
Dual Memberships			
Letter writing campaigns	Non-members pre/post conference		
Association Conferences	South Carolina, <b>NCIFCI</b>		Alabama, Minnesota, <b>Nevada</b> , Oregon, <b>IACA</b>
	<b>October</b>	<b>November</b>	<b>December</b>
	New member iContact messages scheduled	New member iContact messages scheduled	New member iContact messages scheduled
	Non-renewal message and exit survey	Non-renewal message and exit survey	Non-renewal message and exit survey
Conference		Conference scholarship applications due	Conference scholarship recipients notified
Membership 2020 campaign/social media	Dual membership appreciation month	Thanksgiving	Giving Tuesday / Give the Gift (can nominate for a scholarship)
Membership scholarships	Membership scholarship applicants notified		
Dual Memberships	Send email to all dual member lists about reduced rate for NACM membership		
Letter writing campaigns			AOC's about NACM membership/current incentives to join
Association Conferences	Mid-Atlantic, Indiana, Missouri, Nevada, Ohio, Texas	California, Colorado	



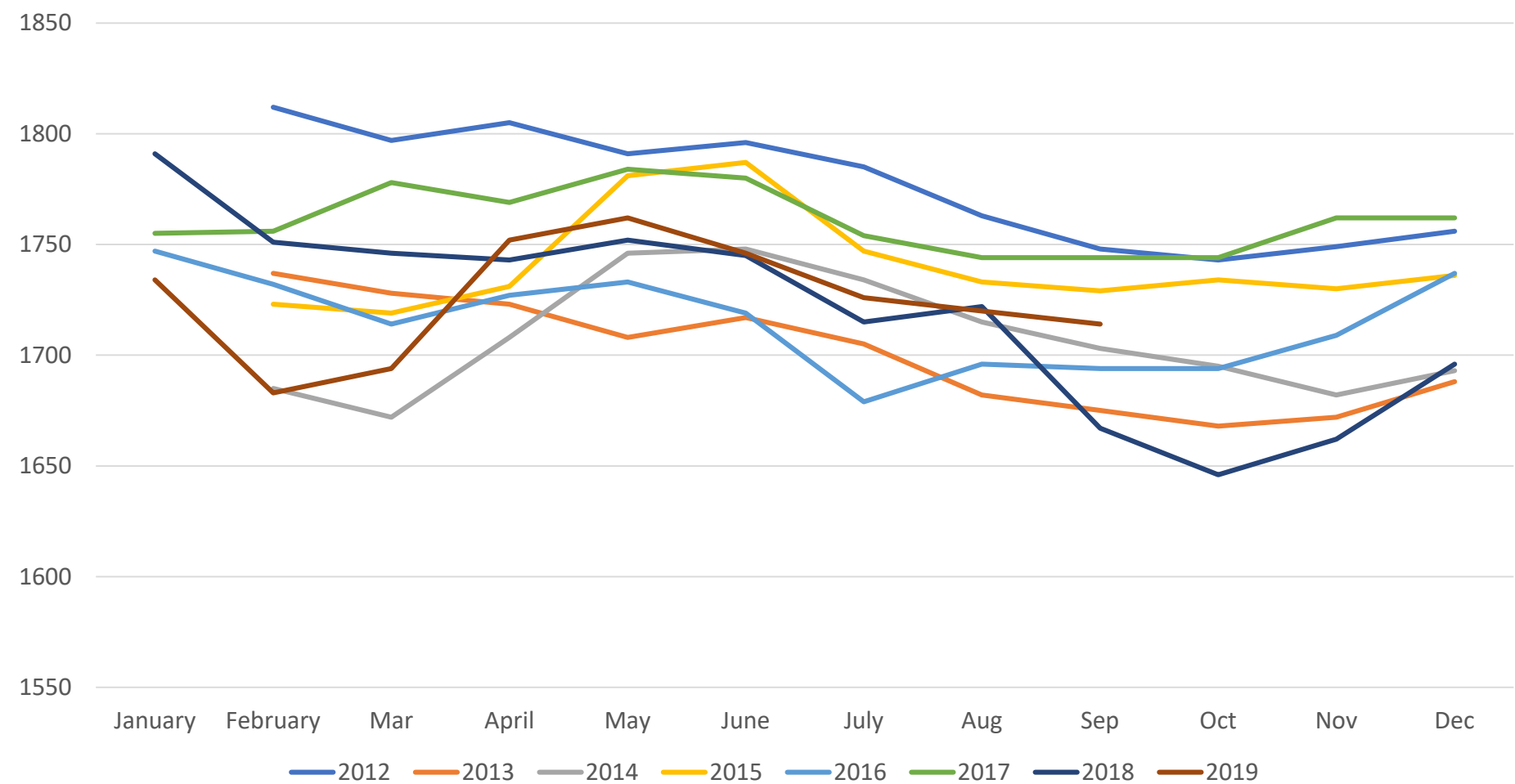
Dear Chairperson of [State Association]

The year 2020 is almost here! The **National Association of Court Management (NACM)** is kicking off our 2020 by 2020 membership drive. NACM is excited to have you as part of our Dual Membership Discount Program, which offers a reduced fee for membership when you are a member of both the state association and NACM. Our organization has 1700+ members from around the nation, U.S. territories, and other countries that take advantage of NACM's membership benefits, such as:

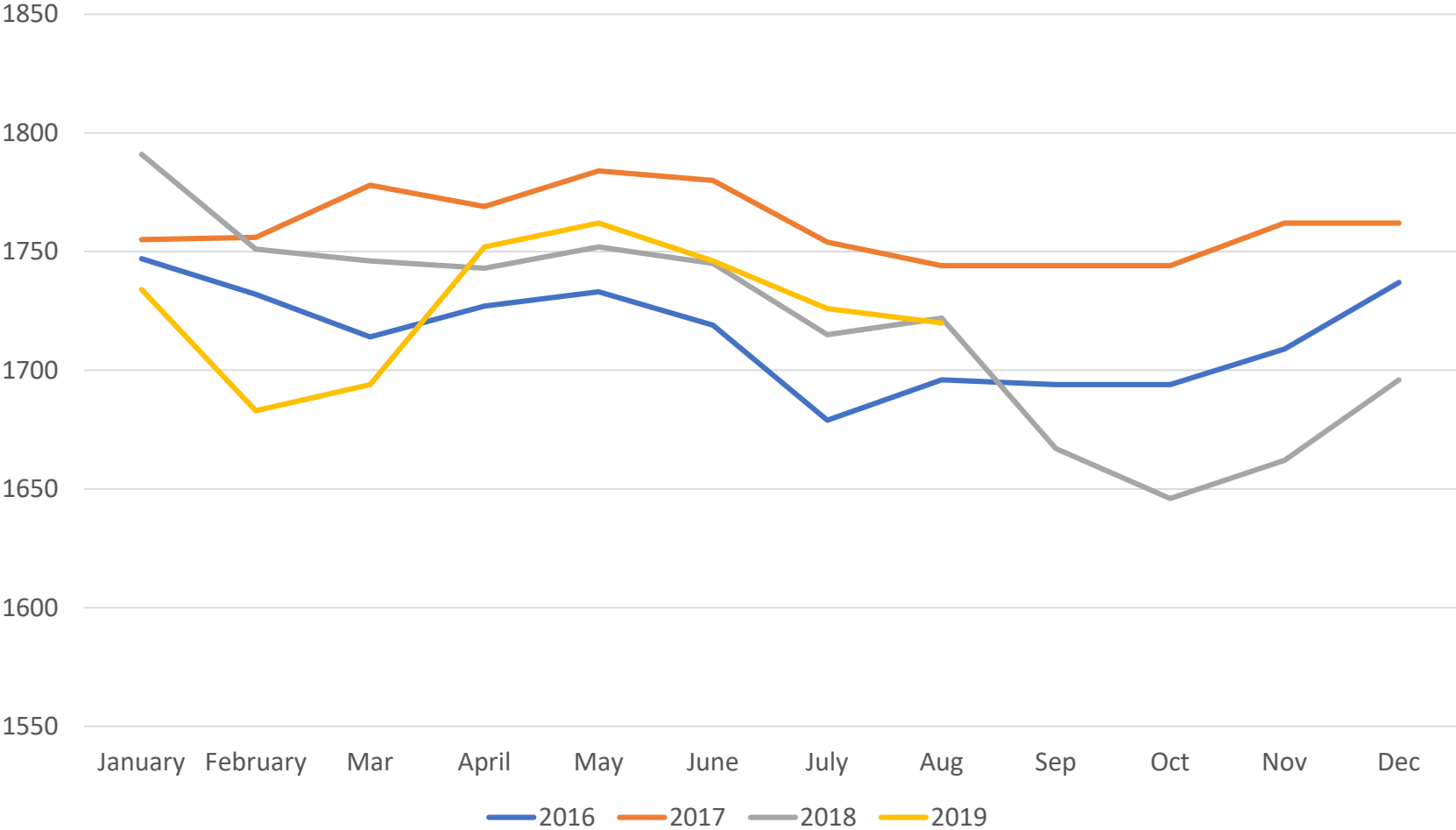
- World-class conferences at a reduced rate.
  - Sessions are selected to address needs of all court types, structures, and sizes.
  - Through its partnership with NCSC, NACM offers "The Doctor is In" consulting services on issues specific to your court.
- Free electronic copies of guides, like the new Plain Language Guide. Other guides include The Domestic Violence Guide, Electronic Records Management Guide for the Judiciary, and The Court Administrator: A Guide to the Profession of Court Administration, and many more.
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  - NACM is continually innovating new ways to meet the needs of its members. Participating on committees ensures your voice is heard about new educational programs and opportunities, the focus for new publications and webinars, and ideas for making conferences the premier source for professional growth and development in the court management profession.
  - Committee work provides opportunities for court managers to further develop their leadership and public speaking skills and it provides increased exposure to the broader court community and cascading career opportunities.
- Periodical publications delivered directly to your inbox: *Court Express* bimonthly and *Court Manager* quarterly.
- A discount on memberships with our partner organizations [update website].
- Unparalleled networking opportunities. Court Management is a unique niche profession and as such, it can be difficult to connect with professionals who experience similar challenges and who can share relevant ideas, innovations, and opportunities. Active membership with NACM provides a community of court professionals during and between conferences.
- Advocacy on issues of nationwide importance; court professionals cannot always address controversial issues regarding the court directly because doing so may interfere with others' perception of the court's impartiality. NACM's can be an objective voice advocating for the needs and values of the Judicial Branch of government.

We ask that you forward this information with your state associations membership and encourage all to join us in our 2020 by 2020 membership drive. Together we can strengthen the court profession! More information about membership can be found at [www.nacmnet.org/join-us/](http://www.nacmnet.org/join-us/). If you have any questions, please do not hesitate to contact us.

NACM Membership Trends (Annually)

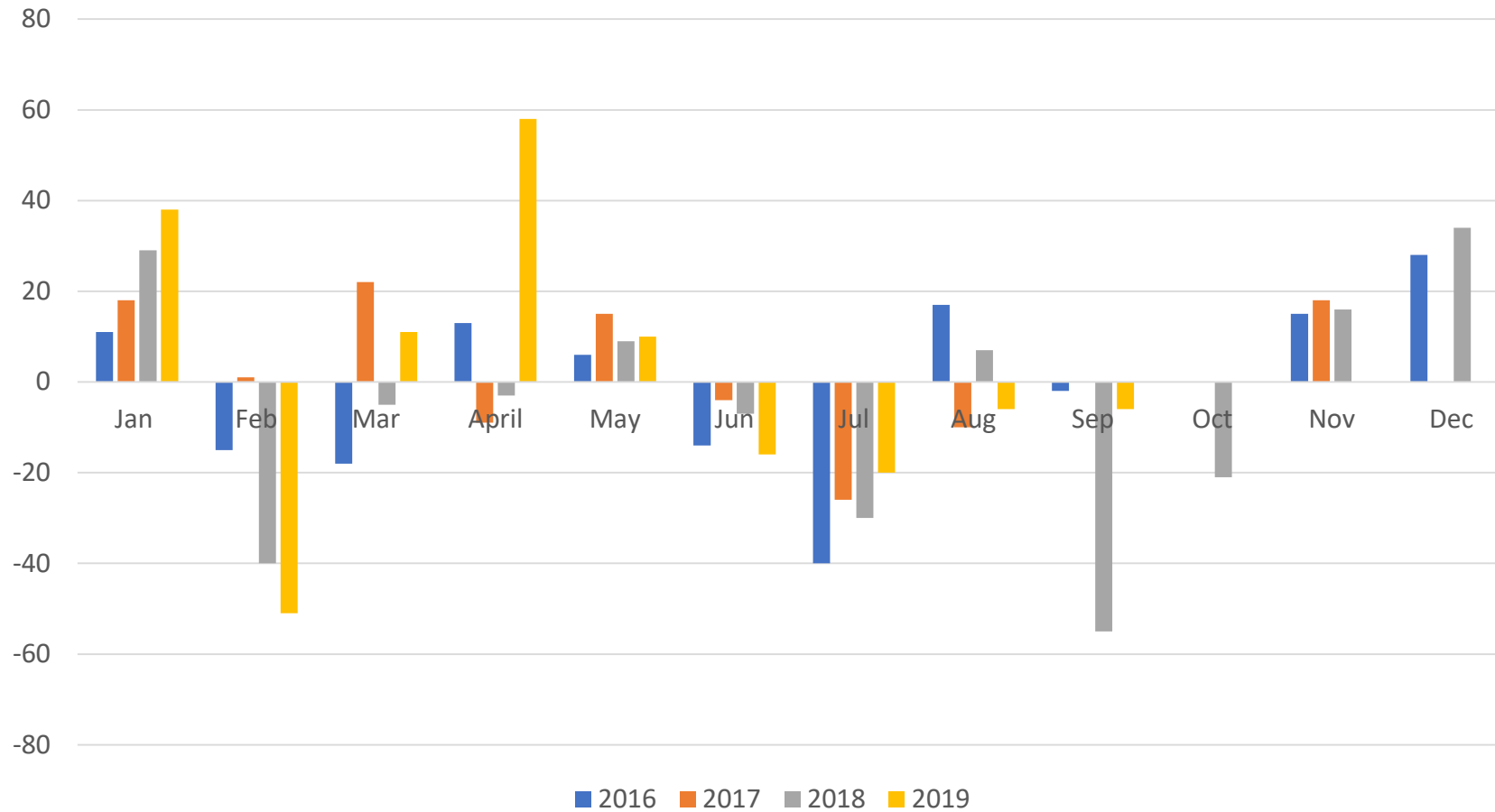


Nacm Membership Trends (Annually)

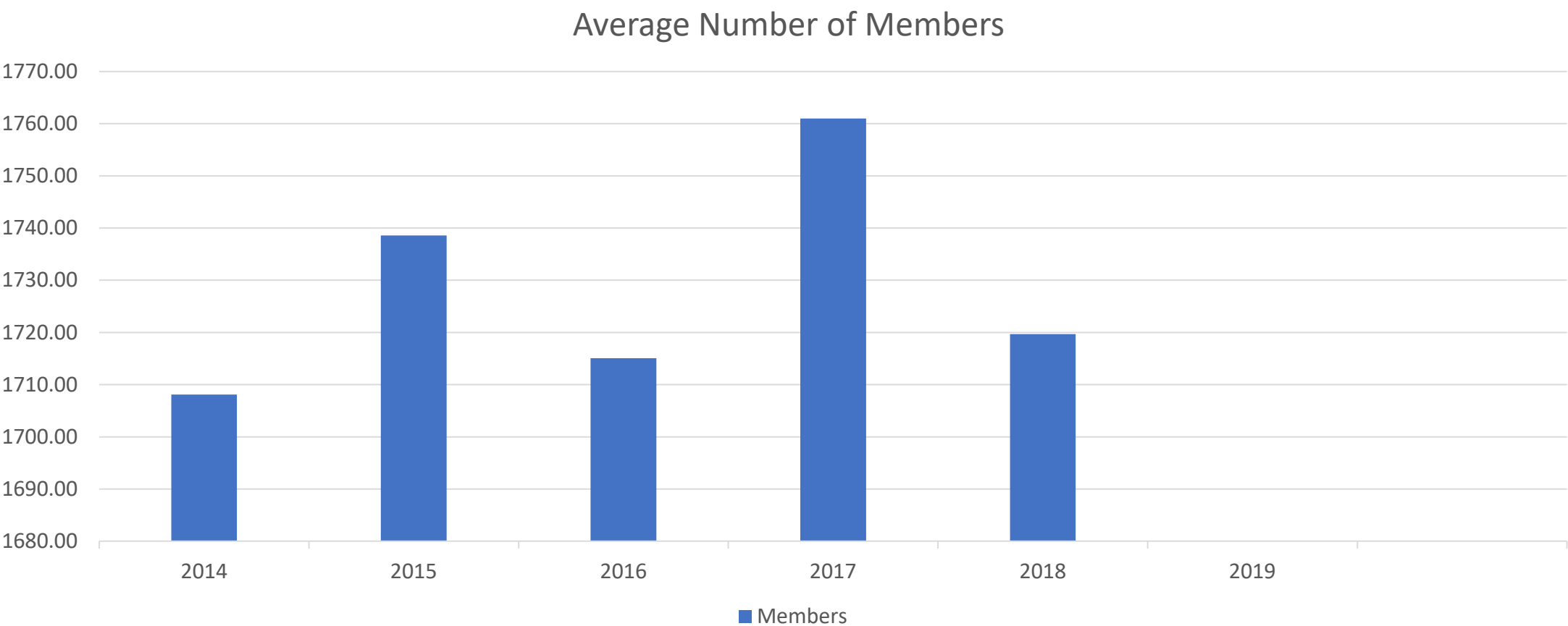


# Net member loss/gain

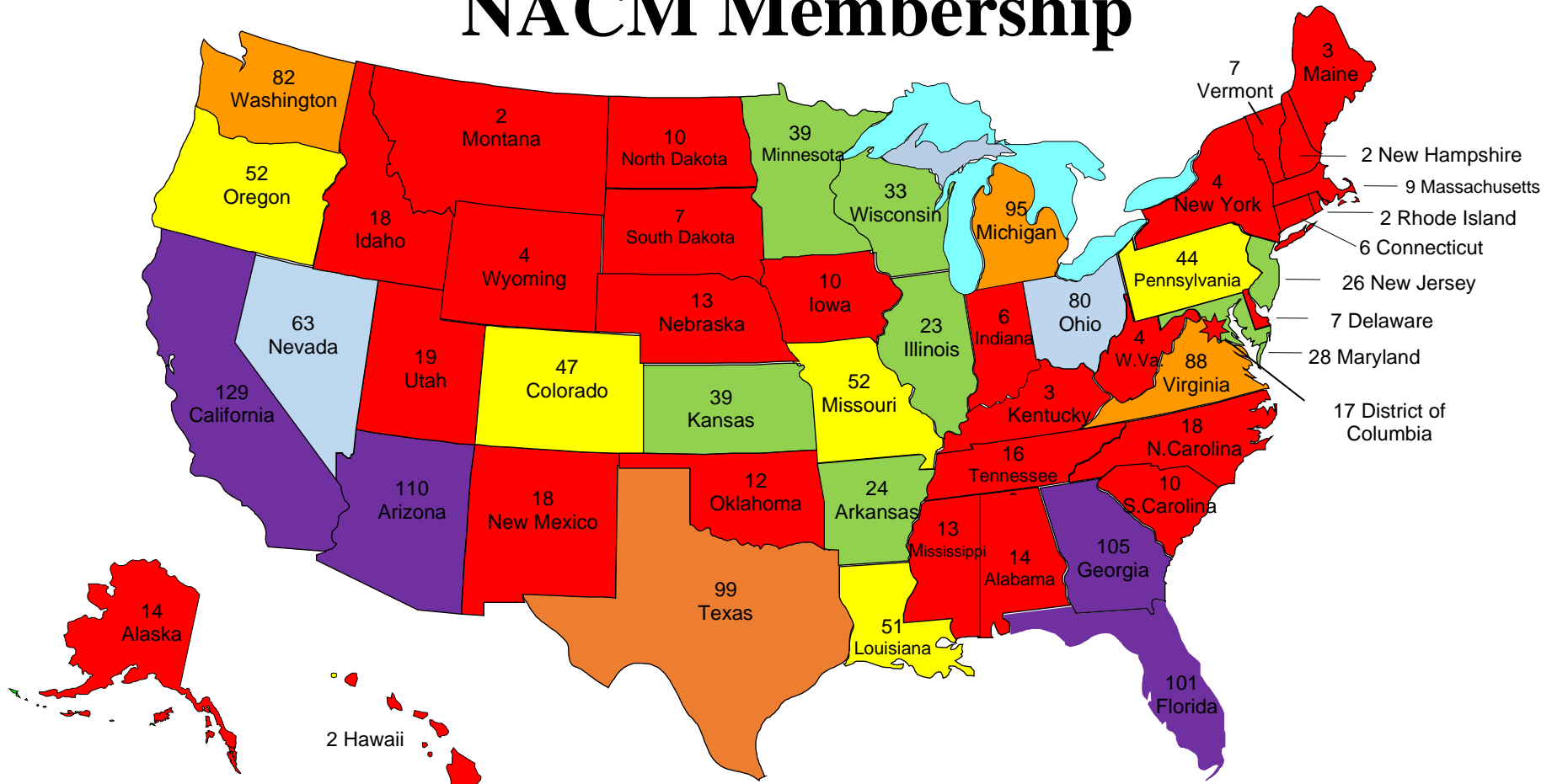
(New Members + New Members Comp + Reinstated – Dropped/Purged)



# Average Members/Year



# NACM Membership



## NACM Members

### U.S. Territories:

American Samoa	2
Guam	3
Puerto Rico	1
Virgin Islands	2

**Total U.S. and Territories – 1689**

**Total Membership -1,714**

### International:

Australia	14
Canada	10
China	1
India	1
Jamaica	1
Luxembourg	1
Marshall Islands	1
Montserrat	1
Nigeria	1
Saipan	1
Scotland	1
Singapore	1
Ukraine	1
<b>TOTAL</b>	<b>25</b>

## Total members by state

1 to 20	Red
21 to 40	Green
41 to 60	Yellow
61 to 80	Blue
81 to 100	Orange
Over 100	Purple



# National Association for Court Management

*Strengthening Court Professionals*

## Communications Committee Progress Report Form – 2019-2020

	Report	Due Date	Submission Date
<b>X</b>	Fall Progress Report	October 1, 2019	October 1, 2019
	Midyear Progress Report	January 15, 2020	
	Annual Progress Report	June 17, 2020	

Project	Project Status	Strategic Priority? (Yes/No)	Discussion Needed? (Yes/No)	Board Action Needed? (Yes/No)	If Yes to discussion or action, please describe what needed
<b>Podcasts</b>	<b>October 17, 2019:</b> Working with Generation X and Millennials in the Courts <b>November 21, 2019:</b> Bloggers and Podcasters in the Courts or Bail Bond Reform <b>December 19, 2019:</b> Emergency Civil Orders  Episodes air monthly on the third Thursday	<b>Yes<sup>1</sup></b>	<b>No</b>	<b>No</b>	
<b>Webinars</b>	October 2019 Webinar: Working with Mary McClymont, Washington, DC, on webinar for <b>October 21 at 2:00 p.m. EST: Nonlawyer Navigators in State Courts: An Emerging Consensus</b> . Format is 40-minute presentation and 20-minute Q&A.	<b>Yes</b>	<b>No</b>	<b>No</b>	
<b>2020 Media Guide</b>	NACM Media Guide Subcommittee Chair is Amanda Marshall and Vice-Chair is Frank Hardester. New members have joined the subcommittee. Details forthcoming in 2019.	<b>Yes</b>	<b>No</b>	<b>No</b>	

<sup>1</sup> SFA#1, Goal 1.3 Increase use of social media for outreach, distribution

<b>Project</b>	<b>Project Status</b>	<b>Strategic Priority? (Yes/No)</b>	<b>Discussion Needed? (Yes/No)</b>	<b>Board Action Needed? (Yes/No)</b>	<b>If Yes to discussion or action, please describe what needed</b>
<b>Court Manager</b>	Ad space reservation deadline for Winter 2019 edition: November 1; Magazine posted online December 13.  Spring 2020 edition copy deadline: January 10; Magazine posted online March 27.	<b>No</b>	<b>Yes</b>	<b>Yes</b>	Set Ad Rates for 2020
<b>Court Express</b>	November Edition copy deadline: November 8 Distribution: November 22	<b>No</b>	<b>No</b>	<b>Yes</b>	Set Ad Rates for 2020
<b>Social Media</b>	Kevin Lane posts on all social media sites. Instagram membership/followers continue to increase. Followers are on multiple platforms. Research shows when and what times to post: 11:00 a.m.; 3:00 p.m.; 8:00 p.m. EST	<b>Yes</b>	<b>No</b>	<b>No</b>	
<b>Website</b>	1. Resource Index – Report on Progress 2. Website Landing Pages – <b>Topic specific:</b> Project work pending completion of the Resource Index project. <b>Audience specific:</b> Project work pending 3. Website Statistics	<b>Yes<sup>2</sup></b>	<b>Yes</b>	<b>No</b>	Jeffrey Tsunekawa to review for Board

**Time needed at meeting for Committee report: 15 Minutes**

**Submitted by: Chair Charleston Carter**

**Date: October 19, 2019**

<sup>2</sup> SFA #2, Goal 2.1-Create a “database” of Court Manager and conference session materials by topics and authors; and 2.2 Develop website landing pages for key topics – SJI priorities.





## RATE CARD FOR 2019 *Court Manager* AND *Court Express*

### Court Manager

THE QUARTERLY JOURNAL OF THE NATIONAL ASSOCIATION FOR COURT MANAGEMENT

**Publisher:** National Association for Court Management

**Circulation:** Distributed quarterly via email link to nearly 1,800 court managers, administrators, and clerks. Magazine stays “live” on website until the next edition is published. Seeking advertisers for the 2019 spring, summer, fall and winter editions of the *Court Manager*.

#### ***Court Manager* Rates\***

(All rates include placement on the home page of the digital publication, unless otherwise noted)

**On Court Manager Home Page – please see attached mockup for specific placement**

Side Bar Ad – static <i>1 available</i>	\$630	300 x 600 pixels, color, click through capability, ad on the right side of screen alongside content, Static Image. Logo with click-through also included in email to ALL members announcing the publication is ready to be viewed
Side Bar Ad – animated <i>1 available</i>	\$650	300 x 600 pixels, color, click through capability, ad on the right side of screen alongside content, 10 seconds, 3x loops max, no flash for tablet, max size 40 KB. Static Logo with click-through also included in email to ALL members announcing the publication is ready to be viewed
Lower Billboard Ad <i>1 available</i> Static <u>Or</u> Animated	\$825  \$850	<b>Static:</b> 970 x 250 pixels, color, click through capability, static. <b>Animated:</b> 970 x 250 pixels, color, click through capability, 10 seconds, 3x loops max, no flash for tablet, max size 40KB.  Static Logo with click-through also included in email to ALL members announcing the publication is ready to be viewed
Upper Billboard Ad – static <i>1 available</i> static	\$925	970 x 250 pixels, color, click through capability, top of eMagazine Home page under Masthead, static. Static Logo with click-through also included in email to ALL members announcing the publication is ready to be viewed

### Inside Ad Rates (ad on page with featured article content)

Side Bar – static <i>1 available</i>	\$300	300 x 600 pixels, color, click through capability, ad on the right side of screen alongside content, Static Image. Static Logo with click-through also included in email to ALL members announcing the publication is ready to be viewed
Billboard – static <i>1 available</i>	\$400	970 x 250 pixels, color, click through capability, ad on the bottom of screen under article. Static Logo with click-through also included in email to ALL members announcing the publication is ready to be viewed

### Splash Page

Splash Page Ad (when user clicks to see publication) <i>1 available</i>	\$1,100	970 x 500 pixels, color, click through capability, static, flashes up between user click from website link to Court Manager home page. Logo with click-through also included in email to ALL members announcing the publication is ready to be viewed.
----------------------------------------------------------------------------	---------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

\* A 2% charge will be assessed for late payments.

Purchase an ad in all 4 publications and receive a 10% discount on published ad rates.

Spring 2019 Vol. 34/1	Ad submission deadline	Video Deadline	eMagazine Launches
Ad space reservation/ ad submission deadline	February 28	Minimum 7 days before launch	March
Summer 2019 Vol. 34/2	Ad submission deadline		
Ad space reservation/ ad submission deadline	May 9	Minimum 7 days before launch	June 11
Fall 2019 Vol. 34/3	Ad submission deadline		
Ad space reservation/ ad submission deadline	August 15	Minimum 7 days before launch	October
Winter 2020 Vol. 34/4	Ad submission deadline		
Ad space reservation/ ad submission deadline	November 14	Minimum 7 days before launch	December

To advertise, call or email:

Stacey Smith  
**Court Manager**  
 c/o National Center for State Courts  
 300 Newport Avenue  
 Williamsburg, VA 23185-4147  
 (757) 259-1816 [ssmith@ncsc.org](mailto:ssmith@ncsc.org)



## Court Express

THE ENEWSLETTER OF THE NATIONAL ASSOCIATION FOR COURT MANAGEMENT

**Publisher:** National Association for Court Management

**Circulation:** Distributed in February, May, September and November via email to nearly 1,800 court managers, administrators, and clerks.

**Details:** The Court Express contains brief articles relevant to the association and its members. Semi-exclusive advertising opportunity in the Court Express, an eNewsletter. 600 x 900 pixel static ad with click through, file must be less than 200 KB. Must be in jpg or gif format.

**Cost:** \$300 per issue

<b>February 2019 Vol. 20/1</b>	Ad space reservation	Ad Submission Deadline	eNewsletter Sent
Ad space reservation/ ad submission deadline	February	Minimum 14 days before launch: February 14	February
<b>Summer 2019 Vol. 20/2</b>	Ad space reservation	Ad Submission Deadline	eNewsletter Sent
Ad space reservation/ ad submission deadline	May	Minimum 14 days before launch: May 11	May
<b>September 2019 Vol. 20/3</b>	Ad space reservation	Ad Submission Deadline	eNewsletter Sent
Ad space reservation/ ad submission deadline	September	Minimum 14 days before launch: September 12	September
<b>Winter 2019 Vol. 20/4</b>	Ad space reservation	Ad Submission Deadline	eNewsletter Sent
Ad space reservation/ ad submission deadline	November	Minimum 14 days before launch: November 14	November

*Please note: A maximum of two ads per edition of Court Express will be allowed.*



# **National Association for Court Management**

*Strengthening Court Professionals*

## **2019 Strategic Planning Priorities**

### **SFA #1: Membership – Recruitment, Retention, and Engagement**

***GOAL 1: NACM's membership will be more diverse and representative of the court profession.***

1. Engage non-members at conferences, after webinars, non-renewals, etc. [Membership] **The membership committee reached out to non-member Annual Conference attendees both before and after the conference via email. A non-member list was also distributed to NACM Board members pre conference to try to connect with non-members during the conference**
2. Create a working group to fully identify reasons why State Associations & partners should engage with NACM [Membership-State Associations] **This would be a reoccurring objective throughout the year to get more State Associations engaged and hopefully get more Dual Memberships**
3. Increase use of social media for outreach, distribution of materials, etc. [Communications-Social Media]

***GOAL 2: NACM will increase opportunities for members to get involved and be active.***

1. Create targeted outreach based on state structure, ECP, type of court, role, etc. [Membership] **The Early Career Professionals group is especially focusing on outreach for college students in hopes of garnering more student memberships.**
2. Develop promotional materials on benefits of membership and conferences with video clips, etc. [Membership] **Membership has created a fillable PDF Membership Justification letter for potential members to provide to their employers to support NACM membership; the letter outlines the many benefits of membership. We also created and sent letters to all ICM Fellows graduates from this year who are not current members, with similar benefits highlighted. We updated the Membership brochure, as well. Finally, we filmed 4 testimonials at the Midyear conference, posted them to our website, and will be using them in our LinkedIn campaign.**



# National Association for Court Management

*Strengthening Court Professionals*

## 2019 Strategic Planning Priorities

3. Create/update a justification letter and campaigns to increase conference attendance [Education-Conference Development]
4. Make better use of surveys, opportunities for membership data/demographics collection [Membership] **Membership is using a data-driven approach to determine the most lucrative states to target in upcoming marketing campaigns. We are also closely monitoring membership trends to identify the best ways for us to recruit and retain members. Finally, we are developing a social media marketing campaign that will market membership, engage members, and collect valuable information at the same time.**

### SFA #2: Education and Resources Provided by NACM

*GOAL 1: NACM will increase attendance at, and participation in, its educational activities.*

1. Establish an emerging leaders program [Education] **this would also be a reoccurring objective in conjunction with our NASJE partnership for the leadership seminar at the annual conference.**
2. Explore variations in education tracks – interactive, Core, credit for attendance, etc. [Education] **this would be a reoccurring objective with each conference agenda.**
3. Develop a court leadership skills assessment with career-stage learning rubrics [Education-Core]. **this would be a one-time objective with a sub-committee working on creating this**



# National Association for Court Management

*Strengthening Court Professionals*

## 2019 Strategic Planning Priorities

***GOAL 2: NACM's informational resources and materials will be easily accessible, useful and reflective.***

1. Create a “database” of *Court Manager* and conference session materials by topic and authors [Communications-Website]
2. Develop website landing pages for key topics – SJI Priorities, webinars, etc. [Communications-Website]
3. Create an annual summary of information produced (webinars, guides, website docs, etc.) [Board]

### **SFA #3: Advocacy for the Profession**

***GOAL 1: NACM will be an influential and respected voice on behalf of courts and the profession.***

1. Create a variety of talking points for members to use for community outreach [Governance] **We have talking points for board members to refer to and use when meeting with partner organizations. We do not have talking points nor plans to develop talking points for use by members for community outreach other than the use of our website and other materials currently provided by membership.**
2. Develop a response of the profession to issues of public trust [Governance]- **Original Resolution 1 of 2019 was adopted by the Board in the Spring of 2019 and a press release announcing its adoption was sent to Court Administrators in the Summer of 2019.**
3. Create opportunities to promote the profession in college programs, partners, etc. [Board]-**This project has gone in several directions accompanied by several discussions among the Board over the last year. Currently, Governance is working with Communications and Membership to develop landing pages and fill them with content pertinent to our members and court partners.**

### **SFA #4: Association Governance**

***GOAL 1: NACM's governance is representative, responsive, and effective.***



**National Association for Court Management**  
*Strengthening Court Professionals*

## **2019 Strategic Planning Priorities**

1. Generate “thank you” notes and recognition process for member volunteers (and their employers) for their service and contribution [Governance] **A template has been developed by Angie.**
2. Create a structure for forms, agendas, policies with possible numbers assigned to policies [Governance] **Frank designed a Records Management Policy the Board adopted in July in conjunction with the recently updated Operations and Procedures Manual.**
3. Enhance tracking of strategic planning efforts and accomplishments [Governance-Strategic Planning] **This document will be the first to memorialize the strategic planning efforts and accomplishments and will be distributed to all committee chairs with relevant information to their specific committee prior to the end of the current calendar year.**

## 2020 Annual Strategic Priorities

<b>Strategic Focus Area #1:</b>  <b>Membership</b>  <b>Goal 1: Actively recruit and strive for a diverse and representative membership</b> <b>Goal 2: Increase opportunities for members to be active and renew their membership</b>		
<b>2020 Strategic Projects</b>	<b>Targeted Outcomes/ Measure of success</b>	<b>Lead Committee Responsible</b>
1.		
2.		
3.		
4.		

### GOAL 1: Actively recruit and strive for a diverse and representative membership.

#### Strategies:

- a. Improve and track membership data/information and other metrics.
- b. Define and communicate the value of membership.
- c. Recruit to new, diverse, and untapped groups and geographical regions.
- d. Strengthen practices for welcoming and orienting new members.
- e. Promote the court professional community and career development possibilities.
- f. Enhance networking opportunities.
- g. Implement other innovative recruitment and retention methods and practices.

### GOAL 2: Increase opportunities for members to be active and renew their membership.

#### Strategies:

- a. Communicate and promote opportunities for involvement and professional growth.
- b. Implement other innovative engagement methods and practices.
- c. Assess and respond to the needs and interests of members.
- d. Leverage our national position and professional community to increase value of membership.
- e. Provide a forum for members to share Best Practices.
- f. Identify different ways to communicate regularly to members.
- g. Consider ways to revitalize the mentor program.



## Strategic Focus Area #2:

### Education and Resources

**Goal 1: Increase involvement and participation in educational programming and resources.**

**Goal 2: Create educational opportunities and resources that reflect the needs of membership and the profession.**

2020 Strategic Projects	Targeted Outcomes/ Measure of success	Lead Committee Responsible
1.		
2.		
3.		
4.		

#### GOAL 1: Increase involvement and participation in educational programming and resources.

##### Strategies:

- a. Evaluate and continuously improve educational programming.
- b. Provide educational programming on the Core®, hot topics, innovative practices and emerging issues.
- c. Expand educational resources to meet needs and interests of diverse membership segments.
- d. Promote high-quality diverse faculty.
- e. Be strategic and intentional when selecting conference locations.
- f. Use technology/alternative delivery methods to expand access to or participation in educational programming.
- g. Partner with other organizations and associations to increase participation in educational programming.
- h. Identify ways to manage the cost of educational programming.
- i. Expand educational programming for different types of courts (i.e., rural, federal, municipal, problem solving).
- j. Develop certification programs, tracks or programs for new court leaders.

#### GOAL 2: Create educational opportunities and resources that reflect the needs of membership and the profession.

##### Strategies:

- a. Evaluate and improve existing resources and their accessibility.
- b. Develop new resources and informational materials to improve court administration and court/justice system performance.

- c. Be a thought-leader and produce resources/reference materials on hot topics, emerging issues, and promising practices.
- d. Market/communicate/distribute the availability of resources.

### Strategic Focus Area #3:

#### Advocacy for the Profession

**Goal 1: NACM will be an influential and respected voice on the behalf of courts and the court management profession.**

2020 Strategic Projects	Targeted Outcomes/ Measure of success	Lead Committee Responsible
1.		
2.		
3.		
4.		

#### Strategies:

- a. Pursue and participate in opportunities to educate about, and promote, the profession.
- b. Reach out to policy-makers to educate about the needs and important issues facing courts and the profession.
- c. Take a position and make recommendations on matters of importance.
- d. Develop advocacy resources and reference materials.
- e. Use innovative methods when communicating on behalf of the profession.
- f. Educate and enhance relationships and communication with judges, judge organizations, and judicial/legal communities.
- g. Highlight contributions to improved court/judicial branch performance.

<b>Strategic Focus Area #4:</b>  <b>Association Governance</b>  <b>Goal 1: NACM's governance is representative, responsive and effective.</b>		
<b>2020 Strategic Projects</b>	<b>Targeted Outcomes/ Measure of success</b>	<b>Lead Committee Responsible</b>
1.		
2.		
3.		
4.		

Strategies:

- a. Improve the process for recruiting diverse, skilled, and enthusiastic Board and committee members.
- b. Orient, develop, and nurture board and committeemembers.
- c. Strengthen the cohesiveness and collaboration of theBoard.
- d. Evaluate, improve, and align Board processes, procedures and practices with operational and strategic priorities.
- e. Seek partnerships with national, state, and local court associations and identify opportunities to collaborate.

# 2019 CourtFutures Top Trends to Watch: NACM Respondents

Phillip Knox and Peter C. Kiefer  
September 9, 2019

## The Surveys

We have summarized the best thinking of nearly 1,400<sup>1</sup> court professionals who have looked at 187 different scenarios of possible futures. This report highlights 2019 assessments and focuses on the responses of NACM members, comparing their assessments with those of the overall group.

Eight surveys conducted over seven years have sought to answer the question: what is the most likely future for courts? By assessing the probability of various scenarios occurring within the next ten years and then averaging those results, we have developed estimates of what the future might hold for courts. The assessments averaging from 1.0 to 1.9 are labelled *Highly Likely*; 2.0 to 2.4: *Likely*; 2.5 to 2.9: *Maybe (50-50 Chance)*; 3.0 to 3.4: *Unlikely*; and 3.5 and higher: *Improbable*.

For an in-depth look at many scenarios, we invite you to go to the <https://www.Courtleader.net> website. Janet Cornell hosts the site where we have posted several “thought pieces” on the *CourtFutures* webpage. You can request a full set of survey results by emailing us at [CourtFutures@gmail.com](mailto:CourtFutures@gmail.com).

### ***No. 10: Courts are Confronted by Ever-Increasing Cultural Challenges***

Courts are faced with a continuing barrage of diversity challenges, both by the customers they serve and in the workforce they employ. Differences in gender, ethnicity, religious perspectives, and in the opinions of work/life balance challenge all organizations, including courts. The 2017 survey included a scenario that courts will face ever-increasing cultural and linguistic challenges; it was assessed as *Highly Likely* with a 1.7 average probability. The 2019 survey contains separate scenarios: one on cultural challenges and one on linguistic challenges.

Theme	Overall Group
<b>Courts are Confronted by Ever-Increasing Cultural Challenges</b>	<b>Highly Likely</b>

The overall group assessed this scenario as having a 1.6 probability; NACM members also assessed this scenario as *Highly Likely* with a 1.7 likelihood.

### ***No. 9: Courts are Confronted by Increasing Linguistic Challenges***

Courts are also faced with an expanding array of linguistic challenges including ever more exotic languages and even tribal dialects. As mentioned in the No. 10 highlight, this is the separate scenario on linguistic challenges.

Theme	Overall Group
<b>Courts are Confronted by Increasing Linguistic Challenges</b>	<b>Highly Likely</b>

The overall group assessed this scenario as having a 1.6 probability; NACM members also assessed this scenario as *Highly Likely* with a 1.7 likelihood.

<sup>1</sup>The Spring 2013 survey received 232 responses, 70 were from NACM members; the Summer 2013 survey received 212 responses, 67 were NACM members; the 2014 survey received 510 responses, 120 were NACM members; the 2015 survey received 493 responses, 137 were NACM members; the 2016 survey received 369 responses, 119 were NACM members; the 2017 survey received 391 responses, 132 were NACM members; the 2018 survey received 352 responses, 155 were NACM members; the latest 2019 survey received 398 responses, 216 were NACM members.

### ***No. 8: Courts Develop Online Individual Learning Modules to Train New Employees***

The concept of individualized online learning, also known as “eLearning” began to appear around 1999. Now we see an array of online eLearning tools including intelligent assistants (sometimes called “chatbots”), interactive video-based learning, micro-courses, customized learning modules, virtual reality (VR), and augmented reality (AR). eLearning can defray training costs and employees can access eLearning on their schedule rather than conforming to set classes.

<b>Theme</b>	<b>Overall Group</b>
<b>Courts Develop Online Individual Learning Modules to Train New Employees</b>	<b>Highly Likely</b>

NACM members agreed with the overall group; both assessed this scenario as **Highly Likely** with a 1.7 average likelihood of occurring within the next ten years

### ***No. 7: Court Computer Systems Are Hacked***

Ransomware, malware, viruses, denials of service (DOS), phishing, and eavesdropping (surreptitiously looking for website data), are all ways of hacking into computer systems including court databases. The need for computer security is growing exponentially. The scenario “Court Computer Systems are Compromised,” was first surveyed in the Summer of 2013 and assessed as Likely with a 2.2 average probability. The 2019 scenario is titled “Court Computer Systems Are Hacked.”

<b>Theme</b>	<b>Overall Group</b>
<b>Court Computer Systems Are Hacked</b>	<b>Likely</b>

Overall, this scenario was assessed as a 2.0 probability, however, NACM members assessed it as **Highly Likely** with a 1.9 likelihood.

### ***No. 6: Problem-Solving Drug Courts Scale to Address the Opioid Crisis***

Notwithstanding their reputation for being small calendars that handle dozens of participants while the opioid crisis involves thousands, respondents thought drug courts will scale up to meet the challenge of the opioid epidemic.

<b>Theme</b>	<b>Overall Group</b>
<b>Problem-Solving Drug Courts Expand to Address the Opioid Crisis</b>	<b>Highly Likely</b>

Overall this scenario was assessed as a 1.8 likelihood; NACM members largely agreed assessing it as **Highly Likely** with a 1.9 probability of occurring within the next ten years.

### ***No. 5: Social Media Remains an Ancillary Way Court Leadership Communicates with Staff***

Despite it being fast, low cost, easy to use, and easy to maintain, most respondents thought it was unlikely that Twitter, Instagram, or Facebook would become the preferred way court leadership would communicate with court staff.

<b>Theme</b>	<b>Overall Group</b>
<b>Social Media Becomes the Main Way Court Leadership Communicates with Staff</b>	<b>Unlikely</b>

The overall group assessed this scenario as having a 3.2 probability; NACM members largely agreed assessing it as **Unlikely** with a 3.3 likelihood.

#### ***No. 4: Older Workers Continue Working Hindering Younger Employees***

Older workers are continuing into their later years. Partly, this is because when older workers leave a job they remain unemployed longer, and when they find work it is often for less pay.<sup>2</sup> Many younger employees expect older workers to retire, avoid overusing shared resources like health care, and steer clear of youth-oriented popular trends such as social media sites.<sup>3</sup>

<b>Theme</b>	<b>Overall Group</b>
<b>Older Employees Continue Working, Hindering Advancement of Younger Employees</b>	<b>Likely</b>

NACM members and the overall group agreed, both assessing the scenario as **Likely** with a 2.3 probability.

#### ***No. 3: Self-Driving Vehicles Remain Scarce***

For a couple of years now the literature has predicted that we are on the cusp of the self-driving vehicle revolution, led by Elon Musk and Tesla Corporation. Despite the publicity, responses to the 2015 survey assessed the likelihood of regularly seeing self-driving vehicles on the road within the next years as **Unlikely** with a 3.2 average probability. In 2018, respondents assessed the scenario as having a **50-50 Chance** with a 2.8 probability.

<b>Theme</b>	<b>Overall Group</b>
<b>Self-Driving Vehicles are Commonplace</b>	<b>Maybe</b>

Overall, this scenario was assessed as a 2.8 probability; NACM members largely agreed assessing it as having a **50-50 Chance** with a 2.7 likelihood.

#### ***No. 2: Cannabis Becomes Commonplace***

Most states now recognize either medical or recreational use of marijuana as legal; only South Dakota, Nebraska, and Idaho still have possession as a crime. The Spring 2013 survey assessed the scenario “Medical Marijuana Will Be Legal” as **Likely** with a 2.3 average probability. The 2014 survey assessed it as **Likely** with a 2.2 average probability within the next ten years.

<b>Theme</b>	<b>Overall Group</b>
<b>Marijuana will be Legal</b>	<b>Likely</b>

Overall, this scenario was assessed as a 2.3 probability; NACM members largely agreed assessing it as **Likely** with a 2.2 probability.

#### ***No. 1: Skepticism Persists About Artificial Intelligence (AI) Assisting Judges***

Despite numerous articles on how artificial intelligence can help judges with decision-making, particularly in sentencing and pretrial release, survey respondents remain uncertain if AI will be accepted. The Winter 2015 survey assessed this scenario as being **Unlikely** with a 3.3 average probability.

<b>Theme</b>	<b>Overall Group</b>
<b>Applications Aid in Judicial Decision-Making</b>	<b>Maybe</b>

The overall group assessed this scenario as having a 2.8 probability; NACM members assessed it as having a **50-50 Chance** with a 2.6 probability.

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<sup>2</sup> AARP and Schwartz Center for Economic Policy Analysis at the New School in New York, March 13, 2017

<sup>3</sup> Michael North, The Conversation

We are gearing up for our 2020 survey and want to hear what you think we should ask. Also, let us know of anyone who might be interested in participating in the next survey. Email your suggestions to [court futures@gmail.com](mailto:court futures@gmail.com).



**CONFERENCE OF CHIEF JUSTICES  
CONFERENCE OF STATE COURT ADMINISTRATORS**

**Resolution 1**

**In Support of Increased Funding for Court Improvement Programs**

WHEREAS, the Conference of Chief Justices and Conference of State Court Administrators (Conferences) recognize the importance of securing safe and permanent homes for children and the importance of moving children in state custody to permanent and safe homes as quickly as possible through the efficient and effective handling of child abuse and neglect cases; and

WHEREAS, the Conferences have made reform of child welfare systems a priority and undertaken initiatives to strengthen court oversight of child welfare cases; and

WHEREAS, in 1993, Congress created the original Court Improvement Program (CIP), a grant program to assist state courts in improving their handling of child abuse and neglect cases. By passage of this legislation (P.L. 103-66), Congress explicitly recognized the effect of federal mandates on the state judicial systems and provided funds directly to the highest court in each state; and

WHEREAS, Congress required each state to use its CIP funds in the first year to conduct an assessment, identify problems in processing child abuse and neglect cases, and develop strategies for addressing those problems. Subsequent year CIP funds have been used to implement system improvements and evaluate the effectiveness of the improvements; and

WHEREAS, the Deficit Reduction Act of 2005 (P.L. 109-171) required and encouraged collaboration between courts and public child welfare agencies and authorized two additional CIP grants. One grant was dedicated to assisting courts to improve the training of judges, court personnel, and attorneys handling child abuse and neglect cases. The other grant was dedicated to assisting courts in improving the timeliness of their efforts on behalf of children in foster care; and

WHEREAS, state courts have completed comprehensive assessments, developed and implemented innovative solutions for improving court processes and procedures, and evaluated the effectiveness of reform efforts. Children across the country have benefited from this funding, as courts have been able to improve and expedite the processing of child abuse and neglect cases with the goal of placing children in permanent and safe homes and improving outcomes for children; and

WHEREAS, state courts have combined the CIP funds with state and local dollars to make significant changes in the way they handle child abuse and neglect cases. The availability of CIP funds has stimulated a synergy among judicial, executive and private resources, which has resulted in broad changes in how state courts handle child abuse and neglect cases; and

WHEREAS, these CIP funds have been critical in accomplishing reform efforts, such as revising trial court and appellate court procedures, establishing and enhancing automated case tracking systems, developing data exchanges between the courts and child welfare agencies, implementing court performance measurements, providing training for judges and court personnel in both substantive law and issues impacting child development, and developing resources (e.g., bench books and bench cards) that assist judges in fulfilling their responsibilities; and

WHEREAS, the CIP funds have been essential to enabling courts to implement federal legislation and policy, particularly related to training judges, court personnel, and attorneys on federal laws and regulations and to collecting data to ensure timelines of case processing and to monitor court performance; and

WHEREAS, although the courts have been able to leverage these federal dollars to accomplish reforms, more enhancements and reforms are needed and the CIP funds continue to be a critical factor to improving the adjudication of child welfare cases; and

WHEREAS, in 2018, the Family First Prevention Services Act was signed into law as part of the Bipartisan Budget Act of 2018 (P.L. 115-123), creating new funding and requirements for prevention services and placing the vast majority of children in foster care with family members or in family foster homes. The law limits the use of federal funding for congregate and group home placements to children in foster care who are in need of special services or treatment. State courts must evaluate whether child welfare agencies have made reasonable efforts in child protection cases to prevent foster care placement, and state courts are assigned new roles in overseeing congregate and group home placements and the well-being of children in foster care. The Act also reauthorized and extended CIP for five years through FY 2021; and

WHEREAS, the 116<sup>th</sup> Congress will be considering additional legislation, such as the Family First Transition and Support Act of 2019 (S. 1376/H.R. 2702), which proposes to increase funding for the CIP grant program in recognition of the new responsibilities placed on state courts and the critical role that state courts will play in the implementing the Family First Prevention Services Act;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and Conference of State Court Administrators strongly urge Congress to increase funding to the three CIP grant programs so that state courts are able to sustain, enhance, and expand child welfare reforms and effectively implement the provisions of the Family First Prevention Services Act.

Adopted as proposed by the Conference of Chief Justices Board of Directors and the Conference of State Court Administrators Board of Directors on June 10, 2019.

## **CONFERENCE OF CHIEF JUSTICES**

## **CONFERENCE OF STATE COURT ADMINISTRATORS**

### **Resolution 2**

#### **In Support of the Policy Recommendations of the National Judicial Opioid Task Force**

WHEREAS, the misuse and abuse of opioids and other addictive substances is a devastating national public health crisis affecting the administration of justice in state and local courts in every state; and

WHEREAS, courts are positioned to respond to the epidemic; and

WHEREAS, in 2017, the Conference of Chief Justices and the Conference of State Court Administrators established the National Judicial Opioid Task Force to develop tools, resources, and policy recommendations to address the epidemic; and\*

WHEREAS, in 2019 the National Judicial Opioid Task Force developed a set of best practice and policy recommendations to guide state and local courts in their development, operation, and assessment of judicial responses to the epidemic; and

WHEREAS, the recommendations are structured into six primary categories: Judicial Leadership; Communication and Collaboration; Treatment and Services; Court-based Programs and Strategies; Judicial Branch Education; and Legislation and Funding;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators endorse the recommendations developed by the National Judicial Opioid Task Force; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators encourage inclusion of the policy recommendations in training and education for court staff and judicial officers, as well as the development and operation of court programs, practices, and policies implemented in response to the abuse and misuse of opioids and other addictive substances.

Adopted as proposed by the CCJ/COSCA Boards of Directors at the 2019 Annual Meeting on July 31, 2019.

\*The National Association for Court Management actively participated on the National Opioid Task Force. NACM was asked and provided representation on the task force as a voice for court professionals across the nation.

## **CONFERENCE OF CHIEF JUSTICES CONFERENCE OF STATE COURT ADMINISTRATORS**

### **Resolution 3**

#### **Admission of Evidence from Cell Phones and Other Personal Electronic Devices**

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators (Conferences) have long supported the expansion of meaningful access to the justice system for all; and

WHEREAS, in 2018 the Conferences adopted Resolution 7\*, which urged their members to carefully review and assess their policies with respect to cell phone use in courthouses, so as to appropriately balance the security risks posed by cell phone use with the needs of litigants, especially those who are self-represented; and

WHEREAS, in 2018 the Conferences, in the process of adopting Resolution 7, recognized that cell phones have become an integral part of daily life for many litigants, serving as an essential tool for communication, research, information storage, and safety; and

WHEREAS, the Conferences recognize that this trend is not limited to cell phones and that other types of personal electronic devices (PEDs), including laptop computers and tablets, also have become an integral part of daily life for many litigants;

WHEREAS, the Conferences recognize that, as a result of this trend, litigants with increasing frequency are seeking to show judges material that is stored on cell phones and other PEDs during judicial proceedings, and are asking that it be admitted or treated as evidence; and

WHEREAS, the evidence litigants are seeking to present on cell phones and other PEDs comes in many forms, including but not limited to photographs, call logs, text and short message service messages, emails, video recordings, voice mail messages and other audio recordings, social media posts, and satellite map images; and

WHEREAS, this growing trend is particularly evident during certain types of judicial proceedings, which, by their nature, tend to involve large numbers of self-represented litigants, such as landlord-tenant eviction actions, child custody hearings, and restraining and harassment order hearings; and

WHEREAS, the Conferences recognize that judges presented with evidence on cell phones or other PEDs during judicial proceedings are often faced with the difficult task of striking the appropriate balance between adherence to the rules of evidence, which must be

2

maintained in proceedings where such rules apply, and facilitating the ability of all litigants, including self-represented litigants, to be fully and fairly heard; and

WHEREAS, the Conferences recognize that this task can involve resolving both practical issues, such as whether the judges themselves should physically handle the cell phone or other PED to observe the evidence, and issues of an evidentiary nature, such as assessing the authenticity of the evidence, whether other evidence (e.g., the full text message exchange) should be admitted for purposes of completeness, and whether the probative value of the evidence is substantially outweighed by the danger of unfair prejudice or some other danger; and

WHEREAS, the Conferences recognize that litigants, particularly those who are self-represented, often appear in court without additional copies of the evidence on their cell phones or other PEDs, thereby giving rise to issues such as the adequacy of notice to an opposing party (where the proceedings are not ex parte) and the need properly to preserve the evidence for the record and appeal; and

WHEREAS, the Conferences recognize that judges have not always been provided with adequate guidance to assist them in dealing with these and other issues that can arise when a litigant seeks to present evidence on a cell phone or other PED; and

WHEREAS, the Conferences recognize that courthouses, often due to budgetary limits, are not always equipped with the technical equipment or resources that might better assist judges and litigants, especially self-represented litigants, in the presentation, consideration, and preservation of evidence on cell phones and other PEDs;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators encourage their members to consider adopting policies or protocols to guide and assist judges in dealing with the many practical and evidentiary issues that can arise when a litigant, particularly a self-represented litigant, seeks to present evidence on a cell phone or other PED.

Adopted as proposed by the CCJ and COSCA Access and Fairness Committee at the 2019 Annual Meeting on July 31, 2019.

NACM adopted a resolution in support of COSCA resolution 7 of 2018. For reference purposes on the language of this resolution, please click here: <https://nacmnet.org/wp-content/uploads/Resolution-7-Review-of-Courthouse-Cell-Phone-Policies.pdf>

2019

NATIONAL CENTER FOR STATE COURTS

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# Trends in State Courts





## 2019 Review Board & Trends Committee

*Trends in State Courts* 2019 articles have been through a rigorous review process. The members of the 2019 Review Board and Trends Committee have provided valuable feedback on this edition. The patience and commitment of the Review Board and Trends Committee are greatly appreciated.

**Howard H. Berchtold, Jr.** Trial Court Administrator, Atlantic City, New Jersey

**Heidi Carstensen** Dakota County Court Administrator, Minnesota

**Pam Casey** Vice President, Research, National Center for State Courts

**Claudia C. Johnson** Court Collaboration Circuit Rider, Pro Bono Net

**Laura Klaversma** Director, Court Services, National Center for State Courts

**Karen Kringlie** Director of Juvenile Court, Admin Unit 2, Fargo, North Dakota

**Hon. Brenda S. Loftin** St. Louis County Circuit Court, Missouri

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**Beth Riggert** Communications Counsel, Supreme Court of Missouri

**Alyce Roberts** Special Projects Coordinator, Alaska Court System

**Hon. John J. Russo** Administrative and Presiding Judge, Cuyahoga County Common Pleas Court, Cleveland, Ohio

**Jeff Schrade** Director, Education Services Division, Arizona

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**Suzanne H. Stinson** Court Administrator, 26th Judicial District Court (ret.), Louisiana

**Robert D. Wessels** County Court Manager (ret.), County Criminal Courts at Law, Houston, Texas

**Robert A. Zastany** Executive Director (ret.), Circuit Court of Lake County, Illinois

## Call for Article Submissions

*Trends in State Courts* is an annual, peer-reviewed publication that highlights innovative practices in critical areas that are of interest to courts, and often serves as a guide for developing new initiatives and programs and informing and supporting policy decisions. *Trends in State Courts* is the only publication of its kind and enjoys a wide circulation among the state court community. It is distributed in hard copy and electronically.

Submissions for the 2020 edition are now being accepted. Please email abstracts of no more than 500 words by October 14, 2019 to John Holtzclaw at [jholtzclaw@ncsc.org](mailto:jholtzclaw@ncsc.org). Abstracts received after this date are welcome and will be considered for later editions or for our online version of *Trends*.

Visit the *Trends in State Courts* website at [www.ncsc.org/trends](http://www.ncsc.org/trends) for more information and detailed submission guidelines.



2019

NATIONAL CENTER FOR STATE COURTS

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# Trends in State Courts

Edited by

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*To promote the rule of law and improve the administration of justice  
in state courts and courts around the world.*

**Trusted Leadership. Proven Solutions. Better Courts.**

## Acknowledgments

*Trends in State Courts 2019* was truly a team effort. Without the support and dedication of the court community this publication would not have been possible.

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The editors also recognize the contributions of two former staff members of the National Center for State Courts’ Knowledge and Information Services, Deborah Smith and Blake Kavanagh, who “started the ball rolling” for *Trends 2019* last year as members of the editorial staff. Their preparatory work was essential to this year’s edition.



*This report is part of the National Center for State Courts’ “Report on Trends in the State Courts” series. Opinions herein are those of the authors, not necessarily of the National Center for State Courts.*

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## Table of Contents

<b>Preface</b>	<b>1</b>
Mary Campbell McQueen	
<b>Massachusetts Trial Court: Using Sequential Intercept Mapping in Response to the Opioid Crisis</b>	<b>2</b>
Hon. Paula M. Carey	
<b>Pima County’s Dependency Alternative Program: Preserving Families and Promoting Access to Justice</b>	<b>8</b>
Hon. Kathleen Quigley and Stacey N. Brady	
<b>Engaged Employees = Satisfied Court Customers?</b>	<b>14</b>
Eric Brown and Mindy Masias	
<b>Human Capital: Connecticut’s Judicial Branch Is Investing in Its Workforce</b>	<b>21</b>
Heather Nann Collins	
<b>Court Employees: Investing in Your Human Capital</b>	<b>29</b>
Hon. John J. Russo	
<b>The Court’s Technology Communication Challenge</b>	<b>33</b>
James E. McMillan	
<b>Beyond Buzzwords: Building an Information Security Foundation</b>	<b>37</b>
Sajed Naseem and Brian J. McLaughlin	
<b>Improving Child Support Enforcement Outcomes with Online Dispute Resolution</b>	<b>43</b>
Kevin Bowling, Jennell Challa, and Di Graski	
<b>The Importance of a Legal Ecosystem</b>	<b>49</b>
Tom Clarke	
<b>Evaluating Remote Technology Options to Increase Self-Help Center Access</b>	<b>54</b>
Sheldon Clark	





## Preface

**Mary Campbell McQueen** President, National Center for State Courts

Courts play an essential role in our society, yet many members of the public find them intimidating, with their imposing architecture, security procedures, and seemingly arcane rules and legal language. Yet, for many members of the public, courts represent their only one-on-one contact with government, at least outside of a voting booth. As intimidating as courts can seem, access to justice is critical; therefore, state courts are working to make their processes more understandable and relevant to the public.

Courts also provide a crucial gateway to other essential services, such as drug treatment and rehabilitation. For example, the lead article in this year's edition of *Trends in State Courts* discusses how the Massachusetts Community Justice Project uses *Sequential Intercept Mapping* to confront the state's opioid-abuse crisis. This mapping process shows how the opioid crisis impacts the courts and points out gaps in community services to addicts that need to be filled.

The attitudes of court employees also affect access to justice, as well as public perceptions of the justice system. Engaged employees tend to be more efficient and devoted to the mission of the courts. A group of articles in this year's *Trends* examines the importance of courts investing in human capital, with a focus on such investment in the Connecticut Judicial Branch and the Cuyahoga County Court of Common Pleas in Cleveland, Ohio. Such investments pay dividends in improved operations and public perceptions of the courts' role in society.

Another section of *Trends 2019* looks at the role of technology in promoting the rule of law. One such article describes the 2019 Innovating Justice Forum at The Hague, which brought together court technologists and demonstrated the best justice-related apps from around the world, including India, Nigeria, and Sierra Leone. Other articles show how technology can improve outcomes in child support enforcement and increase access to a court self-help center. Another takes up the importance of building a foundation for information security.

Increasing access to justice is essential to a functioning democracy. We hope you find the articles collected for *Trends in State Courts 2019* both useful and thought provoking. You can read more about *Trends* online at [www.ncsc.org/trends](http://www.ncsc.org/trends).





# Massachusetts Trial Court: Facilitating a Community Response to the Opioid Crisis

**Hon. Paula M. Carey** Chief Justice, Massachusetts Trial Court

*The opioid crisis has affected the lives of citizens nationwide—with a resulting impact on courts. The Massachusetts Community Justice Project uses Sequential Intercept Mapping to gauge the impact of opioid-related cases on courts and to improve services to victims of this health crisis.*



State courts have long seen people and families dealing with mental illness and addiction, but the opioid crisis has created a new urgency in communities nationwide. As local communities work to address the crisis, state courts hold an important place in a comprehensive response built on partnerships between systems (justice, treatment, health care, and housing). The Massachusetts Trial Court has developed an innovative project designed to facilitate community collaborations, improve the use and availability of behavioral health services, and reduce the risk of

justice involvement, with a particular focus on opioid-use disorder and overdose prevention.

The trial court has responded to the opioid crisis in a number of ways, from expanding specialty courts to implementing federal grants that use case management and creating the Massachusetts Community Justice Project (<http://tinyurl.com/y25rtn9z>). This initiative works with communities to connect systems and promote the use of strategies that support recovery, enhance public safety, and improve community quality of life.

## Behavioral Health and the Justice System

There is a lot we know about the intersection of addiction, mental illness, and trauma with the criminal justice system.

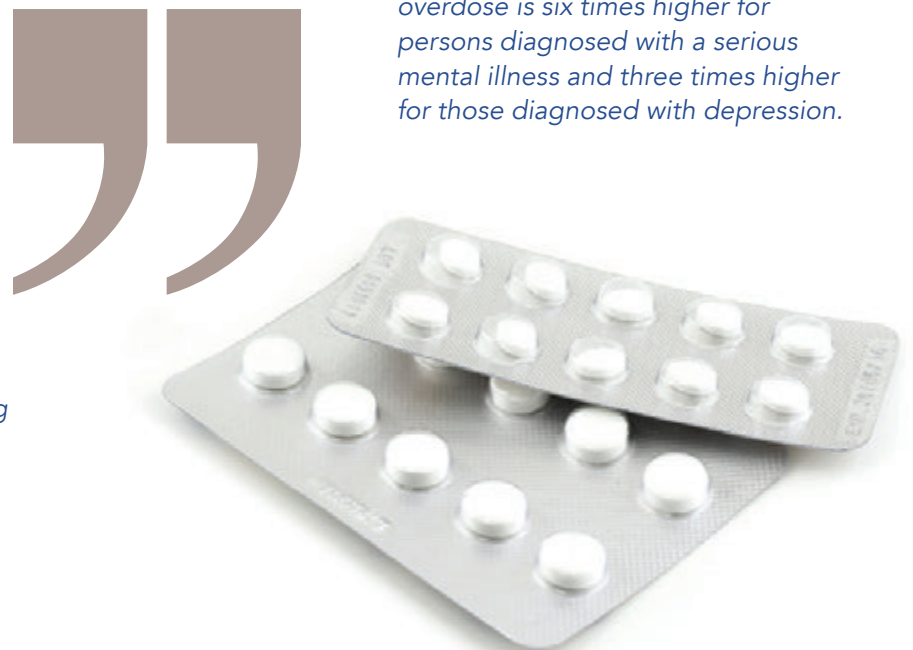
- *When comparing the general population to the justice-involved population, people with addiction and mental illness are overrepresented in the justice system.*
- *The presence of childhood and current trauma is high in justice-involved populations, and it is a best practice to assume that most criminal defendants have a trauma history.*
- *The earlier that addiction, mental illness, and co-occurring disorders can be identified, and interventions implemented, the better the outcomes are for people who can be connected to community-based treatment that meets them where they are and not where we hope them to be.*
- *Addiction, mental illness, and trauma remain highly stigmatized. This means individuals often have hidden conditions that make it difficult to find places to intervene. Capitalizing upon opportunities, both before and while an individual is involved with the criminal justice system, is critical to reducing the likelihood that people will continue to cycle through the system because their mental-health and substance-use-disorder needs are not being met.*
- *Finally, many people dealing with behavioral health and substance use issues, who are also justice-involved, have complicated needs. They are often interacting with multiple systems (justice, treatment, health care, housing and shelter, social services) and are at high risk for relapse and recidivism. Connecting these often siloed systems and providing coordinated responses is important in a comprehensive approach.*

## The Opioid Crisis in Massachusetts

In 2017, more than 2,000 Massachusetts residents died because of an opioid overdose—an average of more than five people a day. Not since the AIDS epidemic of the 1980s and 1990s has Massachusetts seen such a sharp increase in a single category of deaths. Data from the Massachusetts Department of Public Health paints a stark picture:

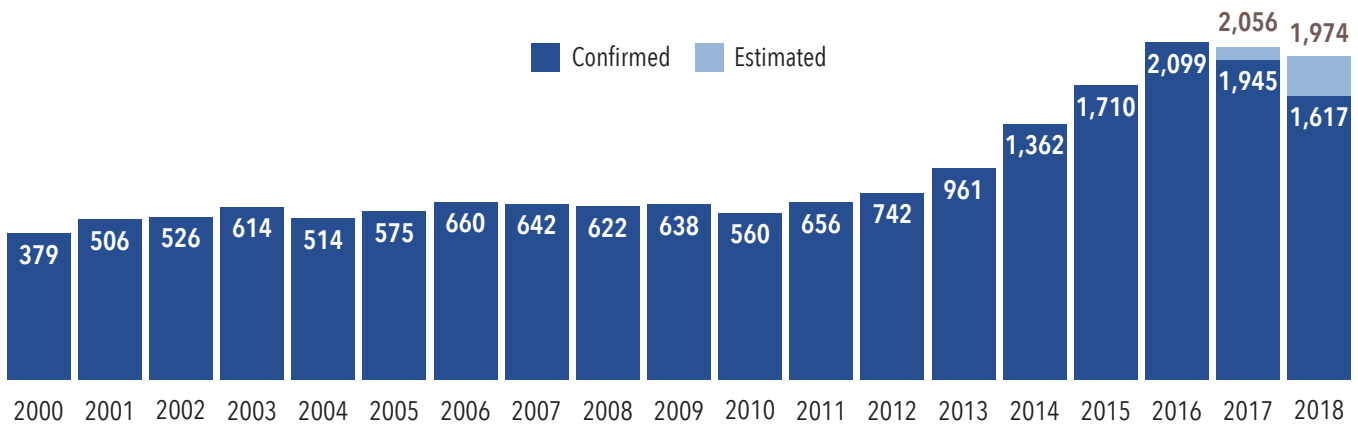
- *Fatal overdoses increased over 500 percent from 2000 to 2016.*
- *Nonfatal overdoses, a key risk factor for subsequent fatal overdose, totaled over 65,000 between 2011 and 2015; nearly one in ten people died within two years of an initial nonfatal overdose.*
- *Justice involvement: The opioid-related overdose death rate is 120 times higher for persons released from Massachusetts prisons and jails; nearly one of every 11 opioid-related overdose deaths involve persons with histories of incarceration in Massachusetts jails and prisons; in 2015, nearly 50 percent of all deaths among those released from incarceration were opioid related.*
- *Mental illness: Roughly one in four persons ages 11 and older in the MassHealth population (Medicaid) has a serious mental illness. The risk of fatal opioid-related overdose is six times higher for persons diagnosed with a serious mental illness and three times higher for those diagnosed with depression.*

*State courts have long seen people and families dealing with mental illness and addiction, but the opioid crisis has created a new urgency in communities nationwide.*



## Opioid-Related Overdose Deaths, All Intent

Massachusetts Residents: 2000-2018



### Framework of the Massachusetts Community Justice Project: The Sequential Intercept Model

The backbone of the Massachusetts Community Justice Project is the *Sequential Intercept Model*. This model, developed by Dr. Mark Munetz and Dr. Patty Griffin in 2006, organizes the criminal justice system into a series of intercepts or touchpoints. The model provides a visual outline that communities can use to analyze each intercept and develop a comprehensive picture of local resources, as well as gaps in processes, programs, and services. Workshops using the *Sequential Intercept Model* were developed by Policy Research Associates and bring together partners from across systems at the local level for a facilitated, two-day working meeting.

The judge in the local court is uniquely positioned to bring important stakeholders to the table. Meeting participants include key stakeholders from the local criminal justice, behavioral health treatment, crisis, health care, and social service systems. During the event, the group goes through a facilitated process to map out how people with addiction, mental illness, and co-occurring disorders move through the local justice system.

Facilitators work with the group to take stock of evidence-based best practices at each intercept point. This process creates an inventory of resources in the community, as well as of gaps in practices, protocols, and services.



*The judge in the local court is uniquely positioned to bring important stakeholders to the table.*



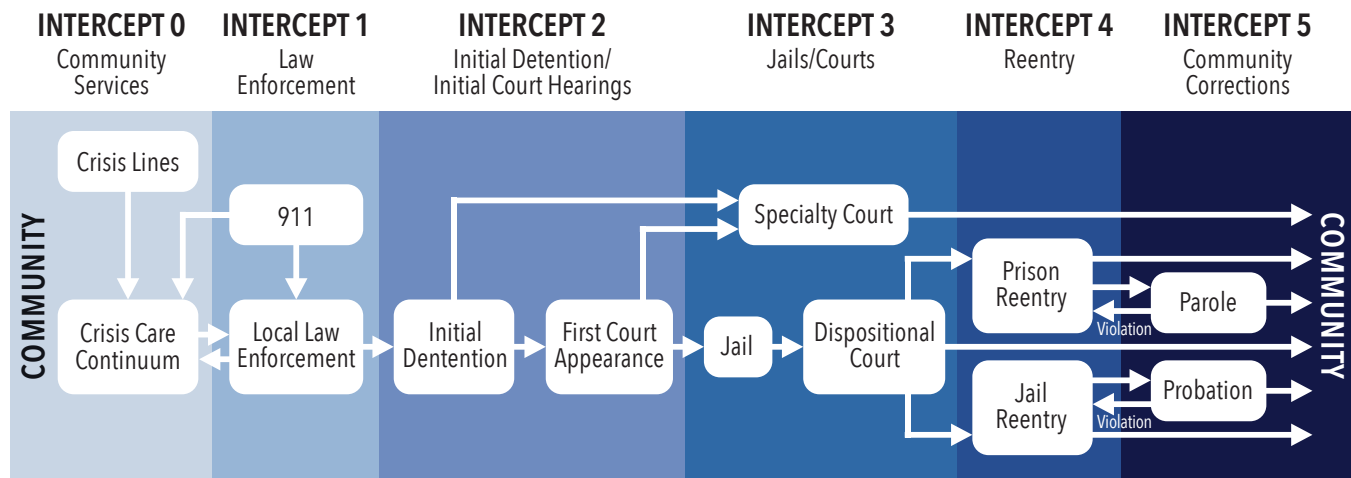
Mapping workshops culminate in the group collectively reviewing the gaps, selecting the top priorities for change in their region, and beginning to plan ways to achieve change. Facilitators encourage groups to start with a focus on short-term, low-cost, and attainable goals, with an eye toward medium and long-term goals.

### Development of a Statewide Sequential Intercept Mapping Project

Groundwork for *Sequential Intercept Mapping* in Massachusetts began when the state Department of Mental Health (DMH), Department of Corrections, and Division of Youth Services received a Bureau of Justice Assistance planning grant in 2013 and hired Policy Research Associates to conduct a state-level *Sequential Intercept Mapping* and a workshop-facilitation, train-the-trainer event for five DMH employees. Recommendations from the state-level mapping included “develop capacity to provide *Sequential Intercept Mapping* across Massachusetts.”



### Framework of the Massachusetts Community Justice Project: The Sequential Intercept Model



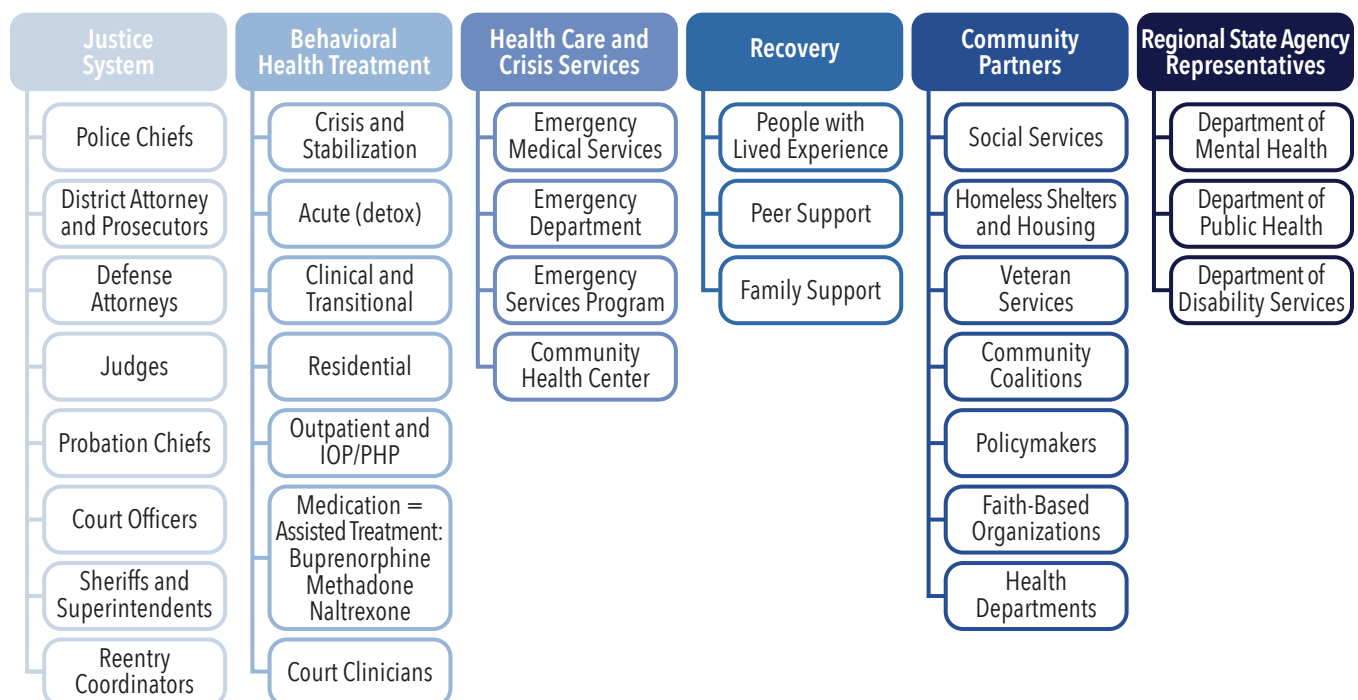
© 2016 Policy Research Associates, Inc.

In early 2015, Massachusetts convened the Trial Court Task Force on Substance Abuse and Mental Illness. This interagency task force was charged with reviewing and developing recommendations to address behavioral health issues in the courts and justice system. Among the initiatives that emerged from this group was the development of the statewide *Sequential Intercept Mapping* initiative that would subsequently be named the Massachusetts Community Justice Project. The state legislature approved funding for a project coordinator, and the trial court received

grant funding to host a second workshop-facilitation, train-the-trainer event with Policy Research Associates.

The project is now staffed by a project manager and an administrative coordinator. Staff work with a small planning group in each region, generally organized by district court jurisdiction, to plan, facilitate and evaluate workshops and provide follow-up technical assistance post-workshop. In addition, project staff compile reports for the legislature and state-level stakeholders on the status of the initiative and findings from each workshop.

### Sequential Intercept Mapping Workshop Participants



## Adapting Sequential Intercept Mapping to the Opioid Crisis

The impact of the opioid crisis on individuals, families, and communities can be seen in courthouses nationwide. The Massachusetts Community Justice Project has adapted *Sequential Intercept Mapping* to incorporate opioid-use disorder and overdose prevention throughout the justice system and in the community. Workshops include an inventory of evidence-based, best and promising practices specific to opioid-use disorder. In adapting the model, the following questions should be considered:

- Is there community-based access to on-demand evaluation and, when indicated, rapid initiation to buprenorphine or methadone (outside of the emergency department)? Do treatment providers have open access/walk-in hours? Are community buprenorphine providers accepting new patients? Is the methadone provider accepting new patients? What are the wait times? Is there an opioid urgent care or bridge clinic in the community?
- Are law-enforcement agencies carrying naloxone (Narcan)? Do local treatment providers have police-friendly drop-off processes (efficient transfer of information and drop-off that minimizes police wait time)?
- Are the emergency department physicians waived to provide buprenorphine? Is the emergency department providing rapid initiation to buprenorphine for appropriate candidates? Are there rapid referrals and access to community-based buprenorphine or methadone programs post-emergency-department? Is overdose prevention education and naloxone provided to overdose patients and families?
- Do district attorneys have diversion programs specific to opioid addiction?
- Do prosecutors and defense attorneys receive training on addiction and medication-assisted treatment? Are prosecutors and defense attorneys aware of community resources and how to access them?
- Are court officers trained to reverse overdose? Do courthouses have naloxone on site?



*Find champions in the community. In Massachusetts, champions have included judges, police chiefs, district attorneys, sheriffs, hospital executives, registers of probate, family court clerks, and legislators.*



- Is there a drug court in this community? Is there a family treatment court? Has either been considered?
- Are houses of correction (HOCs) continuing buprenorphine or methadone for people held pretrial or sentenced who are stable on the medication in the community? Are HOCs initiating buprenorphine/methadone/naltrexone for pretrial or sentenced residents? Are HOCs providing warm hand-offs to community treatment? Are treatment providers conducting in-reach assessments?
- Are HOCs screening for opioid-use disorder and overdose risk? Are HOCs providing overdose prevention training and a naloxone kit upon release?
- Is probation screening for opioid-use disorder and overdose risk?
- Do all intercepts have access to recovery coaching? Are there peer support centers in the community?
- Are sober houses allowing residents to be on medication-assisted treatment?
- Are there harm-reduction/active-user-engagement/outreach services in the community?
- Are people with lived experience, with both opioid-use disorder and justice involvement, at the planning table?
- Are the local/regional opioid coalitions at the table? Sequential Intercept Mapping can be a useful justice-focused needs assessment for coalitions and task forces.
- Is there a standing order for naloxone (Narcan) at the local pharmacy?

## Lessons Learned and Workshop Outcomes

While multiple benefits are gained by convening stakeholders who rarely meet as a group (relationship building, mobilization catalyst, stakeholder understanding of the big picture and their role), *Sequential Intercept Mapping* workshops are only as effective as what takes place after the event—particularly on efforts that lead to effective and sustainable changes.

These changes often take time to assess, implement, and evaluate. Given this, a key lesson learned has been to work with state, federal, and independently funded local coalitions whenever possible. These coalitions are already working on the opioid crisis in their communities, and their work involves bringing together stakeholders across systems. The Massachusetts Community Justice Project collaborates with coalitions to incorporate *Sequential Intercept Mapping* as a strategic-planning and capacity-building tool. In turn, the coalition acts as the backbone of community-based post-workshop efforts moving forward.

Additional lessons learned include:

- *Engage the local presiding justice as a key convener to bring stakeholders to the table.*
- *Invite probation to the planning table—community corrections staff understand the challenges to treatment access and continuity in an important way.*
- *Include the clerk in the discussion. The clerk's office should have a list of treatment and support resources in the community to provide to families seeking civil commitments for substance-use disorders.*
- *Align with state-agency missions and programming. Stay on top of and help communities understand changes in systems as they occur, particularly regarding public health insurance and legislative/regulation changes.*
- *Find champions in the community. In Massachusetts, champions have included judges, police chiefs, district attorneys, sheriffs, hospital executives, registers of probate, family court clerks, and legislators.*
- *Expect some communities to progress faster than others.*
- *Do not forget lived experience at the event and the post-workshop efforts. Remember that there are many paths to recovery; one person's experience speaks only to that individual's situation. Consider asking recovery coaches who are working with many people to join the table.*
- *Encourage cross-training, particularly training community partners on what the justice partners need. For example, when the local medication-assisted-treatment provider comes to train probation officers, have probation staff also train the providers on their systems and needs.*
- *Educate community and treatment on criminogenic risk and risk/needs/responsivity.*

- *Lay the groundwork to allow respectful discussions in the uncomfortable zone that will occur—the place where inherent tensions exist between behavioral health, health care, and justice approaches. Better understanding from each side allows for movement toward each other.*
- *Evaluate, evaluate, evaluate: workshops are only as effective as whatever changes happen after the workshops. Be sure to track progress in your community using shared data.*
- *Remain hopeful. This is hard work, and the individuals involved often do not see the benefits of their work. Treatment and support are effective, and people do recover.*

Following workshops, project staff remain in contact with community partners to provide technical assistance in implementing their action plans, for as long as needed. Electronic surveys are sent to all who attended the workshop six months after the event. These surveys evaluate the work that has taken place, inventory current barriers to progress, and gather information about what communities still need to move forward. Pre-workshop planning, workshop implementation, and post-workshop follow-up are adjusted as evaluation information is received.

Community post-workshop efforts include creation of a volunteer-led addiction peer-support center; development of a medication-assisted-treatment program in the county jail; formation of a pre-arraignment, district-attorney-based diversion-treatment program; training for prosecutors and defense attorneys on evidence-based treatment for opioid addiction; increased collaborations between law enforcement and crisis programs; increased capacity for co-response (social workers embedded in the police department); implementation of overdose risk screening and access to naloxone; and training for community partners on how to work with people who are actively using drugs.

## Conclusion

For communities impacted by opioid use disorder across the country, the Massachusetts Community Justice Project can serve as a model for supporting the justice-community collaborations that are essential to improving outcomes for individuals and families. This project illustrates how a state court can take the lead on convening stakeholders, support discourse across sectors, maximize resources, and create the coordinated community response necessary to truly address the opioid crisis in our communities.



# Pima County's Dependency Alternative Program: Preserving Families and Promoting Access to Justice



**Hon. Kathleen Quigley** Juvenile Court Presiding Judge, Pima County Juvenile Court Center, Tucson, Arizona  
**Stacey N. Brady** Director, Court, Children, and Family Services Division, Pima County Juvenile Court Center, Tucson, Arizona

*In 2017 the Arizona Supreme Court recognized Pima County's Dependency Alternative Program (DAP) with the Strategic Plan Award for Protecting Children, Families, and Communities. DAP was born out of a recognized crisis that significantly impacted families' timely access to justice; DAP averts significant dependencies and mitigates trauma to families.*

Children of Pima County were in a crisis that separated them from their families through no fault of their own. Those children who found themselves thrust into the child welfare system remained in that system an average of 602 days, with some children lingering without a sense of permanence for years. While the family crisis

that brought the child into the child welfare system was beyond the court's control, the length of time the child spends there is absolutely the responsibility of the system and almost entirely controllable. It was this crisis of separation that necessitated the creation of Pima County Superior Court's Dependency Alternative Program.



## How the Program Works

The Dependency Alternative Program (DAP) is voluntary, family centric, results oriented, and professionally led. Its differentiated case management approach empowers and guides families, who meet defined criteria, through the court and child welfare systems. DAP has two specific goals. The first is to prevent dependency cases when an alternative legal arrangement can provide safety and stability for the children. The second goal is to keep those families that reached a resolution via DAP out of the dependency system for at least one year. In this context, staying out of the dependency system means no dependency petition is filed, and no report is substantiated by the child welfare agency. The underlying interests for these goals include protecting children; keeping decision-making power with families; promoting access to justice; and ensuring responsible stewardship of finite public resources.

Through creative and cooperative initiatives, and agile deployment of resources, DAP provides expeditious access to the court system. Within seven days of a family's referral to the program, a DAP conference is held where all case stakeholders work together to reach full



*Through creative and cooperative initiatives, and agile deployment of resources, DAP provides expeditious access to the court system.*

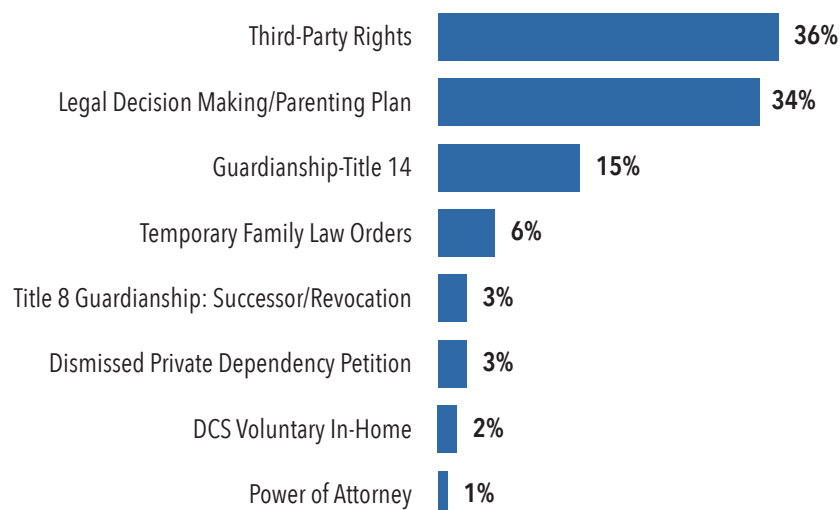


agreement upon the *best* legal arrangement for the child's custody and parenting time—that is, a safe and stable environment that addresses the family's needs, is in the best interest of the child, and is approved by all stakeholders. The typical case stakeholders are the family, the child, an advisory attorney, the Arizona Department of Child Safety case manager, and an assistant attorney general.

An experienced advisory attorney assists the family in understanding legal rights, options, and court procedures. A confidential mediation with a professional mediator is held in 86 percent of DAP cases. Court and clerk-of-the-court staff help facilitate the DAP process. Upon the case stakeholders' full agreement, a hearing is called where the judge enters either a temporary or final custody order. This gives the family an immediate sense of safety and helps alleviate some of the child's emotional stress because of the family crisis. Final court orders are issued during the first court hearing in 65 percent of DAP cases, and participants walk away from court with a certified copy of the court order. The Department of Child Safety, Arizona Kinship Support Services, or both provide continued support to the family following DAP case resolution.

## Dependency Alternative Program (DAP) Case Outcomes

July 1, 2015 through December 31, 2018



## How the Program Was Developed

The development and implementation of DAP was not accomplished overnight. Such an innovative process required extensive planning; the risks were too great to have the program fail to help those children in crisis, or worse, fail to get off the ground. As with any invention, prototypes were designed; test cases were deliberately escorted through the early process. Operational process improvement models made the program more inclusive and, most importantly, minimized the impact of the court and child welfare systems on the children.

Jennifer Sanders, an Arizona assistant attorney general, and Cathleen Linn, Pima County Superior Court commissioner, were instrumental in recognizing the crisis and sparking the idea that eventually became the Dependency Alternative Program. Independently, they shared their ideas with Kathleen Quigley, Pima County Juvenile Court presiding judge. Sanders's and Linn's ideas focused on how the court could better address the needs of the family, while potentially avoiding a dependency and prolonged court involvement. Judge Quigley organized a team of multidisciplinary professionals to examine the crisis and develop possible solutions.

The DAP development team comprised innovative thinkers with decision-making authority and represented all the pertinent stakeholders in the child welfare system. They embraced the collaborative approaches in Fisher and Ury's book, *Getting to Yes*. The authors' method for reaching agreements focused on four principles: separate people from the problem; focus on interests rather than positions; brainstorm options for mutual gain; and use objective criteria.

From the start, the team was committed to a problem-solving approach. While navigating various agency limits and overcoming barriers, the dedicated group successfully devised a path to meet the program's goals. The development team consisted of judges and attorneys who had specific and extensive experience in dependency,

family, or probate law; the Arizona Attorney General's Office; the Arizona Department of Child Safety; clerk of the court; Juvenile Court Mediation Program; various court staff; research, and evaluation professionals; Public Defense Services; and Arizona Kinship Support Services.

Another key to the program's successful development was the team's willingness to solve the problem without becoming entrenched in political and departmental territory.

Considering that the Pima County judicial benches are compartmentalized rather than unified, meaning that the benches are separated by case type (i.e., family law, juvenile law, probate law, criminal law), many unique barriers had to be overcome.

Pima County saw 1,351 dependency cases in 2014. Of those, 217 cases, roughly 20 percent, were dismissed pre-adjudication. Each of those cases had multiple events before being dismissed (including hearings, mediations, meetings, financial assessments, and behavioral health evaluations). The DAP development team thoroughly reviewed a sample set of 90 pre-adjudication dismissed cases; of those 90 cases, 81 (90 percent) could have been averted with a DAP resolution. This analysis supported the team's hypothesis that a significant and immediate impact was possible.

Furthermore, the DAP development team recognized that self-represented parties encountered significant barriers when they went to family court to obtain protective orders to prevent a dependency. Even when attorneys represented families, or families accessed legal and court services designed to assist self-represented parties, protective custody orders generally could not be obtained within the time frame in which

the Department of Child Safety must make decisions or within legal time standards for dependency cases.

The referral-and-screening process for DAP identifies appropriate cases with a focus on assessment of safety and whether a stable custody arrangement can be put into place for the foreseeable future. The program is not intended to provide a short-term fix or to supplant legal, court, and other services already accessible in the community.



*...[the DAP process] gives the family an immediate sense of safety and helps alleviate some of the child's emotional stress because of the family crisis.*



In Arizona any person with a legitimate interest in the welfare of a child, usually a family member, may file a dependency petition. Privately filed dependency petitions are screened by court staff and a judge. In addition to referring a case to DAP before filing a dependency petition or acquiring a temporary custody order, the Department of Child Safety adopted procedures to facilitate the program and was instrumental in the program's success.

The program's intensive development, testing, and implementation was accomplished in just seven months. To this day, DAP is managed in concert with continuous process-improvement principles that incorporate regular stakeholder reviews, periodic data collection and analysis, participant feedback, case-referral-criteria evaluations, and inclusiveness-improvement efforts. Dedication to ongoing training is vital when considering routine turnover within stakeholder agencies. As a part of the review process, the DAP leadership team is exploring expansion of eligibility criteria. Program partners remain committed, engaged, and enthusiastic over four years after the inaugural meeting.



*...because of DAP, permanency for children with a family member or kinship caretaker is now routinely achieved within a week.*

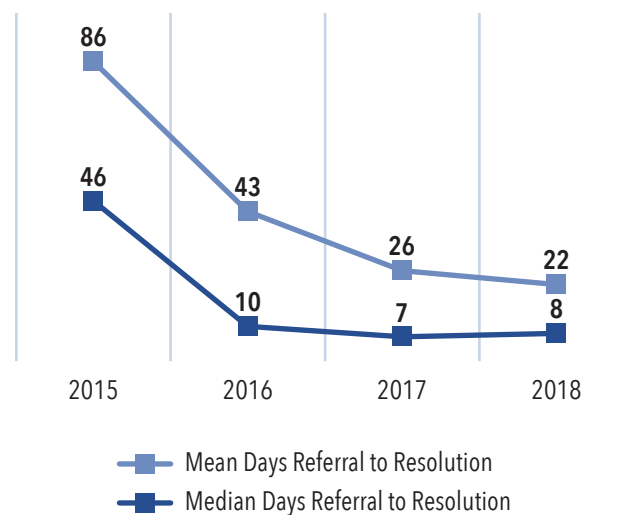


## The Effectiveness of DAP

Since its inception on July 10, 2015, the Pima County Court's DAP program has processed 203 referred cases. In 2014 the average length of time a dependency case lasted from filing to dismissal, if closed without a finding of abuse or neglect (pre-adjudication), was 141 days. As of December 31, 2018, with DAP in full operation within Pima County, the average for DAP-participating cases is down to 22 days, with a median DAP-case dwell time of 8 days. In other words, because of DAP, permanency for children with a family member or kinship caretaker is now routinely achieved within a week.

This differentiated case management diversion process has materialized into significant cost and time savings. Conservative estimates put the actualized financial savings in excess of \$1,000,000, which allows for those resources to be redirected to other families that may need more intensive intervention. Through the eyes of a child, the savings in time alone are priceless.

**Dependency Alternative Program: Days from Referral to DAP Resolution**



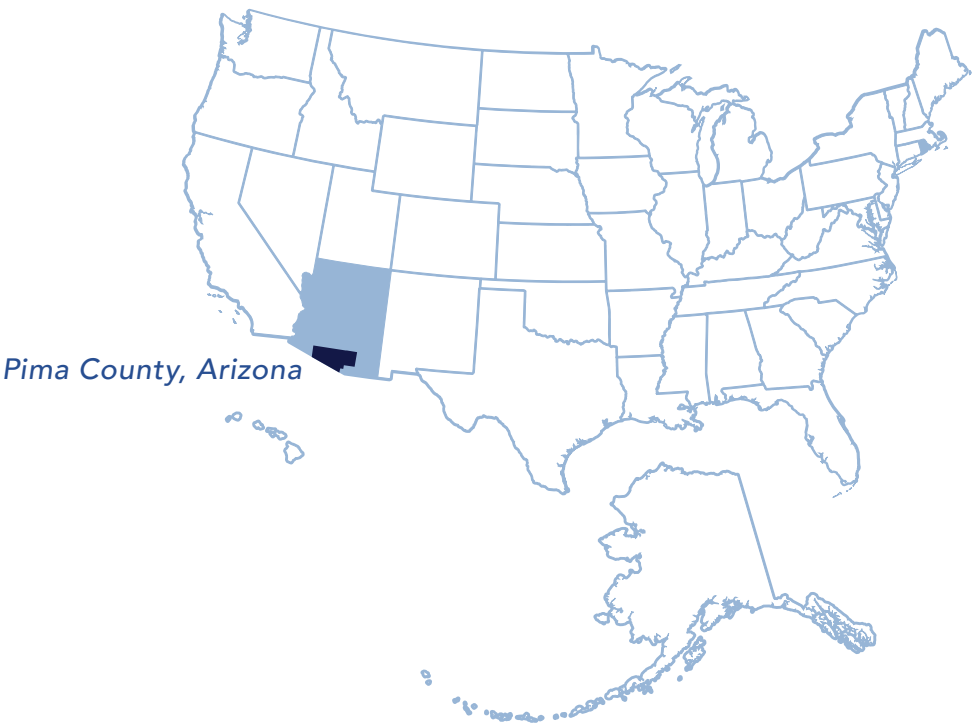
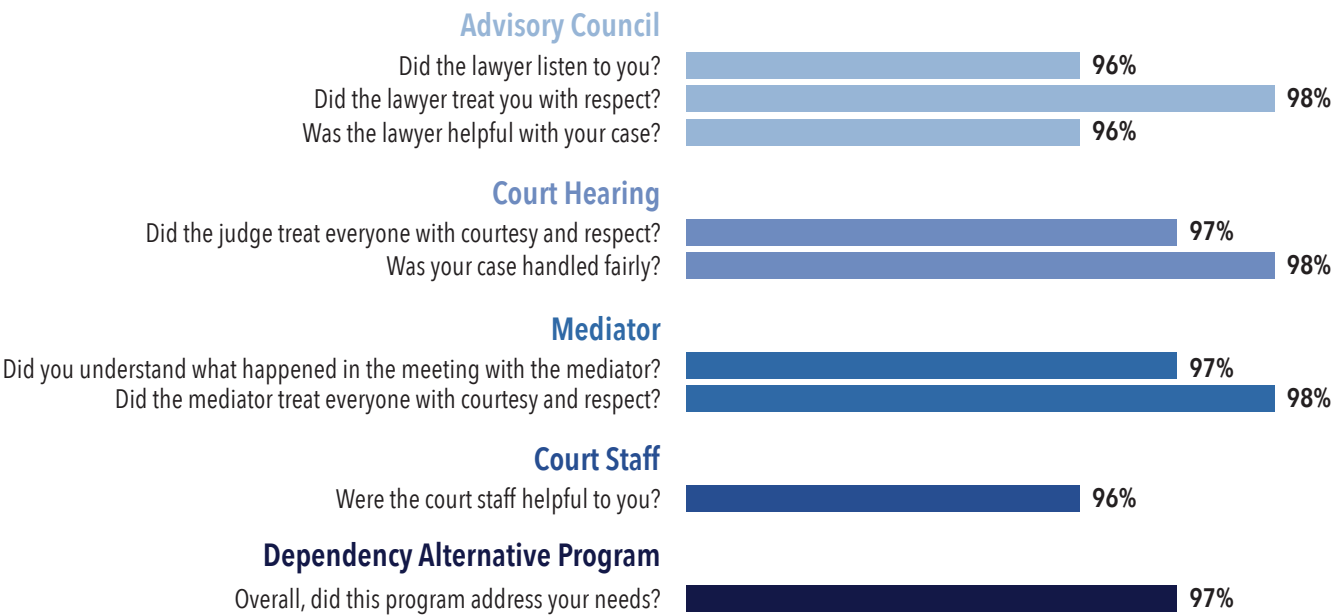
DAP has achieved both program goals. A dependency case was prevented for 88 percent of the 203 cases in which families voluntarily participated in the program, positively impacting 308 children. Without DAP, 2016 would have been the second-highest year for dependency petition filings in Pima County Juvenile Court’s history. In its first year, DAP achieved a 97.4 percent success rate for its secondary goal of keeping children out of the dependency system for at least one year after DAP case resolution. Not only did the family not return to court with a new case filing or

modification request, but there were also no reports received by or involvement with DCS during that trailing year.

The Arizona Supreme Court recognized the program’s effectiveness by awarding DAP its 2017 Strategic Plan Award for Protecting Children, Families, and Communities. Expanding DAP across Arizona is a keystone to the statewide strategic plan announced by Vice Chief Justice Robert M. Brutinel, as the incoming chief justice of the Arizona Supreme Court.

Dependency Alternative Program (DAP) Participant Satisfaction Survey Results

Results of 217 DAP surveys from: Parents, Children, Relatives, Friends, Legal Guardians, DCS Caseworkers July 1, 2015-July 1, 2018









# Engaged Employees = Satisfied Court Customers?

**Eric Brown** Chief Human Resources Officer, Colorado Judicial Department

**Mindy Masias** Chief of Staff, Colorado Judicial Department

*The combination of employee happiness and motivation produces engagement—an important, if elusive, workplace attribute. Employee engagement has a significant impact on the public’s experience with the courts, and this article focuses on how to assess and improve your employees’ level of **engagement** to improve the court user experience.*

## Are Your Employees Happy, Motivated, Engaged, or None of the Above?

How do happiness and motivation impact how employees do their jobs? Appreciating the connection between customer satisfaction and employee engagement requires a more thorough understanding of the somewhat elusive concept of employee engagement.

Most employees can recollect a work environment where leaving their employment was a more significant work-day focus than the work at hand. Is providing a latte machine, access to a gym, or free lunch once a week likely to address the issues that lead employees to find other jobs? Many managers believe pay increases and free lattes will motivate.



But even after perks are given, employees are not necessarily motivated, let alone engaged. Lattes will not garner an employee's emotional connection to their coworkers or the goals of the organization. For organizations working toward engagement, gym passes, flex schedules, and even pay increases are management techniques akin to applying a Band-Aid to a broken arm. Simply put, pay raises only solve one management problem: complaints about pay.

In a 2013 Gallup study, author Susan Sorenson warned, "Gallup recently studied employees' engagement and well-being and found that indulging employees is no substitute for engaging them." Managers often mistakenly assume that happy employees are also engaged employees.

Because the community's positive experience with the court hinges on an engaged staff, it is critical for leaders to know what makes for engaged employees. Herzberg's Two-Factor Theory on workplace engagement differentiates between factors that cause job satisfaction and factors that cause job dissatisfaction.

According to his theory, an employer's ability to satisfy an employee's *motivation* (*internal*) needs, such as achievement, recognition, responsibility, advancement, and natural connection to the nature of the work itself, leads to job *satisfaction*. Addressing a second set of factors, *hygiene* (*external*) needs, such as pay, fringe benefits, and a friendly work environment, reduces job *dissatisfaction*. Internal and external factors are independent of each other. But taken together, they contribute to employee engagement (Mind Tools Content Team, n.d.).

While material benefits might help employers address external "hygiene factors," material benefits do not capture employee loyalty, connect personal interest and work, or inspire



*"If you're engaged, you know what's expected of you at work, you feel connected to people you work with, and you want to be there. You feel a part of something significant, so you're more likely to want to be part of a solution, to be part of a bigger tribe. All that has positive performance consequences for teams and organizations."*

*~ Jim Harter, Ph.D., Gallup's Chief Scientist of Workplace Management and Well-Being*



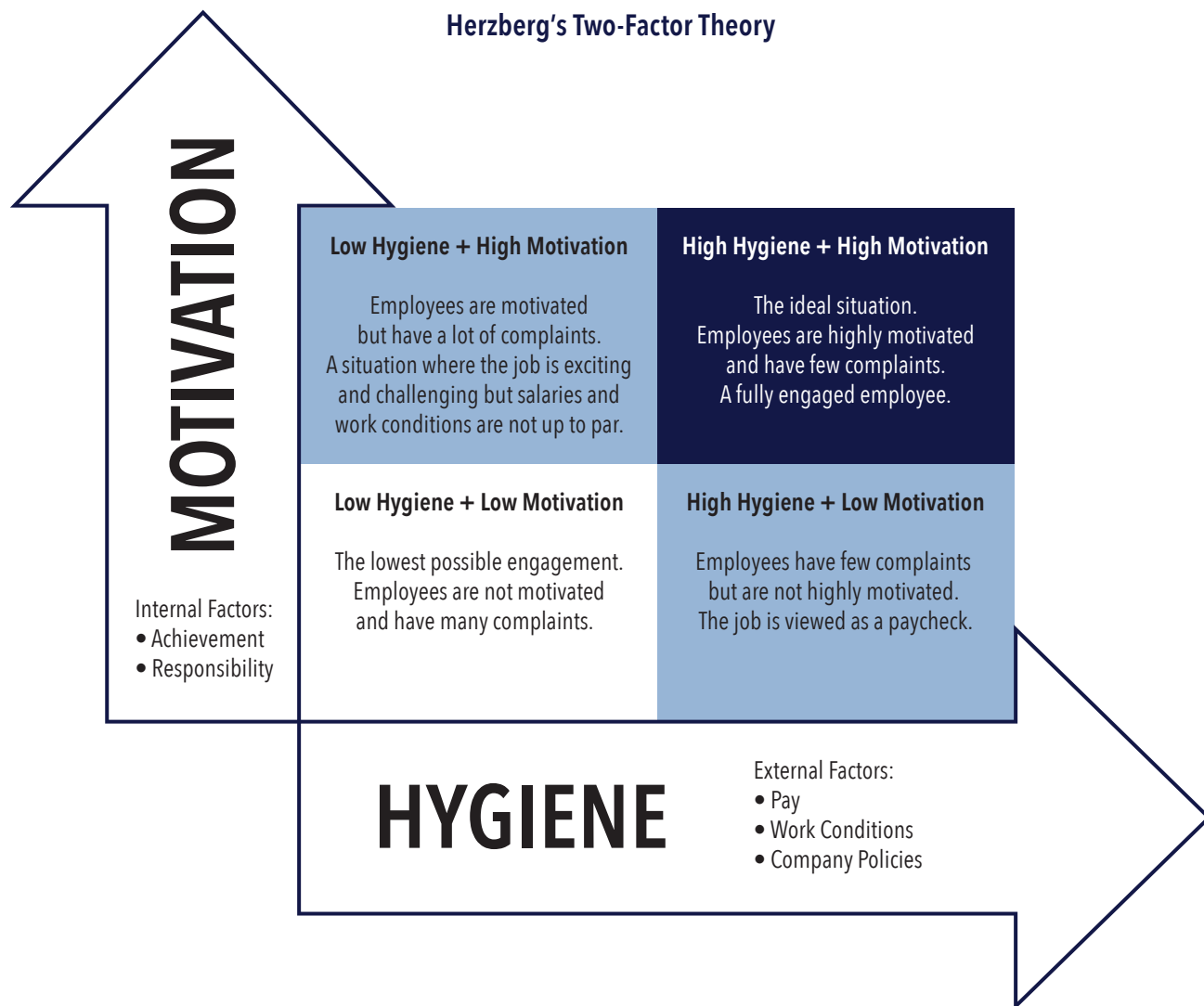
an employee to exert effort in their service, which are elements essential to inspiring engagement. In short, material benefits by themselves do not engage employees. Controlling external factors may produce happy but not necessarily motivated employees. Happy employees might find the workplace enjoyable or entertaining or be satisfied that the work provides the necessary means to make a living.

Many employee-satisfaction initiatives fail to adequately assess Herzberg's second critical factor: internal motivation. As a result, many courts may have staff who get the work done, but who also have a lot of complaints—and that will negatively impact the public's experience with the courts.

Addressing the nuances of motivation is far more complex than controlling external factors (what Herzberg dubbed "hygiene"). Court leaders must take the time to understand each employee's internal motivations and channel those motivations to benefit both the employee and the court's clients. For instance, an employee who is motivated to create positive relationships can be leveraged to improve team dynamics. An employee who invests personal time in serving youth through sports, Scouting, or other activities might be best assigned to work on juvenile dockets.

Employees reveal their engagement in subtle ways, such as arriving early, contributing constructive thoughts in open meetings, and volunteering for projects that contribute to the overall mission of the court.

There are varying degrees of engagement. Managers must talk to their employees, ask questions, and demonstrate care for engagement. According to Herzberg's Two-Factor Theory (Hartzell, n.d.), there are four possible combinations of motivations (internal motivations) and hygiene factors (external factors).



Think about your own experience. Have you had a job where you never looked at the clock, enjoyed the work environment, felt respected, and knew your efforts were needed to achieve organizational goals? Engaged employees know what is expected of them, are connected to the people with whom they work, and believe they are a part of something significant.

To help individual employees better understand their own workplace values and indicators of engagement, Kevin Kruse, author of *Employee Engagement for Everyone* (2013), created a self-assessment to assist employees with self-reflection on their own employment experience. Responses assess areas of individual engagement. Through self-reflection and understanding of their own engagement, managers can better understand employee engagement. A quick three-minute “pulse” survey is available online at <http://www.kevinkruse.com/profile/>. A variety of reputable organizations offer ongoing subscription-based pulse surveys, or managers can design their own using Survey Monkey’s Employee Engagement Survey Template (<http://tinyurl.com/y428rdo3>).

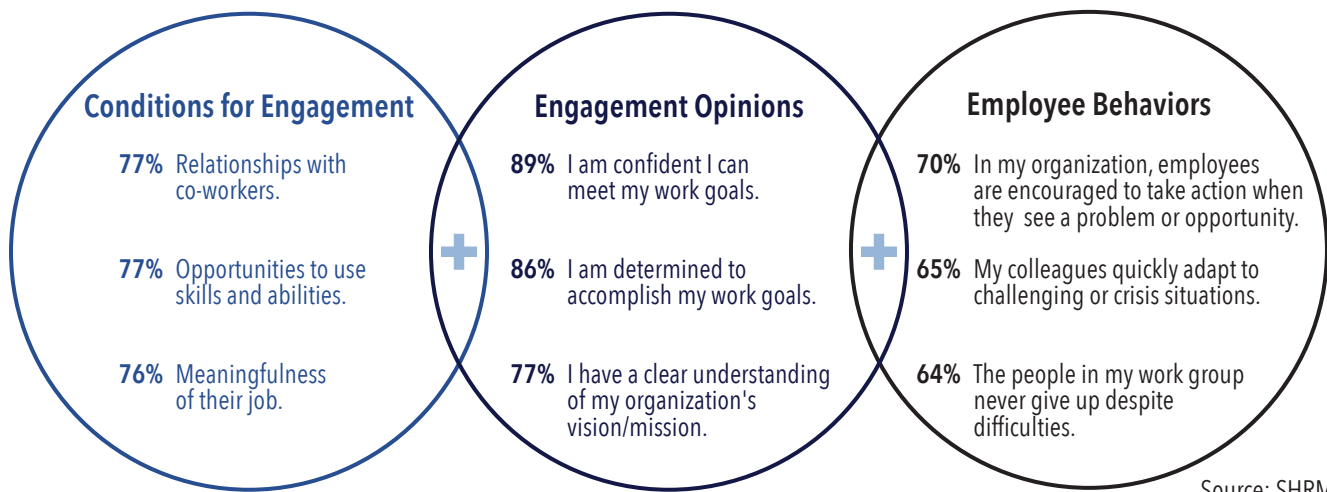
## Impacting Engagement

The Society for Human Resources Management (SHRM) conducted an extensive survey of American workers, seeking to identify where the largest impact can be made to engagement (HR and Employee Engagement Community, 2016). The findings are extremely enlightening and actionable.

Ninety-six percent of American workers reported that “being able to apply personal interests in the workplace would make them happier in general.”

Additionally, 68 percent of employees reported they would be willing to take a cut in pay to work at a job that would better allow them to apply personal interests in the workplace.

These are great examples of “motivation” factors as defined by Herzberg’s theory, which employees naturally bring to the workplace. Effective court leaders use those factors to benefit both the court and the employee.



Hiring employees who have a personal interest connected to court business is beneficial.

SHRM identifies three areas for managers to consider:

- *conditions for engagement*
- *engagement opinions*
- *employee behaviors*

Once again, employees *rank* personal interests/meaningfulness of work among the top three drivers of conditions necessary for engagement. SHRM's new data also demonstrate that if managers focus on hiring employees who have personal interests that connect to the work, engagement is easier to achieve. For courts, individuals with a personal interest in serving the community, a desire to provide service to vulnerable populations, etc., would be well suited to the work of the courts.



*96% of working Americans agree that being able to apply personal interests in their career would make them happier.*



According to Herzberg's theory, these connections are "motivators." Therefore, managers must be adept at identifying the interests of candidates and employees and recognizing how those interests can be leveraged for the betterment of the court. Managers must also be good coaches to help staff make the connection between personal interests and work.

It is worth noting that courts must also be careful to ensure employees' personal interests are compatible with the core principles of courts, maintaining a neutral and unbiased environment. Leaders must draw clear boundaries with employees that support the court's core principles.

Knowing the difference between happy or motivated employees and engaged employees is critical to improving the public's experience with the courts. Concrete data are necessary to quantify both employee engagement and court user perceptions.



## Assessing Employee Engagement and Customer Satisfaction

A one-time assessment of engagement can be useful for leaders to better understand how to manage resources, but managers must continuously assess engagement. The National Center for State Courts has developed a set of surveys called *CourTools* that assess a variety of court processes ([www.courtools.org](http://www.courtools.org)).

*CourTools* Trial Court Performance Measurement #9, Employee Satisfaction Survey, assesses employee engagement. Among other important work environment indicators, *CourTools* explores whether employees have enough challenge in their work assignments, are acknowledged by management for their work, feel respected, and understand the connection between their work and the goals of the organization.

# CourTools

### Access and Fairness Survey

#### Section I: Access to the Court

Circle the Number.

1. Finding the courthouse was easy.
2. The forms I needed were clear and easy to understand.
3. I felt safe in the courthouse.
4. The court makes reasonable efforts to remove physical and language barriers to service.
5. I was able to get my court business done in a reasonable amount of time.
6. Court staff paid attention to my needs.
7. I was treated with courtesy and respect.
8. I easily found the courtroom or office I needed.
9. The court's Web site was useful.
10. The court's hours of operation made it easy for me to do my business.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Not Applicable
	1	2	3	4	5	n/a
1. Finding the courthouse was easy.	1	2	3	4	5	n/a
2. The forms I needed were clear and easy to understand.	1	2	3	4	5	n/a
3. I felt safe in the courthouse.	1	2	3	4	5	n/a
4. The court makes reasonable efforts to remove physical and language barriers to service.	1	2	3	4	5	n/a
5. I was able to get my court business done in a reasonable amount of time.	1	2	3	4	5	n/a
6. Court staff paid attention to my needs.	1	2	3	4	5	n/a
7. I was treated with courtesy and respect.	1	2	3	4	5	n/a
8. I easily found the courtroom or office I needed.	1	2	3	4	5	n/a
9. The court's Web site was useful.	1	2	3	4	5	n/a
10. The court's hours of operation made it easy for me to do my business.	1	2	3	4	5	n/a

If you are a party to a legal matter and appeared before a judicial officer today, complete questions 11-15:

#### Section II: Fairness

11. The way my case was handled was fair.
12. The judge listened to my side of the story before he or she made a decision.
13. The judge had the information necessary to make good decisions about my case.
14. I was treated the same as everyone else.
15. As I leave the court, I know what to do next about my case.

1	2	3	4	5	n/a
1	2	3	4	5	n/a
1	2	3	4	5	n/a
1	2	3	4	5	n/a
1	2	3	4	5	n/a

#### Section III: Background Information

What did you do at the court today?  
(Check all that apply)

- ☐ Search court records/obtain documents
- ☐ File papers
- ☐ Make a payment
- ☐ Get information
- ☐ Appear as a witness
- ☐ Attorney representing a client
- ☐ Jury duty
- ☐ Attend a hearing or trial
- ☐ Law enforcement/probation/social services staff
- ☐ Party to a legal matter

What type of case brought you to the courthouse today?

- ☐ Traffic
- ☐ Criminal
- ☐ Civil matter
- ☐ Divorce, child custody or support
- ☐ Juvenile matter
- ☐ Probate
- ☐ Small Claims
- ☐ Other: \_\_\_\_\_

How do you identify yourself?

- ☐ American Indian or Alaska Native
- ☐ Asian
- ☐ Black or African American
- ☐ Hispanic or Latino
- ☐ Native Hawaiian or Other Pacific Islander
- ☐ White
- ☐ Mixed Race
- ☐ Other: \_\_\_\_\_

How often are you typically in this courthouse?  
(Choose the closest estimate)

- ☐ First time in this courthouse
- ☐ Once a year or less
- ☐ Several times a year
- ☐ Regularly

What is your gender?

- ☐ Male
- ☐ Female

**Employee Satisfaction Survey**

Strongly Disagree Disagree Neutral Agree Strongly Agree

1. My work unit looks for ways to improve processes and procedures. 1 2 3 4 5
2. I am kept informed about matters that affect me in my workplace. 1 2 3 4 5
3. As I gain experience, I am given responsibility for new and exciting challenges at work. 1 2 3 4 5
4. The court is respected in the community. 1 2 3 4 5
5. The people I work with can be relied upon when I need help. 1 2 3 4 5
6. I have an opportunity to develop my own special abilities. 1 2 3 4 5
7. I understand how my job contributes to the overall mission of the court. 1 2 3 4 5
8. I am treated with respect. 1 2 3 4 5
9. When I do my job well, I am likely to be recognized and thanked by my supervisor. 1 2 3 4 5
10. My working conditions and environment enable me to do my job well. 1 2 3 4 5
11. I feel valued by my supervisor based on my knowledge and contribution to my department, unit, or division. 1 2 3 4 5
12. My court's leaders communicate important information to me in a timely manner. 1 2 3 4 5
13. I enjoy coming to work. 1 2 3 4 5
14. The people I work with take a personal interest in me. 1 2 3 4 5
15. Managers and supervisors follow up on employee suggestions for improvements in services and work processes. 1 2 3 4 5
16. My meetings with my supervisor are useful and meaningful. 1 2 3 4 5
17. When appropriate, I am encouraged to use my own judgment in getting the job done. 1 2 3 4 5
18. I have the resources (materials, equipment, supplies, etc.) necessary to do my job well. 1 2 3 4 5
19. On my job, I know exactly what is expected of me. 1 2 3 4 5
20. I am proud that I work in the court. 1 2 3 4 5
21. The court uses my time and talent well. 1 2 3 4 5
22. I get the training I need to do the job well. 1 2 3 4 5
23. I know what it means for me to be successful on the job. 1 2 3 4 5
24. My supervisor is available when I have questions or need help. 1 2 3 4 5
25. Communication within my division is good. 1 2 3 4 5
26. My co-workers work well together. 1 2 3 4 5
27. I have opportunities to express my opinion about how things are done in my division. 1 2 3 4 5
28. In the last 6 months, a supervisor/manager has talked with me about my performance/career development. 1 2 3 4 5
29. The court and its leaders are dedicated to continuous improvement. 1 2 3 4 5
30. I am treated with respect by the public. 1 2 3 4 5
31. Background information
  - a. In which Court Division do you work? (check one)
    - ☐ District 1 ☐ District 2 ☐ District 3
  - b. How long have you been employed by the Court:
    - ☐ < 1 year ☐ 1-5 years ☐ 6-10 years ☐ 11-20 years ☐ > 20 years
  - c. I am planning on working for the Court another:
    - ☐ 1-5 years ☐ 6-10 years ☐ 11-20 years ☐ > 20 years

*CourTools* Trial Court Performance Measurement #1, Access and Fairness, provides the court with necessary insight into the court customer experience. Court leaders can use the survey to gain information about court users' perceptions of the service provided by court staff and the fairness of the process, as well as the way they were treated by judicial officers. Gathering and reviewing this information allows for targeted improvement.

Court leaders should not expect that court users are only satisfied if they prevail in their case. Statistics show that positive opinions of their court experience are shaped more by court users' perceptions about how they were treated than whether they won or lost their case (see <https://tinyurl.com/y355v6z5>).

Shifting the focus from “winning” or “losing” to “service” places new responsibility on court leaders. Assessing court user perceptions can help court managers determine if those who provide services have the information, tools, training, resources, and proper discretion to do their best work every day.

Research indicates private-sector employers have found a direct correlation between employee engagement and customer satisfaction (Harter, 2018). A recent Gallup story suggests a positive correlation between “employee engagement, productivity, retention, safety, and profitability in high-performance organizations.”

While the courts do not measure success through profits, courts do have accountability.



*[Business units]  
in the top quartile  
of [employee]  
engagement realize  
substantially  
better customer  
engagement,  
higher productivity,  
better retention,  
fewer accidents,  
and 21% higher  
profitability.  
~ Harter, 2018*



They serve the public and must obtain support from funding bodies. Public trust and confidence are placed at risk when the court's workforce lacks engagement, resulting in failure to provide the quality of service the public expects.

To establish a direct correlation between employee satisfaction and court user satisfaction, three elements must exist:

1. *Employees who respond to the employee-satisfaction survey must be the employees who provided service during the administration of access and fairness surveys.*
2. *Surveys should be administered at an unadvertised time; knowing an access and fairness survey is being administered can skew results.*
3. *Organizations must ask the same questions of employees and customers for each survey to track progress over time.*

Many employers are now seeking feedback from employees and customers through what are referred to as “pulse surveys.” A pulse survey consists of one to five questions and should take the respondent less than one minute to answer. Frequent pulse surveys give court leaders a consistent source of feedback throughout the year to keep a “pulse” on perceptions. Perceptions are often reality! Conducting surveys can be a challenge for court managers. SHRM provides an overview of employee engagement platforms. Using independent resources to conduct the studies can reduce the time required of court managers to gather that information.



## What's Next?

Court leaders must maintain an accurate picture of the perceptions of employees and customers alike. Engaging employees and meeting customer expectations should rank as a top priority for court leaders.

Historically, most court leaders may not have considered the benefit of engaging human resources when working to improve client satisfaction. The National Center for State Courts and the Conference of State Court Administrators have partnered for the last four years to create a Human Resources Summit, an opportunity for court human resources staff throughout the nation and territories to gather for learning and collaboration. The HR Summit provides education on cutting-edge employment practices and an opportunity to share ideas and resources that creates a network of court HR professionals. Employee engagement has been a topic of discussion at the previous three HR Summits and will be again in 2019. The critical impact of an engaged workforce has significant ramifications for court organizations; leaders, managers, and HR must all be engaged in helping improve employee engagement to achieve customer satisfaction goals.



**"You know why I'm sure the sales chart will be great?  
Because this is the morale chart."**

The *CourTools* Employee Satisfaction question #8 asks employees, "I am treated with respect." *CourTools* Access and Fairness asks court users, "I was treated with courtesy and respect." Is there any doubt that the way court staff are treated will impact the way they treat the public?

Courts that are ready to conduct a full-fledged study on the connection between customer satisfaction and employee engagement will reap many benefits and can use the information in the education and coaching of court leaders for many years. At a minimum, a study between "being treated with respect" by both employees and customers is worthy of closer inspection.



*Engaging employees and meeting customer expectations should rank as a top priority for court leaders.*



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# Human Capital: Connecticut's Judicial Branch Is Investing in Its Workforce

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*The Connecticut Judicial Branch spent ten years implementing a strategic plan to improve services to the public. Now it is implementing a multiyear plan to improve employee satisfaction by focusing on communications, well-being, training, connectivity, and professional growth and opportunity for its biggest asset: its human capital.*



What do 103 questions, 1,701 responses, 41 focus groups, and 4,000+ comments equal? The Connecticut Judicial Branch's *Strategic Plan Phase II: Human Capital*, a blueprint for improving employee satisfaction for all 3,800 non-bench staff members.

Connecticut Supreme Court Chief Justice Richard A. Robinson unveiled the plan in September 2018. "Changing the culture of an organization does not happen overnight, but that is exactly what we're setting about to do," the

chief justice said in a video that accompanied the plan's emailed delivery to all staff. "You, as dedicated employees of the Connecticut Judicial Branch, deserve no less."

The first phase of the strategic plan focused on increasing the public's trust through the implementation of hundreds of activities supporting five goals: increasing access to justice for all people, responding to changing demographics, improving the delivery of services, collaborating with internal and external judicial stakeholders, and providing

accountability to all. Released in 2008 by then-Chief Justice Chase T. Rogers, phase one saw the establishment of a Public Service and Trust Commission and dozens of committees, which developed hundreds of activities and initiatives that changed how the branch conducts business.

Connecticut’s economy struggled through the Great Recession, and its upturn has been slow. The judicial branch’s budget—\$537 million in 2017—has seen precipitous fluctuations, and reductions have caused administrators to close some facilities, while absorbing certain executive-agency functions. Staffing of the branch has declined, too, as Baby Boomers begin to retire. In short, the will to create an employee-focused strategic plan was frustrated by the means to develop and implement such a plan.

The wait is over, and the branch is beginning phase two—the human capital initiative. This phase was developed over three years and turns the branch’s focus inward, on the people who have made public service a meaningful career.

The Plan

The branch has defined human capital as “the collective sum of values, life experiences, knowledge, skills, innovation, energy, and passion that an organization’s people choose to invest in their work,” and centered the human capital initiative around five areas of focus, with each supported by one or more strategies:

The Plan	Strategy	Action Steps
Communication	Utilize effective mechanisms to disseminate timely and consistent communication on all matters of personal and professional concern to Branch employees.	Ensure that temporary and part-time employees are included on all Branch-wide emails.
Training	Develop relevant and accessible job-specific training for all employees.  Provide ongoing training to develop and support supervisors in all aspects of their job responsibilities.	Evaluate pay scales periodically in light of job descriptions, responsibilities, and minimum education requirements.
Connectivity between the managers and policy makers, and the supervisors and staff in the field	Central administrative offices should work to achieve a better connection with the field on operational matters.  Foster and encourage employee input on matters that impact them in the performance of their jobs.	Providing supervisors with tools and techniques to use in creating a work environment that fosters a team culture, encourages the free and open exchange of ideas and suggestions, and empowers employees.
Professional Growth and Opportunity	Provide access to information and resources that support employee career development.  Ensure that the hiring and promotion process is fair and transparent.  Explore policy changes that would allow for non-monetary compensation incentives.  Ensure that professional and personal interests of employees that are addressed through the review and assessment of job descriptions and classifications, compensation, performance appraisals, and the disparities between union and non-union employees.	Develop a formalized process within each division to solicit the input, comments, and suggestions of field staff before the implementation of new legislation, rules, and administrative policies and procedures and in the development or revision of forms, office procedures, and systems.
Employee Well-Being	Be committed to improving the physical and emotional health and well-being of its employees.	Provide training and explore other options to assist employees who, because of their position, are subjected every day to the trauma and stress experienced by the individuals they serve.

Each strategy has one or more recommended action steps, with 33 action steps in all, including:

- *Communications: Ensure that temporary and part-time employees are included on all Branch-wide emails.*
- *Connectivity: Providing supervisors with tools and techniques to use in creating a work environment that fosters a team culture, encourages the free and open exchange of ideas and suggestions, and empowers employees.*
- *Professional growth and opportunity: Develop a formalized process within each division to solicit the input, comments, and suggestions of field staff before the implementation of new legislation, rules, and administrative policies and procedures and in the development or revision of forms, office procedures, and systems.*
- *Training: Evaluate pay scales periodically in light of job descriptions, responsibilities, and minimum education requirements.*
- *Employee well-being: Provide training and explore other options to assist employees who, because of their position, are subjected every day to the trauma and stress experienced by the individuals they serve.*

Where did the areas of focus come from, and how do branch leaders, including the Office of the Chief Court Administrator, know that the areas of focus will address employee concerns? They asked, listened, asked some more, and listened harder. More specifically, they are the direct result of the information and data gathered by the Human Capital Workgroup via the branch's Employee Satisfaction Survey in 2016, and the comments of more than 300 employees who participated in 41 focus groups in 2017.

The data represent the collective voices of Connecticut's unified judicial system and include employees from all five divisions: Administrative Services, Court Support Services, External Affairs, Information Technology, and Superior Court Operations. Those voices include judicial marshals, office clerks, probation officers, information technology developers, temporary law clerks, facilities maintainers, law librarians, interpreters, human-resources professionals, staff attorneys, courtroom clerks, victim advocates, child-support-enforcement officers, and part-time court monitors.

Including the voices of employees from across the branch's rich spectrum was part of the human capital blueprint since its inception in 2015. That is when a Human Capital Steering Committee, led by Chief Justice Rogers, began discussing the next phase of the strategic planning process.<sup>1</sup>

At Chief Justice Rogers's request, a human capital concept paper was drafted. At a December 2015 Steering Committee meeting, Chief Justice Rogers stated that developing a long-term human capital plan would be her "main priority for the foreseeable future," a move that imbued the importance of the efforts in the other branch leaders on the committee.

The Steering Committee considered many resources (for example, Verborg and Zastany, 2015; Griller, 2015; National Center for State Courts, 2011; and United States Office of Personnel Management, 2015). The committee then established a Human Capital Workgroup to develop a survey and chose members representing each division and the supreme and appellate courts. Chief Justice Rogers appointed Judge Elliot N. Solomon to chair the group. Executive directors were asked to include managers and staff members from human resources, program management, and employee-training units, as well as information technology experts, in their appointments to the workgroup.

<sup>1</sup> Other members of this committee included Chief Court Administrator Judge Patrick L. Carroll III, then-Deputy Chief Court Administrator Judge Elliot N. Solomon, Chief Appellate Court Judge Alexandra D. DiPentima, the executive directors of each division, and the chief executive officer of the supreme and appellate courts.

In January 2016, Judge Solomon and the other 18 members of the Human Capital Workgroup began vetting information and debating how the survey should look. The members held an affinity diagram session, a brainstorming session that helps group ideas into their natural relationships, centering on potential questions. The results were forwarded to Stephen J. Cox, a Central Connecticut State University professor who has worked extensively with the branch on developing assessments, for his review and recommendations. The workgroup also created smaller teams to address various components of the survey project, including technical issues, marketing, and legal matters, and Judge Solomon encouraged the teams to seek assistance from subject-matter experts among the staff.

In the winter and spring of 2016, workgroup members and small teams met frequently, developing a first-draft survey and conducting a pilot of more than 30 employees, who offered feedback on the questionnaire's value, length, and style. A marketing plan was outlined and, working with Prof. Cox, a system designed to allow staff to complete and submit the survey from their computers to an email address at the college to ensure anonymity. By early summer 2016, the workgroup presented to the Steering Committee a comprehensive package of recommendations, including a second-draft survey, a proposed intranet website dedicated to information about human capital, a dedicated email address for employees with questions or concerns about the survey or issues related to human capital, and a marketing plan to inform employees about the survey and encourage their participation.

The efforts of the workgroup and Steering Committee happened during a state budget crisis. Despite that, the Steering Committee determined that developing a long-term plan to retain and attract the best and brightest in public service would continue to be a priority and, over the summer, the chief justice recorded a video to help launch the survey in the fall. In September, ten months after the initial Steering Committee meeting, the chief justice and members signed off on a final version of the survey, which would be delivered from November 1 to 30.

The 103 questions were broken into six areas: *Work Experience*, *Work Environment*, *Immediate Supervisor*, *Second-level Supervisor*, *Career Development*, and the *Judicial Branch*. Additionally, the survey captured demographic information, including education levels, hours worked per week, length of service and expected length of service, generation identification, and gender and ethnic/race identification. The survey implementation team consulted with Prof. Cox on the survey-response continuum, in which respondents would be presented with statements and reply by selecting “strongly disagree,” “disagree,” “neutral,” “agree,” and “strongly agree.” The survey used positive statements, such as:

- *I am proud to work for the Judicial Branch.*
- *My workload is reasonable.*
- *My supervisor encourages staff to exchange opinions and ideas.*
- *My supervisor supports professional growth.*
- *Career opportunities are important to me.*
- *Judicial Branch programs effectively promote the importance of a diverse workforce.*

To promote participation, the chief justice sent an email to employees a month before the launch date, encouraging employees to complete the survey and explaining in a video that the results would be the foundation for a long-term blueprint. On the launch date, an email was sent to all employees, and a “Human Capital” icon embedded on all staff computers, prompting participation in the survey. Employees without regular access to computers, including several hundred judicial marshals, were notified by their supervisors and given opportunities to complete the survey during the month. Managers sent periodic reminders to encourage staff to set aside 15 to 20 minutes to participate. While Prof. Cox said the branch should expect a participation rate of between 30 and 40 percent, the ultimate completion rate exceeded that, with 44 percent, or 1,701 employees, completing the survey.



## The Results

In spring 2017, the Steering Committee discussed the next steps and assessed the results. Among the highlights of the survey findings (combined percentages of agree/strongly agree):

- 82 percent of employees said they like the work they do
  - 78 percent said they are proud to work for the branch
  - 75 percent said their work gives them a sense of accomplishment
  - 76 percent said they can rely on the people they work with when they need assistance
  - 75 percent said their supervisor supports collaboration across work units to accomplish work objectives
  - 79 percent said their supervisor supports their need to balance work and other life issues
- Other responses indicated areas of concern in office morale, communication of information and the level of employee input on decision making, and a lack of clear career development opportunities. For example, just:
- 35 percent said career opportunities are available to them
  - 32 percent of employees said office morale is high where I work
  - 54 percent said their supervisor conducts regular staff meetings
  - 42 percent said they received support from their supervisor or a work mentor in developing a career path in the judicial branch

Chief Justice Rogers in May 2017 emailed all branch staff with the survey results and directed them to the new “Employee Insights” intranet webpage, where the data could be accessed.



*To carry out its mission, the Judicial Branch will create an environment that will attract, develop, and retain a highly competent and invested workforce, by providing meaningful opportunities for their professional development and career advancement, while acknowledging their personal needs and responsibilities.*



The summer issue of the branch’s internal newsletter, *Strategic Talk*, featured a lengthy message from the chief and articles about what the human capital initiative would mean to branch staff.

Then the Steering Committee began blueprint development: analyzing the responses and developing questions for in-person employee focus groups. During the summer, a Human Capital Focus Group Subcommittee, comprising members of the workgroup and other staff, developed parameters for focus groups to seek input on the specific survey areas that generated the most concern across all divisions and gathered more information on how the branch could address those concerns. Prof. Susan Koski of Central Connecticut State University helped establish focus group guidelines, and facilitators from across every division were identified.

After reviewing the survey answers, the Focus Group Subcommittee developed six specific questions:

1. How do you feel about the communication you receive from the Judicial Branch?
2. How do you feel about the communication you receive from your supervisor?
3. How do you feel about your level of involvement with decision-making that affects you?
4. What do you think about career opportunities available within the Judicial Branch?
5. What do you think the Branch does well, and what should be changed, with regard to promotions, transfers and hiring?
6. What can we do to attract and keep people in the Judicial Branch?





Emails encouraged staff participation in focus groups, which were held across the state, and facilitators had ground rules to ensure consistent experiences. Between October and December 2017, pairs of facilitators conducted 41 focus groups, yielding 4,000 comments from 317 employees from all divisions and the supreme and appellate courts. Focus group participants included dozens of job classifications, ranging from directors and deputy directors, to probation officers, paralegals, administrative assistants, law librarians, IT developers, and office clerks. Both full- and part-time employees were included, as were temporary and permanent classifications.

The results were shared with the Steering Committee, and Judge Solomon led a small analyses team of directors, managers, and line staff from the Human Capital Workgroup with experience in strategic planning to do the time-consuming work of parsing the comments. Each comment was written on a yellow sticky note and posted on conference room walls—a wallpaper, of sorts. The analyses team read the comments and patterns emerged; the 4,000 comments were synthesized into 263 statements, and those statements into 27 categories. Those 27 categories were further funneled into the 5 overarching areas of focus that capture the concerns of judicial branch employees.

Judge Solomon and the analyses team turned to the human capital definition in developing an overarching goal: “To carry out its mission, the Judicial Branch will create an environment that will attract, develop, and retain a highly competent and invested workforce, by providing meaningful opportunities for their professional development and career advancement, while acknowledging their personal needs and responsibilities.”

Chief Justice Rogers announced in November 2017 that she would retire from the court in February 2018, having served ten years as chief justice and ten years on the appellate and superior court benches.



*...a culture change within the [judicial] branch, which considers its employees' well-being and their professional aspirations, may be difficult at first, but it is a necessity.*



In one of her final administrative acts, she accepted the analyses of the survey and focus group results and encouraged the Steering Committee to continue working on a human capital blueprint.

## **Next Steps: A New Chief Justice and Implementation of the Human Capital Plan**

Under the Steering Committee's purview, the human capital blueprint was finalized in the spring of 2018 and shared with the workgroup. In April, Governor Dannel Malloy nominated Associate Justice Robinson to serve as the chief justice, and he was unanimously confirmed by the state legislature's House and Senate in the first week of May. In July, the 22-page *Human Capital Plan: A Blueprint to Enhance Your Job Satisfaction* was formally approved for implementation by Chief Justice Robinson and the Steering Committee.

The chief justice thanked branch employees in the video emailed to all staff in September on the launch of the human capital blueprint and asked for patience as the implementation process begins. “Working together, this plan will become reality for all of us,” he said. “You are an outstanding group of individuals, who bring an amazing array of talents and skills to the table. I am absolutely confident that we are an unstoppable team that can achieve any goal that we put our minds to.”

Chief Justice Robinson and the Steering Committee created a larger Implementation Committee, including the new deputy chief court administrator, Judge Elizabeth A. Bozzuto; all division executive directors; and a cross-section of directors, deputy directors, managers, and line staff from across the branch. The Implementation Committee, under the direction of Judge Solomon, created subcommittees to address each of the five areas of focus as delineated in the plan. Each subcommittee is composed of staff and managers with subject-matter expertise, and each has a charge and a directive to create a realistic implementation plan for their area of focus.

For Judge Solomon, who stepped down as deputy chief court administrator in the fall 2018 to serve as a senior trial judge but continues as a leader of the implementation effort, the human capital blueprint has been a worthwhile investment of time and resources:

*All of us, from millennials to baby boomers, can safely say that our personal lives have changed over time and we have had to adapt to meet the opportunities and challenges presented by those changes. There is no reason to believe that the workplace has been immune from the changes we have experienced in our personal lives. The Human Capital initiative is the vehicle which will guide the Branch in pursuing those opportunities and confronting those challenges in order to maintain an optimal environment in which branch employees can succeed and thrive in their professional and personal lives.*

Many know the state of Connecticut as “The Land of Steady Habits.” Courts have existed within the state’s boundaries since the 1600s, and the court of last resort was established 201 years ago with the state’s first constitution.<sup>2</sup> Judge Solomon, like the chief justice, acknowledged that a culture change within the branch, which considers its employees’ well-being and their professional aspirations, may be difficult at first, but it is a necessity.

Judge Solomon said, “Change isn’t necessarily speedy and the path isn’t always clear, but change is essential to the success of an institution as essential as the Judicial Branch. As John F. Kennedy once said, ‘Change is the law of life. And those who look only to the past or present are certain to miss the future.’

In its first phase, the Strategic Plan represented the Branch’s ongoing commitment to the public to do those things going forward to resolve matters in a fair, timely, efficient and open matter. The Human Capital phase of the Strategic Plan represents the Branch’s ongoing commitment to its employees to maintain a work environment which best provides them with opportunities for professional satisfaction, growth and advancement while still accommodating the challenges they confront in their personal lives.”

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<sup>2</sup> See the State of Connecticut Judicial Branch website, “About Connecticut Courts,” at <https://jud.ct.gov/ystday/history.html>.





# Court Employees: Investing in Your Human Capital

**Hon. John J. Russo** Administrative and Presiding Judge, Cuyahoga County Common Pleas Court, Cleveland, Ohio

*How can a court invest in human capital? Here is an administrative judge's answer to that question.*

It is no secret that a kind word can work wonders. Nothing will ease the tensions of a bad day better than having someone come up to you and say, "Thank you for what you did. It really meant a lot to me." It takes almost no effort to say something nice, and the payoffs can be incalculable. Consider a kind word as a solid investment of your time.

I speak from experience because as the administrative judge for the Cuyahoga County Common Pleas Court in Cleveland, I manage a staff of more than 500 people.

We are, by far, the largest court in Ohio and one of the largest in the nation. Our staff serves 34 elected judges, each with dockets that have more than 1,000 cases.

Our court is more than just our judges. To operate such a huge legal machine, it takes buy-in from every single employee. A personal bailiff is no more critical than a judicial secretary. A drug lab technician is every bit as important as a probation officer. Without our IT employees, our court would be at a standstill. Our employees are our human capital. We need to invest wisely.

To be fully engaged in their jobs, I believe every employee needs to feel valued and empowered, and that effort begins at the highest level. Employee satisfaction and involvement is one of the critical components of my job, and I have tried to focus at least a small bit of time on each individual.



*It takes almost no effort to say something nice, and the payoffs can be incalculable. Consider a kind word as a solid investment of your time.*



In my five years as administrative judge, our court has hired more than 200 new employees. That creates huge change, and huge opportunity. When new employees arrive for their first week on the job, I spend a few minutes one-on-one with each of them to welcome them to our team. I want to hear their expectations for their personal career growth and the court. Doing so gives me a better perspective as an administrator, and it is a simple, but valuable, investment in human capital.

Being administrative judge allows me to develop programs designed to build a better sense of camaraderie among all our employees. Many of our departments work somewhat independently and that can lead to a sense of isolation, which is not a recipe for success.

Each January, I schedule meetings with every department in the court. We spend about half an hour together, and I challenge our employees with an idea or theme for the year ahead. In 2016 it was “Servant Leadership,” and we talked about the citizens we serve as a court. We were “All-In” in 2017 following the Cleveland Cavaliers’ NBA Championship. I promoted “Action Leadership/Leadership in Action” in 2018, encouraging our employees take leading roles both in and out of the court.

In 2019 I discussed seeking “Balance” in our lives. We can never truly achieve a perfect balance between our work and personal lives, so I shared with them the lessons I have learned after reading several books on the subject. I encouraged everyone to look at every moment of every day. Live in those moments and balance will find you but be willing to take risks. As Theodore Roosevelt famously said, “It is hard to fail, but it is worse never to have tried to succeed.”

The court also arranges a small token of appreciation for each employee at these meetings. It always features the court’s seal, and is something that they can use while on the job. We have provided thermal mugs, coasters made from recycled car tires, stress balls, mouse pads, and, this year, a desktop cell-phone holder. None of these items have been extremely expensive, but I cannot even begin to calculate the value of providing something tangible to our employees. It is a fun and practical investment in our human capital.

Another way our court has invested in its human capital is by hosting events in which the staff can participate. Our fifth annual “Justice Fore All” September golf outing will take place this year. Financially, it is a break-even event, because the goal is camaraderie. We charge only enough to cover the greens fees and food, but people can gather outside of the courthouse, be themselves, and get to know their colleagues a little better. In December, we also host an annual holiday party at a nearby restaurant. We have a chili cook-off to benefit the local food bank in February, and a corned beef sandwich lunch for St. Patrick’s Day. Last fall, our judges hosted an ice cream social as a thank you to our employees.

During the summer, the court collaborates with the Downtown Cleveland Alliance to bring food trucks to the court for lunch on Mondays. We’ve dubbed it “Memorial Mondays.”

In addition to the great cuisine, the event is filled with live music and a chance for people to be outside and enjoy some sunshine. What started as something positive for jurors has evolved into a popular event for people who work downtown.



*I encourage every employee to stop by my chambers if something is bothering them or if they have a suggestion. One of the worst things a leader can do is to avoid constructive criticism.*







Every other Wednesday (weather allowing), we host “Justice Fur All,” in which the Cleveland Animal Protective League brings in dogs and kittens that are available for adoption. You want to draw a crowd? Have two puppies available for some “pet therapy,” and I guarantee people will stop by.

There are other employee-outreach programs, but these represent how we try to keep our workers engaged.

While engagement is important, even more critical is having an open-door policy. I encourage every employee to stop by my chambers if something is bothering them or if they have a suggestion. One of the worst things a leader can do is to avoid constructive criticism. As a judge, I look at things differently than a courtroom assistant or a staff attorney might. Every idea should be given careful thought. One of my favorite suggestions was that the court install a roof pool and tiki bar. Ultimately, I rejected that idea, but not without serious consideration.

An open-door policy is great, but not everyone is going to feel comfortable going to “the boss” with a concern. Sometimes they want to remain anonymous, which is perfectly understandable. That is why we installed a suggestion box in 2014. Well, not quite a suggestion box, but a suggestion wheel.

In the days before computer databases, jurors were chosen when their names were pulled from a large, rotating wheel that is not too far removed a bingo hall drum. There are several of these wheels in our courthouse, including a spectacularly ornate wooden wheel from 1931 on display on our first floor.



*It does not cost much to invest in your human capital, but your efforts and gestures will pay dividends. If someone has ever said something kind to you, then you know exactly what I mean.*



An employee suggested that we use a wheel from the 1970s and repurpose it for suggestions. A lock was installed on the wheel’s door, and I have the only key. Every Friday, I check the wheel and usually pull out a few slips of carefully folded paper. As you might imagine, not every anonymous suggestion is friendly, but several policy changes have come from these slips of paper. And, yes, the tiki bar idea did come from the suggestion wheel.

If you look back on the efforts I have laid out, the monetary expenditure is minimal. The annual employee gift is usually under \$1,000 total. The golf outing and holiday party are funded through ticket sales and employee Dress Down Fridays; employees can dress casually on those days, but we collect a small fee that goes into a “Fun Account” for court functions. We even donate to local charities with those funds.

Which brings me back around to the beginning and the idea of kind words. Employee events are great, but they do not speak directly to the person. Take a moment in the elevator to say good morning, ask about a person’s day, and compliment a cool pair of shoes. When you are walking down the hall, have your phone in your pocket and make eye contact with people you pass. Tell them to “have a great day.”

When someone goes above and beyond the call of duty, give them a shout out. Stop by their office or cubicle and tell them what a good job they did. Make sure they feel appreciated and that you know about their efforts.

It does not cost much to invest in your human capital, but your efforts and gestures will pay dividends. If someone has ever said something kind to you, then you know exactly what I mean.

*It is always going to be the right investment to make.*



# The Court's Technology Communication Challenge

**James E. McMillan** Principal Court Management Consultant, National Center for State Courts

*The Hague's Innovating Justice Forum is dedicated to improving access to justice via technology. The 2019 forum stressed the importance of improving communication between courts and citizens using mobile devices.*

The ninth annual Innovating Justice Forum, held by The Hague Institute for Innovation of Law ([www.hiil.org](http://www.hiil.org)) on February 5 and 6, 2019, presented many interesting ideas for “bridging the justice gap.” I would like to comment, however, on a larger context that is a root cause of the problem that the solutions are trying to address—communication.

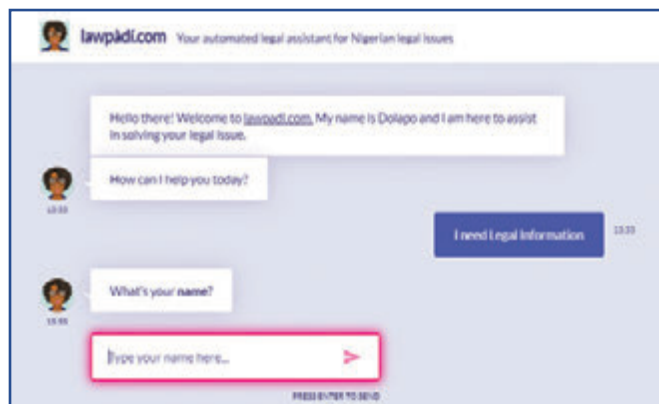
The Innovating Justice Forum focuses upon bottom-up, citizen-centered systems. While courts mostly focus upon internal systems, such as case and document management, it is good to listen to and think about the outside world.

After thinking about what I saw at the conference, the consolidating theme of communication seems to be rising to the top. But this should not be particularly surprising since a great amount of legal and court processes involve the timing and structure of communications both written and verbal. This is why courts create forms and why courtroom hearings have a specific sequence of events from the entrance of the judge to the swearing of witnesses. A routine communication approach is very familiar to judges and lawyers.

Let's look at some of the finalist solutions presented at the conference:

## Law Padi

<https://lawpadi.com/>



This online “bot”<sup>1</sup> provides an “automated legal assistant for Nigerian legal issues.” The bot structures the communications via a question-and-answer interface. This is a good way of providing information, if the bot’s users can think constructively about their issues.

By way of comment on this approach, the recent keynote presentation at the IBM Think 2019 conference, moderated by CEO Ginni Rometty, included an interview with Greg Kalinsky of GEICO insurance on their tests with artificial-intelligence-enabled (AI) customer-service systems. He noted that AI worked very well for expert users who knew what the next right question should be. But it often failed for those who had no understanding of the subject area. They are continuing to test and develop this interactive approach by breaking the problem down into smaller “services” (video available at <http://tinyurl.com/yyb45zrf>)

This does not mean, however, that the GEICO System and Law Padi cannot evolve. They will. But this means that funding and support for the systems will need to continue.

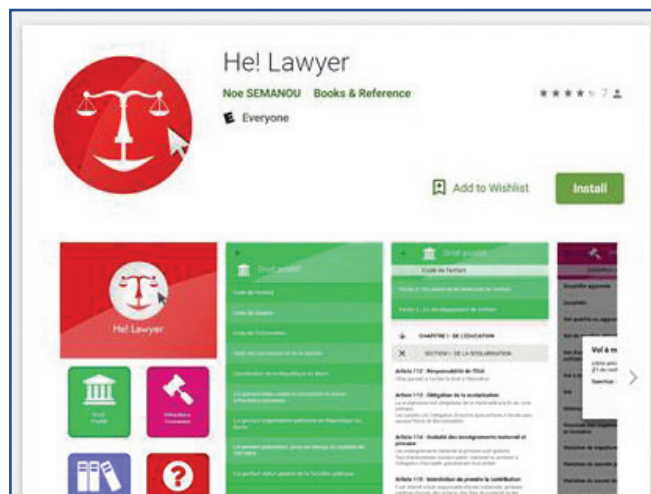
## Haqdarshak

<https://haqdarshak.com/home>

This website connects persons in India to welfare resources. It does it by structuring a person’s information, allowing for eligibility to be evaluated, providing options, and then allowing a person to schedule an appointment with “a trained representative to complete the application procedure.” This combination of digital triage and connection to a person (wetware) is powerful because it improves efficiency.

## He! Lawyer

<https://tinyurl.com/y6h29el4>



This mobile app in the country of Benin provides information online and can connect the user with a lawyer via callback. This approach uses the mobile infrastructure to connect people to one another.

## Axdraft

<https://business.axdraft.com/>

This website is similar to Access to Justice (A2J) Author and LegalZoom in that it allows one to build a legal document online with the added benefit of being able to access a lawyer.<sup>2</sup> This is good for people who understand generally what they want to do.

## Viamo

<https://viamo.io>

This mobile system combines interactive voice response, SMS text messaging, apps, web, and IM (instant messaging). What is most interesting about this service is that they are operating in 20 countries and, therefore, must support many languages.

...the tools to build these [artificial intelligence] systems are quickly being made available by technology companies, and courts should take advantage when these tools are ready.

<sup>1</sup> S. Mitroff, “What Is a Bot? Here’s Everything You Need to Know,” *cnet* (May 5, 2016), available at <https://www.cnet.com/how-to/what-is-a-bot/>.

<sup>2</sup> A2J, available at <https://www.a2jauthor.org/>. LegalZoom, available at <https://www.legalzoom.com/>.

## Baobab Law

<http://baobab.law>

This website provides tools for community paralegals and public-service lawyers that connect them to clients and one another via a mobile app. So, this is an inside-out approach.

### The basic technical/communication foundations of these and other systems:

1. They are primarily mobile-device based. These are the most widely used “computers” and “networks.” It makes sense to go where the customers are.
2. They use, in varying ways, the communication system that the mobile devices provide, including apps, SMS text, IVR (interactive voice response), and in some instances connection to live persons or callback. Courts in the United States have implemented text and email-reminder systems for payment and jury service reminders. But what we do not yet see in the courts is an AI-based interaction conversation that can assist callers by asking appropriate questions and, based upon the responses, by providing the correct court and process information. That said, the tools to build these systems are quickly being made available by technology companies, and courts should take advantage when these tools are ready.
3. Many systems facilitate creation of court or legal documents. Documents are the lifeblood of the legal system. Developing systems that break down the data required to create documents is an excellent first step. But again, technology is quickly advancing. We have not yet seen speech-to-text data capture in the courts, despite wide use in other business areas. It is another exciting, near-future direction to be explored.
4. It is very important that the systems listed above provide the documents/interfaces in plain language. Most people with legal problems are not lawyers. And we have known for 30 years that understanding legal language is a significant problem, resulting in lost time for litigants and courts.



*... the faster that courts adopt this interactive standard electronic communication approach [between external systems and court automation systems], the more enabled the citizen developers will be.*



5. Languages and language translation are a problem for all courts. Only one system listed above really addresses this problem. In contrast, the courts in the People’s Republic of China have been using computer-assisted spoken and written language translation for several years. This technology is developing very quickly and should be monitored and tested by the courts to, again, address a communication issue.
6. We really have not seen any systems in this round of citizen/hack/bottom-up development that interact with courts themselves. This is often because courts do not provide an automated connection (also known technically as an API, or application programming interface) for their systems. For almost 20 years, court and industry professionals have worked on technical standards to allow one kind of automatic connection between external and court automation systems. The most recent version of this work, the Oasis-Open LegalXML ECF 5.0 standard, is attempting to address this by providing standards for not only e-filing but also for scheduling requests to be submitted to courts. Thus, the faster that courts adopt this interactive standard electronic communication approach, the more enabled the citizen developers will be.

Further, it is very important for courts to allow their systems to be used to verify information and, specifically, court orders or financial payments. A court’s public system does not have to be the internal operational data or documents versions. Instead, with cloud-based or hybrid architectures, automatic public copies of court documents, recordings, and data such as schedules can be made to systems that would not include sensitive or operational data. Therefore, courts should examine what citizens and legal professionals need and improve access to it via these public copies.

In conclusion, it is important and valuable to learn from “citizen hacker” ideas for improving the courts and legal system. And courts should facilitate this by supporting these efforts and making interfaces available when possible.

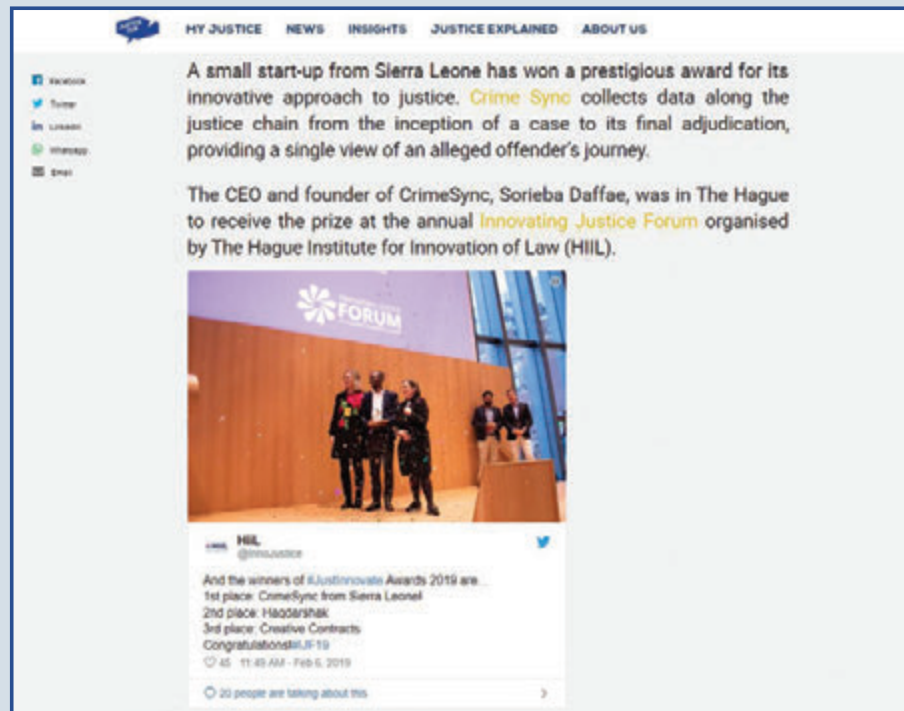


## Innovating Justice Awards Winner

The winner of the Innovating Justice Awards was a project called CrimeSync from Sierra Leone to “organize, collaborate, and share information through electronic case management” (see “How to Fix Sierra Leone’s Criminal Justice System Through Tech Innovation,” *Justice Hub*, February 12, 2019, available at <http://tinyurl.com/yym4vxad>). This solution is what was referred to as an integrated justice system in the past. But CrimeSync took advantage of modern web/cloud/database technology. A warning for those who may look at this potential solution is that it is not the technology that stops integrated justice, it is organizational barriers. No organizations wish to cede control of their data, workflow, or information to a central body. It may work in the short term, but the organization will claw back

control from the shared integrated system. Therefore, in the United States, organizations went to the concept of “data sharing” in the 1990s after many, many integrated systems failures. This allowed each

organization to maintain control over their systems but also connect and share. Clear organizational control and change processes must be a key part of this solution so that it may be successful over the long term.







# Beyond Buzzwords: Building an Information Security Foundation

**Sajed Naseem** Chief Information Security Officer, New Jersey Judiciary  
**Brian J. McLaughlin** Court Executive 2a, New Jersey Judiciary

*Cybersecurity is no longer just a buzzword, but a stark reality where an attack can debilitate organizations. This article discusses steps to build an information security foundation for courts, ideally supported by leadership and integrated into every level of the organization.*

Cyberattacks are a reality for every public organization, including state courts. During these challenging times, it is critical to update court operations to incorporate information security requirements and to develop a plan to methodically respond to cyberattacks. This article discusses steps a judiciary can take to prioritize information governance and to build a foundation of cybersecurity best practices in every level of the organization.



## Culture of Information Security

State courts rely on information technology for processing millions of cases across many docket types. With the increased use of information technology comes an increased security risk to court data and business operations. Recognizing that information security is no longer just an information-technology-office topic, but one that involves all facets of the organization, judiciary leadership should commit to establishing an organizational culture of information security.

Building a foundation for current competencies and continued improvement in information security can be accomplished by adopting and implementing a standard for information governance, managing vital internal and external relationships, and investing in protective infrastructure. Further, it involves bringing together technological units and other court offices through cybersecurity awareness, risk management, and incident response planning.

In laying the groundwork for a culture of information security, courts should explore various issues. The following questions provide a useful starting point:

- *Is judicial and administrative leadership invested in information security?*
- *Is information security more than just a technology topic in the court?*
- *Does the information security unit have autonomy and authority?*
- *Does the court have information security and cybersecurity awareness programs that are coordinated and measurable?*
- *Are all relevant layers of court management and operations involved in the court's cyber-incident-response program?*

## Information Governance and Court Systems

An optimal information governance process is developed with stakeholders and takes risk, infrastructure, and awareness into account. Gartner (2019) defines information governance as “the specification of decision rights and an accountability framework to ensure appropriate behavior in the valuation, creation, storage, use, archiving and deletion of information.”

Court systems have the responsibility of managing different categories of information, such as personal identifiers, victim/witness information, financial data, and employee records, just to name a few (McLaughlin, 2018). To govern that information, policies and procedures must be formulated, and court processes (business and technology) reviewed and audited.

For this comprehensive process, court systems should select an information governance standard, such as the National Institute of Standards and Technology (NIST) Cybersecurity Framework (CSF). The NIST CSF provides computer security guidance for how organizations can assess and improve their ability to prevent, detect, and respond to cyberattacks. Judiciary policies and procedures should be developed, evaluated, and refined based on the selected information governance standard.



*...information security is no longer just an information-technology-office topic, but one that involves all facets of the organization, judiciary leadership should commit to establishing an organizational culture of information security.*











*Among the most vital internal relationships necessary to establish a culture of security is that between the court's defined information security unit and the information technology office. . . these units must operate independently and cooperatively—and on equal footing.*



technology office. To function appropriately, these units must operate independently and cooperatively—and on equal footing. This means separating the two offices both in the organizational reporting structure and in practice.

Working with judicial and administrative leaders, a chief information security officer can best set the vision for information security that is implemented organization-wide.

## Managing Relationships

Managing internal and external relationships is essential to building and sustaining a foundation for information security. This task can be challenging because it requires negotiating, compromising, and challenging norms inside and outside of the organization. For information security to be implemented organization-wide and practiced by all employees, it must be incorporated into daily court operations, which necessitates buy-in from internal and external partners. Managing these relationships requires ongoing collaboration with stakeholders.

Internal relationships include those within any central administrative office, as well as all levels of courts (e.g., supreme, appellate, trial, and municipal courts). Among the most vital internal relationships necessary to establish a culture of security is that between the court's defined information security unit and the information

Under the leadership of the chief information security officer, the information security unit should handle information governance and security, enterprise risk management, and cybersecurity awareness training separate from the development of information technology.

This allows information technology and information security to manage separate yet related areas and to take the same or different positions on critical issues. The two units should have unfiltered voices in the organization and should report to and engage directly with court leadership. Informed by the distinct perspectives of information security and information technology, court leadership can handle day-to-day decisions, as well as an incident or breach, when urgency is vital.

Successful internal relationships support courts' relationships with external stakeholders and users, including prosecuting authorities, public defenders, state agencies, law enforcement, bar members, and any other group that accesses the courts.

These external users interact with the courts through judiciary systems, as well as by email. Through these external relationships, courts can foster open communication to develop and adhere to appropriate memoranda of understanding and rules for professional engagement. Managing both internal and external relationships can position a judiciary to apply its information governance standard to judges, court staff, and other internal users, as well as to intergovernmental partners, attorneys, and others.



*Cybersecurity awareness is both an internal and external imperative, as courts have many employees and external users.*



## Information Security Infrastructure

Risk reduction should be one focus of the information security infrastructure. With the push for courts to enhance operations through new and expanded initiatives in information technology, there is a need to balance technological enhancements with risk reduction. A strong information security infrastructure protects areas of risk. Some key protections include secure authentication, encryption, data loss prevention, network access control, and incident response. Cyber threats are always changing, with many increasingly sophisticated threat actors and near daily news reports on data breaches, ransomware, phishing, and data loss. A strong information security infrastructure starts with a robust foundation of vision, strategy, architecture, process innovation, and deployment of technologies suited for the organization to mitigate these threats. Finally, it is important to measure results to identify areas in need of improvement. This requires engaged support by leadership and throughout many levels of the organization.

## Cybersecurity Awareness

To minimize risks and costs, information governance seeks to encourage behaviors in people and institutions that foster an information-centered organizational culture (Brown and Toze, 2017). Cybersecurity awareness is both an internal and external imperative, as courts have many employees and external users. With a large user base, the information governance process should include a persuasive cybersecurity awareness presence, so user behavior aligns with best practices in attack prevention.

No defense is complete without a strong cybersecurity awareness program. Court systems should consider various steps to prioritize cybersecurity awareness, such as:

- *annual recognition of Cybersecurity Awareness Month every October to provide classes for all employees on phishing, identity theft, social media, and information governance;*
- *cybersecurity posters on phishing, identity theft, social media, and information governance to serve as an ongoing reminder of these issues;*
- *required cybersecurity training for all employees to ensure continued education and growing familiarity with best practices;*
- *informational cybersecurity cartoons shared with employees to stimulate engagement; and*
- *review of cybersecurity principles and practices as part of employee performance expectations to provide accountability.*

*The goal is to instill in all employees an understanding of the role of information security in their daily work and to reinforce the impact of their daily conduct in this area.*

Cybersecurity awareness is critical for developing a vibrant information security culture. The goal is to instill in all employees an understanding of the role of information security in their daily work and to reinforce the impact of their daily conduct in this area. Management guru Peter Drucker once said, “You can’t manage what you can’t measure” (Wolcott, 2016). Courts may use various methods to measure the levels of employee cybersecurity awareness. These tools could include surveys or quizzes that can help the information security unit tailor relevant trainings to achieve the organization’s objectives.



## Risk Management: Integration of Court Units and Information Security

Risk management in the use of information technology, and its integration within the court system, requires balancing the benefits of technology with an understanding of the potential vulnerabilities inherent in any non-paper system.

In evaluating and managing information security risks, state courts must consider all internal and external-facing systems. Effective risk management requires court managers, business experts, and the information security unit to collaborate as these areas converge. In risk assessment, court managers and business experts provide the information security unit with insight about their unit's data and operations to enable identification and evaluation of potential threats and vulnerabilities. Assessing these risks provides increased oversight and risk mitigation for information systems. It further enables a court to develop an appropriate plan to manage the identified risks.

## Cyber Incident Response

Consistent with a standard of information governance, and in conjunction with establishing a culture of information security, courts should plan for potential cyber incidents. Cyber incidents cover a broad range of activities, ranging from a simple phishing attempt sent to a court employee's e-mail address, all the way to a scenario where a threat actor hacks and takes control of a court's case management system. The Multi-State Information Sharing and Analysis Center (MS-ISAC), within the United States Department of Homeland Security, is a valuable resource for state and local governments. MS-ISAC compiles information on cyberattacks and provides guidance on incident prevention, protection, response, and recovery. An incident response plan should involve many internal court units and may link to the organization's continuity of operations plan or disaster recovery plan. In addition to educating employees to preempt cybersecurity vulnerabilities, court systems should also plan to respond to any cybersecurity attack that could occur.

## Summary

State court systems are guardians of sensitive data. The increasing threat of a cyberattack, big or small, amplifies the responsibility of courts to protect this data through all available means. A culture of security recognizes that everyone in the organization—not just information technology and information security—must protect and secure data. Ultimately, managing court records is an enduring core function for any judiciary.

Building the foundation for a strong and evolving information governance process moves beyond buzzwords and slogans to a comprehensive approach that engages every member of the organization. It includes proactive prevention—through internal and external relationships, protective infrastructure, and ongoing cybersecurity awareness—as well as practical steps to identify, mitigate, and respond to vulnerabilities through risk management and incident response planning. With the ever-present threat of cyberattacks, these steps are vital to safeguarding the information entrusted to state courts.

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# Improving Child Support Enforcement Outcomes with Online Dispute Resolution

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*Court appearances in family cases can be traumatic for many citizens—particularly those who have endured adverse childhood experiences, such as parental abuse or divorce. Ottawa County, Michigan, has been experimenting with online dispute resolution techniques, particularly in communications, to improve child support outcomes outside of courtrooms.*

Online dispute resolution (ODR) is “a digital space where parties can convene to work out a resolution to their dispute or case” (Joint Technology Committee, 2017: 1). In 2016 court leaders in Ottawa County, Michigan, began their investigation of ODR for child-support-enforcement “show-cause” hearings, which other courts might call contempt proceedings. The Joint Technology Committee (2017) of the Conference of State Court Administrators, National Association for Court Management, and National

Center for State Courts believes that “[l]ow-conflict, low-complexity family court cases are particularly well-suited to ODR because of the clear benefit to children and the parents who care for them” (p. 13). This article describes Ottawa County’s ODR process, three key outcome measures since the December 2016 launch, two theories that might explain ODR’s effectiveness, and the court’s plans to expand ODR in family court cases in the future.

## Snapshot of Child Support Enforcement in Michigan

In Michigan, the establishment and enforcement of child support orders is a judicial function with numerous parties: the custodial parent, who is entitled to receive financial support; the noncustodial parent, who is ordered to contribute to his or her children's upbringing; the state Department of Health and Human Services' Office of Child Support, which maintains MiCSES, Michigan's statewide child support enforcement information system, as well as MiChildSupport, Michigan's public-facing child support portal (online at <https://tinyurl.com/y25mo4bd>); plus employers, health-care

insurers and providers, and the court itself. The caseload and financial stakes are staggering: In 2015 MiCSES contained almost 850,000 active child support orders and accounted for well over a billion dollars in child support payments. Despite Herculean efforts, Michigan's ordered but unpaid child support (arrearages) total more than \$6 billion (Michigan Department of Health and Human Services, n.d.).

*Despite Herculean efforts, Michigan's ordered but unpaid child support (arrearages) total more than \$6 billion.*

Michigan's Friend of the Court (FOC), celebrating its 100th Anniversary in 2019, is a team of administrators, investigators, and administrative support staff within the family division of each circuit court, who actively manage child support cases. Ottawa County's FOC team is responsible for every phase of child support cases, including

the establishment of paternity, initial orders, and enforcement of child support and parenting time orders.

## ODR's Impact on Ottawa County

Ottawa County is home to about a quarter million people and more than 12,000 active child support enforcement cases. In 2018 noncustodial parents in Ottawa County paid approximately \$40 million in child support. Following Ottawa County's implementation of ODR, it exceeded the federal Office of Child Support Enforcement's 80 percent benchmark for the collection of current child support,

meaning that the county became eligible to receive additional incentive payments from the federal government.

Noncustodial parents who fail to comply with child support orders are subject to contempt proceedings called show-cause hearings. The outcomes of show-cause hearings range from a satisfactory payment arrangement to a civil bench warrant for failure to appear to referral to the county prosecutor for felony nonsupport charges. Clearly, jailed parents are less likely to earn the income needed to come current with their child support obligations.

In the past, Ottawa County's show-cause hearings were scheduled en masse every Friday. Friend of the Court investigators brought thousands of child-support show-cause matters before two family court judges every year, and more than a thousand bench warrants were issued (20th Judicial Circuit, 2018: 26).

In December 2016, Ottawa County launched a set of ODR tools to reduce the occurrence of show-cause hearings and improve compliance with child support orders. One of these ODR tools is a proactive, SMS text notification to noncustodial parents "when their case fits the criteria for show cause" (20th Judicial Circuit, 2018: 28). FOC staff first reviews a MiCSES report showing cases with no payment for at least 45 days and eliminates cases for which the noncustodial parent is incarcerated, deceased, receiving Social Security disability payments, or deported to a country without a reciprocity agreement with the United States. The remaining cases are candidates for show-cause hearings, which, before 2016, would have been immediately scheduled.



*Noncustodial parents who are at risk of a show-cause hearing are first given an opportunity [using SMS text notification] to engage in an information-gathering and problem-solving session with the FOC [Friends of the Court investigators]. The results are impressive...*









*Sending and receiving text messages is the most prevalent form of communication for Americans younger than 50. ~ Newport, 2014.*



Now, however, Ottawa County's FOC transmits an SMS text message to noncustodial parents, warning them about the noncompliance and inviting them to meet with FOC investigators to discuss their ability to pay,<sup>1</sup> any changes in employment, and available resources for securing employment. Noncustodial parents who are at risk of a show-cause hearing are first given an opportunity to engage in an information-gathering and problem-solving session with the FOC.

The results are impressive: The number of show-cause hearings has been reduced by almost a quarter. By the end of 2017, Ottawa County's Family Court Division scaled back its show-cause calendar from every Friday to two Fridays each month, freeing precious judicial resources for other family court cases.

If a noncustodial parent fails to heed the FOC's text message or achieve an acceptable plan with the FOC investigator, or the case is scheduled for a show-cause hearing. At this point, two additional ODR tools are improving the number of successful show-cause hearings:

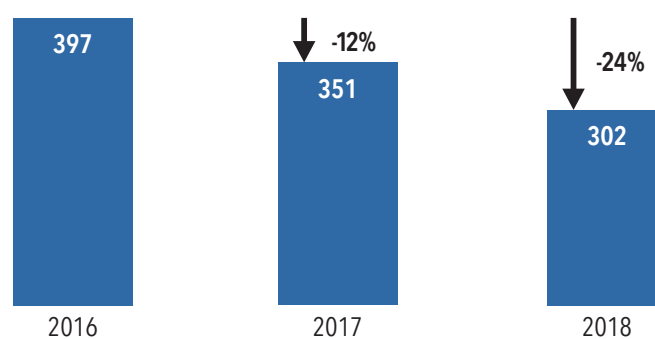
1. an SMS text reminder of the upcoming show-cause hearing (reducing the number of failures to appear) and
2. a hearing check-in system improving the speed and effectiveness of prehearing settlement conferences with FOC investigators.

Ottawa County has also slashed the number of child-support-related arrest warrants by a third. This significantly eases the burden on the Ottawa County Sheriff, both in workload and in the three deputies embedded with the FOC team and in jail overcrowding.

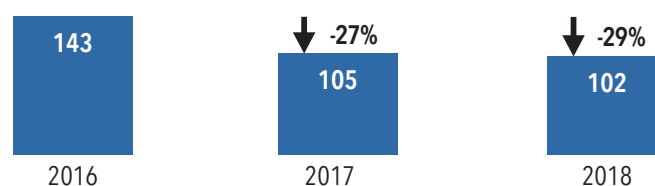
Most important, though, is that approximately 50 parents every month will not be subject to arrest and detention for failure to pay child support and will, instead, be in the community, able to earn income and parent their children.

Perhaps the most impressive outcome has been Ottawa County's 28 percent increase in child support collections. For court leaders and the FOC team, surpassing the federal government's 80 percent collections threshold is the realization of a long-term goal that had previously eluded them. It will unlock additional federal incentive payments to the county, and it also translates into a 28 percent increase in the financial resources available to Ottawa County's custodial parents and their children.

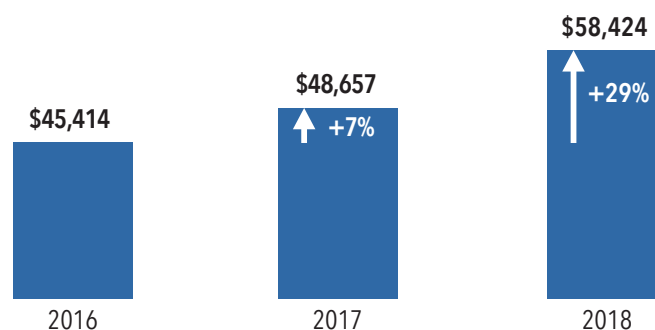
### Average Monthly Hearings



### Average Monthly Warrants



### Average Monthly Child Support



<sup>1</sup> *Turner v. Rogers*, 564 U.S. 431 (2011), prohibits the incarceration of a party for failure to pay unless there are procedural safeguards for determining the party's ability to pay. Ottawa County's FOC team is helping the court comply with *Turner* by investigating noncustodial parents' ability to pay.



## Why Does Child Support Enforcement ODR Work?

Ottawa County's court leaders and FOC staff hypothesize that the striking and sustained effectiveness of their initial ODR program is attributable, at least in part, to the communication preferences of the twenty- and thirty-somethings who are parents. In the past, the Ottawa County FOC staff's primary mode of communication with noncustodial parents has been documents sent through the United States Postal Service, but many, many pieces of mail are returned to the FOC office undelivered. As national studies repeatedly show (and as *Trends* readers have experienced both personally and professionally), the demographic groups known as Millennials and Generation Z prefer text messaging to every other form of communication.

An additional hypothesis is based upon recent research conducted in Muskegon County, Michigan, about the prevalence among noncustodial parents of adverse childhood experiences (ACES), such as parental abuse, incarceration, divorce, and substance abuse. Muskegon County assessed the number of noncustodial parents who reported four or more ACES and found they were overrepresented in child support enforcement cases, typically double the rate. For example, in zip code 49457, 14.72 percent of the general population had a child support enforcement case, but 28 percent of the population with four or more ACES had a child support enforcement case.

What national research about trauma teaches is that young adults with high ACES score are more likely to engage in risky behaviors and less likely to hold stable employment and housing, significant risk factors for nonpayment of child support. Research also shows that people with high ACES scores have physically different brain structures, which create difficulty processing and effectively communicating information, especially in settings they interpret as hostile (Substance Abuse and Mental Health Services Administration, 2013). Traditional child support enforcement strategies, such as formal show-cause hearings and threats of jail



*...the relatively simple techniques of text messaging, engagement with an FOC case worker outside of a formal courtroom setting, and provision of support services seem to be achieving improved outcomes.*



time for nonpayment, are likely triggers for high-ACES parties, making them even *less* able to engage the executive functions of their brains to set goals, follow through with appointments, and complete tasks.

Returning to Muskegon County's data, one can see a correlation that appears to support the hypothesis that high-ACES noncustodial parents will be among the most challenging FOC clients: As the density of high-ACES residents increases, the percentage of child support collections plummets. For example, zip code 49457 shows an ACES density of approximately 9 percent more than Muskegon County's least ACES-dense zip code, and a child support collection rate 8 percent lower.

Is it possible, then, that online dispute resolution's positive impacts on Ottawa County's engagement with noncustodial parents and collection of child support are attributable, at least in part, to ODR's ability to meet the needs of high-ACES parties? Many trauma-informed judicial practices focus on communication and address the needs of high-ACES parties to receive just-in-time notification of court events; to engage with authority figures in a low-stress environment so that they can more effectively tell their story and engage in the process; and to build trust that the system's goal is their success, rather than punishment. In Ottawa County, the relatively simple techniques of text messaging,

engagement with an FOC case worker outside of a formal courtroom setting, and provision of support services seem to be achieving improved outcomes.

## What's Next for Family Court ODR?

Family court leaders know that disputes about child custody and parenting time are among the most contentious cases on their dockets. Perhaps unique to Michigan, FOC teams are responsible for establishing and enforcing parenting-time orders, and FOC leaders are concerned that parenting-time cases demand an inordinate quantity of their staff's time and cause the most stress and burnout. Ottawa County and several of its sister counties wish to explore ODR tools that show promise in improving parenting time, with two distinct strategies.

The first strategy is to apply ODR to parents' initial creation of their parenting-time agreements. Several Michigan FOCs believe that if they offer ODR tools to parents who seem to be working well together and express a desire to submit a stipulated parenting plan, then the ODR tools could serve the important functions of providing the parties with plain-English information and guidance, document assembly, and case tracking. For these counties, providing ODR to parents in low-conflict cases will streamline the legal process, improve the quality of stipulated-parenting-time agreements, and help the parties achieve their admirable goal of keeping their family out of court. This strategy might be likened to the current practice in community supervision of applying the lightest possible "touch" to low-risk probationers, providing them support but striving to minimize their contact with formal justice venues. It also enables court staff to focus their time and efforts on higher-risk clients.

In contrast, a second set of Michigan counties is interested in testing whether ODR can help mitigate the chronic conflict they witness in highly contentious parenting-time cases—the proverbial 20 percent of cases that demand 80 percent of court staff's time. For these counties, providing ODR in high-conflict cases might mitigate the parents' endless battles by offering a communication medium that:

- ✓ *is less fraught than a formal courtroom setting;*
- ✓ *shows promise in detecting inflammatory speech and coaching the parent toward more collaborative language;*
- ✓ *guides the parents away from irrelevant issues and back toward solutions that are in their children's best interests; and*
- ✓ *allows the parties to engage a skilled human mediator on-demand for assistance with specific issues.*

This article began with the Joint Technology Committee's recommendation that ODR is most appropriate for "[l]ow-conflict, low-complexity family court cases," and it ends with a plan to deploy ODR in the highest-conflict family court cases. We hope our court colleagues agree that this is not a quixotic quest but a well-founded belief that ODR tools are rapidly evolving and lend themselves to trauma-informed judicial practices. We will keep you informed of our progress, and we invite you to share your experiences, too.

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# The Importance of a Legal Ecosystem

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*Not all legal problems require the services of a lawyer or all the processes of a court. The concept of a “legal ecosystem” might be an effective way of increasing access to justice, especially for self-represented litigants.*

An ecosystem is a concept that comes from ecology. It has several defining characteristics:

- *It consists of a system that is more than the sum of its parts (systemic).*
- *Changes in any part of the system affect all other parts of the system (integration).*
- *There is a hierarchy to the system (hierarchical).*

The ecosystem concept has recently been applied to several aspects of the legal system as a useful analogy. For example, the Justice for All (JFA) project seeks, according to its guidance materials, to help states achieve 100 percent access to justice.<sup>1</sup> Funded by a variety of foundations, the JFA project encourages states to assess their legal services across a very broad array of potential capabilities, understand where gaps in those services exist, and support stronger integration of those services from the customer viewpoint.

<sup>1</sup> Justice for All grants have been received to date from the Public Welfare Foundation, the Kresge Foundation, the Open Society Foundation, and the JPB Foundation. Thirteen states have been funded to create action plans for achieving 100 percent access and implementing the first several projects of those action plans. The National Center for State Courts and the Self-Represented Litigation Network maintain a JFA website (<https://tinyurl.com/yyodcbqz>) with resources and provide technical assistance to both grantee and non-grantee states on their access-to-justice efforts.

Because those with legal problems are often discouraged or defeated by the lack of system integration of legal services, the JFA premise is that an ecosystem approach is needed to solve the access problem. Early pilots of the JFA approach in several states have uncovered a surprising number of service gaps and helped states identify ways to better integrate those services.<sup>2</sup>

A second application of the ecosystem concept applies to delivering legal services. This idea derives from the example of the health-care system, where new roles have proliferated over the last several decades in recognition that not all medical problems require the expertise and expense of a doctor. Washington State and Utah have piloted new legal roles that sit between a lawyer and a paralegal. Some states allow for very limited legal roles around tasks such as closing real-estate transactions. One can easily imagine a set of legal roles like those in health care that are systematically matched to the task at hand and reduce costs to the customer.

So far unremarked is the idea that legal services themselves could benefit from an ecosystem approach. The traditional idea has always been that the courts have a monopoly on resolving legal disputes. That belief has been gradually eroding over several decades as independent arbitration and mediation capabilities sprang up in almost every state. More recently, a wide array of nonprofit and for-profit organizations now offer a broad selection of legal services, ranging from answers to single legal questions on one end to the negotiation and creation of court-judgment-ready agreements on the other end.

There is no doubt that the availability of many such legal services online has affected what business comes to lawyers and courts in an unprecedented way.



*Courts have already seen their national caseload decrease by roughly 20 percent over the last decade as citizens and corporations voted with their feet for alternative dispute resolution processes that are less expensive, less complex, and faster.*



Offering legal services online offers advantages of scale and cost-effectiveness not possible just a few years ago. Analysis of customer queries online also enables providers of online legal services to understand and cater to those who have legal problems in a fine-grained way that could not be imagined in the past. Indeed, like many current for-profit companies, one significant advantage the upstarts have obtained is very detailed knowledge of their potential customer base. These data enable them to segment their customers carefully and offer appropriately tailored services in a way that most courts do not.

The impact of alternative dispute resolution on courts has already been huge. Complacently assuming a strong continuing hold on its traditional monopoly, courts routinely assert their totally passive role toward legal disputes. They claim to have no control over what comes in the courthouse door. However, courts must routinely respond to legislative proposals that significantly affect what cases come to them.<sup>3</sup> The court rules they establish and the business processes they use strongly affect demand for their services.

This is even more true now that there are so many alternatives for resolving legal disputes. Courts have already seen their national caseload decrease by roughly 20 percent over the last decade as citizens and corporations voted with their feet for alternative dispute resolution processes that are less expensive, less complex, and faster. This is obviously just the beginning.

While lawyers have not generally resisted the use of mediation and arbitration, most state bar associations have battled vigorously against most of the new competing legal organizations. If restrictions on who can provide legal services and how they can provide them were loosened, the erosion would probably accelerate.

<sup>2</sup> The first round of JFA states included Hawaii, Alaska, Georgia, New York, Minnesota, Colorado, and Massachusetts.

<sup>3</sup> One such example is a proposal made several years ago in Washington State to establish a new water court. Numerous states have modified the maximum and minimum amounts in controversy for their general- and limited-jurisdiction civil-court cases. Many states have also decriminalized large numbers of traffic cases.





The paradox is that while the courts are losing business, the proportion of people with unmet legal needs remains stubbornly around 80 percent—a huge gap between supply and demand. One explanation for this vast imbalance is that the traditional monopoly of the courts and the bar prevents a true market from developing that could meet the legal needs of everyone. When one size fits all and that size is the slowest, most expensive, and most complex version of a solution, then many people will be unable to use that solution.

This is where the concept of a legal ecosystem comes in. The research on unmet legal needs is spotty and incomplete, but it suggests that those needs range from simple answers to single questions to complex trials with full due process. If a proper legal ecosystem existed, appropriate legal services could be matched to each type and level of legal problem. Legal services would use a broad array of processes exhibiting a mix of costs, speeds, degrees of due process, convenience (such as availability at any time and place online), and other key characteristics that matter to consumers.

If such a legal ecosystem were allowed to develop, one can imagine the traditional courts taking their proper place at the apex of the system. Courts are slow, complex, and expensive for a good reason. They enforce a maximum amount of due process to ensure fairness in legal disputes that matter the most. Examples include potential loss of life and freedom, potentially large economic losses, and situations with vast power or information asymmetries (as when individuals have disputes with governments or large corporations). Those kinds of cases should and probably will always remain in the courts.

Everything else is fair game for a legal ecosystem. Courts are unlikely to compete successfully with the rest of that ecosystem for the remaining kinds of legal disputes. Courts are constrained by state and federal statutes, several hundred years of common law, and severe funding limits on investment.



*...the proportion of people with unmet legal needs remains stubbornly around 80 percent... if a proper legal ecosystem existed, appropriate legal services could be matched to each type and level of legal problem.*



They are also extremely risk averse, as all political organizations are, because any failure is likely to invite quick and severe punishment. In an environment like that, no court is likely to outcompete other providers of legal services based on cost, speed, or technological innovation in general.

A true legal ecosystem would be a fundamentally new system, with which the public would be totally unfamiliar. Marketing, consumer education, and training would be required for those with legal problems to understand what legal services might be appropriate for them and to find the right type of providers.

Here the example of health care might be at least partly instructive. Consumers by and large do not have to understand or select appropriate medical roles. The health-care system does that for them. Instead, those with health problems select a desired health-care organization or provider, who in turn decides what medical role needs to address each health issue.

The provision of medical services is also undergoing rapid evolution. Hospitals do both more and less than they used to. Small local clinics now offer a surprising array of convenient and less expensive services. Drug-store chains and other similar large commercial companies now offer immediate health-care services by professionals in their many locations.

Remote, virtual health-care services

(video consulting, non-video diagnosis, drug requests) are rapidly proliferating online with no end in sight.

How do consumers make sense of these different possibilities? First, each type of health-care organization advertises its services to varying extents in ways that the public can understand. The descriptions are free of technical medical jargon and focus on problem descriptions as nonprofessionals would describe them. An increasing proportion of them also clearly communicate what the costs of those services are, and many of those costs are fixed up front. Traditional hospitals remain the one bastion of opaqueness when it comes to costs, but even that is beginning to change.



Providers of legal services need to emulate this approach. Describe legal services in terms of legal problems as their customers would understand them. Use nontechnical language. Be transparent about costs. Fix the cost of most services. Imagine how different the legal ecosystem would be if those changes were made. It is hard to believe that 80 percent of legal needs would continue for long to be unmet in that ecosystem.

In this evolving legal ecosystem, courts are no longer a monopoly provider, but merely yet another provider of legal services among many. They remain privileged in several important ways, but the courts cannot presume upon those advantages to maintain their current proportion of the legal-services market. They must also adapt and specialize in services for which they have a natural and enduring edge.

Organizations are justly infamous for defending their own interests. This is just as true for government or nonprofit entities. That means that the public cannot rely on the courts or the bar to do the right things in support of a legal ecosystem. It is likely that state legislatures will need to apply some motivating pressure. Technically, almost all state supreme courts have the legal authority to at least partially deconstruct the monopolies on legal services that still formally exist, even if they are under attack from all sides.

Recent experience suggests that those courts will only act when state legislatures threaten to step in.<sup>4</sup> Otherwise, courts are too beholden to state bars that will battle to the death against such changes. However, the courts' interests are rapidly diverging from the interests of the bar as they confront the growing army of self-represented litigants and quickly decreasing caseloads.



*...if the courts are serious about access to justice and maintaining a healthy rule of law, then they need to find ways to support the evolving legal ecosystem... as long as the bar maintains its hold on regulation, other roles and service providers will be blocked.*



Lawyers face their own issues. In a healthy legal ecosystem, many legal problems would be resolved using the services of nonlawyers (indeed, sometimes of non-humans or software). Like the courts, full-service lawyers will always be needed for complex and high-stakes legal problems, but that is probably it. Thus, the bar must face the reality that its current cohort is mismatched with the demand. Trying to protect its eroding monopoly will be a failed long-term strategy. Better to learn from doctors and understand an appropriate and cost-effective role within a legal ecosystem.

The legal ecosystem is coming. Nothing will stop it. The question is not if, but when. The most important question is how. If the courts are serious about access to justice and maintaining a healthy rule of law, then they need to find ways to support the evolving legal ecosystem, including those delivered by for-profit organizations, and ensure that the quality of those services across the board will be adequate for all consumers. That will require one additional innovation: more cost-effective regulation of legal services.

The way lawyers are currently regulated is incredibly expensive and mostly ineffective. A legal ecosystem can never operate well if that is the only way that quality control can be ensured. As long as the bar maintains its hold on regulation, other roles and service providers will be blocked. This is a problem that legislatures can and will step up to soon if state supreme courts are unwilling to act. That assertiveness is likely to be needed, since supreme court justices only know the regulatory structures now in place for lawyers. Significant

innovation will need to come from elsewhere, even from other countries. We know it is possible. Let's get started.

<sup>4</sup> It is difficult to cite many examples yet, since some of these dialogues occur behind the scenes. A recent U.S. Supreme Court decision on the state regulation of dental services in North Carolina was an event that sparked conversations in a number of states. Utah and Arizona are states where those conversations resulted in projects to address changes in how legal services are regulated.

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## Meaningful Access to Justice

## Minnesota Works to Increase Meaningful Access to Justice

Self-represented litigants often do not have the legal background or necessary information to defend themselves against a claim or advance their case toward final resolution. Given the rise of self-represented litigants in Minnesota, a response from the court was required because the inability to effectively and efficiently access the judicial system jeopardizes access to justice.

Minnesota has started several initiatives to assist the growing number of self-represented litigants. One of the most significant responses was developing more than 300 unique forms self-represented litigants can use depending on their legal situation. These forms are available on a public website, along with detailed, step-by-step instructions. The Minnesota Judicial Branch has also created instructional videos for different case types.

Minnesota's Tenth Judicial District, which includes eight rural and suburban counties, is the second largest of the state's ten districts, based on number of judgeships. The Tenth Judicial District wanted to supplement the services offered by the Statewide Self-Help Center (which provides telephone, email, and Team Viewer co-browsing services). In 2015 the Tenth Judicial District began offering in-person, self-help center services in the largest of those eight counties, Anoka County. The Tenth Judicial District Self-Help Center began with a single employee offering in-person services four days a week on all major case types—civil, family, criminal, probate, and juvenile—in addition to assisting via telephone and email. The services, offered pursuant to Minnesota Rules of General Practice 110, include providing forms and information on how to complete forms; reviewing forms for completeness; providing information on court processes; and providing



*One of the most significant responses [to the growing number of self-represented litigants] was developing more than 300 unique forms self-represented litigants can use... available on a public website, along with detailed, step-by-step instructions...[and] instructional videos for different case types.*



information on available legal aid resources, clinics, and other dispute resolution programs.

Over the past three years, the program has expanded, adding two additional employees. More self-represented litigants are using the service each year. For court administration staff and judges, this means fewer telephone calls asking why hearings have been canceled or stricken; less time spent at the counter or in the courtroom explaining processes or deficiencies with forms; fewer hearings needing to be rescheduled; and fewer confused or upset court users.

In-person services are now offered at least once per week in each of the eight counties in the Tenth Judicial District. Staff are required to travel, sometimes up to 150 miles a day, to provide those in-person services. Because staff spend a portion of their work day traveling between courthouses, their ability to assist self-represented litigants is reduced, and the Tenth Judicial District incurs additional costs. Those costs include staff time spent traveling to different courthouses, mileage reimbursement, and increased potential liability for traffic accidents and worker compensation claims.

In a time of scarce resources and shifting demographics, the Tenth Judicial District believed it would be prudent to explore additional means to provide services to self-represented litigants. John Greacen wrote a seminal study for the Self-Represented Litigation Network on self-help centers providing self-represented litigants with resources remotely. His report identified self-help services provided in eight different sites and analyzed the benefits and drawbacks

of the various programs (Greacen, 2016).<sup>1</sup> As Greacen noted in his report, “one of the major learnings of the study is the need to tailor remote service programs to the jurisdiction and clientele to be served” (Greacen, 2016: 4).

<sup>1</sup> Those sites are Alaska Court System Family Law Self-Help Center; Butte, Lake, and Tehama counties, California SHARP Shared Services Model; Idaho Judicial Branch Court Assistance Office and Idaho Legal Aid Services; Maryland District Court Self-Help Center; Minnesota Courts Self-Help Center; Montana Court Help Program and Montana Legal Services Association; Orange County, California Self-Help Services; and Utah State Courts Self-Help Center.



## Evaluating Remote Technologies for the Tenth Judicial District

The Tenth Judicial District desired to study which remote services, if any, may be most appropriate for self-represented litigants. Using Greacen’s report as a starting point, three remote technologies—video conferencing, live chat, and text messaging—were evaluated as a potential means to provide self-help center services to self-represented litigants. These three remote technologies were selected because they were all implemented by other self-help centers across the nation and because other remote technologies—telephone calls, emails, and co-browser services—have already been implemented in Minnesota.

### Tailoring expansion of remote services to the Tenth Judicial District raised two questions:

1. Does a need exist for remote self-help-center services beyond telephone, email, and co-browsing services?
2. If there is a need in the Tenth Judicial District, which remote service would self-represented litigants in the Tenth Judicial District be most likely to use?

The first step in evaluating those questions was to look at poverty rates and vehicle access, as compiled by the Self-Represented Litigation Network. Using data “from the most recent 1-year and 5-year estimates from the Census Bureau’s American Community Survey from 2014,” the Self-Represented Litigation Network tracked poverty and vehicle access for each Tenth Judicial District County (Self-Represented Litigation Network, 2017). In analyzing that data, it was apparent the two most rural counties in the district, Pine and Kanabec, had the highest poverty rates and highest rates of households without vehicle access. That led to an initial belief that remote technology may be more necessary in those counties.



*...three remote technologies—video conferencing, live chat, and text messaging—were evaluated as a potential means to provide self-help center services to self-represented litigants.*



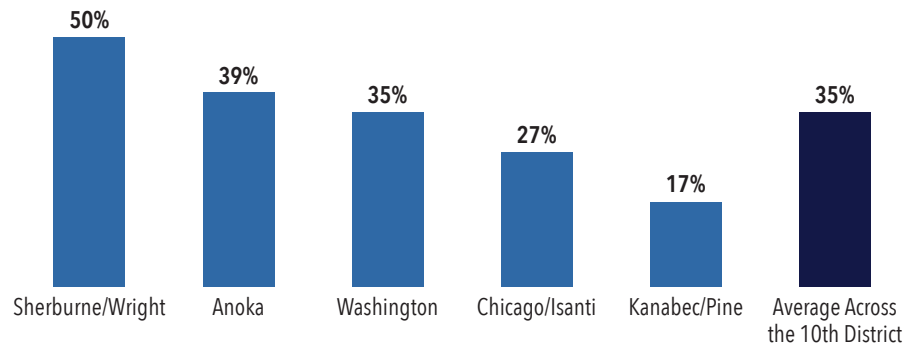
After considering those factors, a survey was developed for self-represented litigants who visited the Tenth Judicial District Self-Help Center in the fall of 2017. Self-Help Center staff distributed the survey in each of the Tenth Judicial District’s eight counties. The data were organized based on “county groupings.” The county groupings were divided by size—larger counties were a single group while smaller counties were combined based on location and size.

### The survey asked 21 questions about:

- 7 video conferences
- 5 live chat
- 4 text messaging
- 3 demographics (age, county of residency and gender)
- 1 travel time to the courthouse
- 1 whether any special arrangements were made to allow the self-represented litigant to travel to the courthouse

Survey results demonstrate that 35 percent of survey respondents had to make special arrangements to visit the Tenth Judicial District Self-Help Center. Special arrangements included needing to take time off work, arranging child care, or asking a friend or family member for a ride to the courthouse. One in three individuals who come to the Tenth Judicial District Self-Help Center needed to involve an employer, a babysitter, or a friend or family member to help get them to the courthouse. If meaningful access to justice is not provided, these individuals may need to make multiple visits to the courthouse, each trip potentially impacting an employer, friend, family member, or child care.

### Percentage of Survey Respondents Who Made Special Arrangements



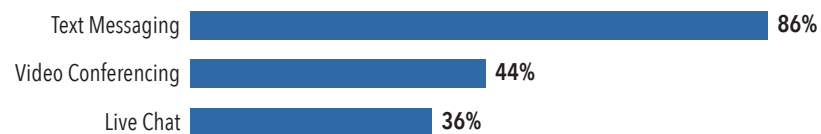
These responses and the statistics from the Self-Represented Litigation Network demonstrate that the answer to the first question—does a need exist for remote self-help center services beyond telephone and email—is, in this author’s opinion, yes.

Survey respondents were next asked for their opinion as to whether they would use text messaging, live chat, or video conferencing to contact the Tenth Judicial District Self-Help Center. The results were nearly uniform. Approximately two out of three survey respondents strongly agreed or agreed they would use text messaging, video conferencing, or live chat to contact the Tenth Judicial District Self-Help Center.

Of the three remote technology options, text messaging had the largest percentage of survey respondents who strongly agreed they would use it to contact the Tenth Judicial District Self-Help Center. Text messaging is also the most widely used remote technology among survey respondents.

Of those who use text messaging, 40 percent have used it to contact a business. The majority of survey respondents, 69 percent, send at least five text messages every day, while almost half of all survey respondents indicated they send ten or more texts per day.

### Percentage of Survey Respondents Who Use Remote Technology



### Number of Text Messages Sent by Percentage of Survey Respondents





## When Access to Justice Is Not Meaningful

The following hypothetical situation illustrates what can happen when self-represented litigants do not have meaningful access to justice.

Marley and her two-year-old son's father had been separated for six months. After failing to work out parenting-time exchanges and money for their child on their own, Marley decided to seek help at the courthouse. She took the day off work, and as a single mother, it was not easy for her to miss a day's pay.

After paying her neighbors to watch her son, she battled rush-hour traffic to the courthouse and parked half a mile away. She made her way past court security and saw a map directing her to courtrooms, court administration, probation, and the jury room. She didn't know where to go.

After reading signs and maps and asking for help, Marley found a line of people waiting at a counter. Once at the counter, Marley began explaining her situation, when the court clerk politely explained she was at the civil-division counter and would need to speak to the family division. After Marley waited in line again, the family-division clerk asked her if she had her custody summons and petition to file and had served the father. Marley would need to come back after completing the forms, which could be found on the court's website, accessible in the law library.

The law library was unstaffed. Marley found a computer, printed several forms, and decided to ask the family-division clerk if they were the right forms. The clerk, although pleasant, could not give Marley legal advice and suggested she retain legal counsel—impossible on Marley's income.

As she left the courthouse, Marley looked at the stack of papers she printed. Their words made no sense to her.

It would take Marley four months and three more courthouse trips to complete the right forms to start the process of addressing custody, parenting time, and child support. Unfortunately, her experience with the court is not uncommon.

Without meaningful access to justice, self-represented litigants may be unable to address critical issues facing their day-to-day lives.

## Conclusion

The statistics and survey results reveal that self-represented litigants in the Tenth Judicial District need additional remote services and are likely to use remote technologies to contact the Self-Help Center. Although there is strong support for all three types of remote technologies considered, text messaging is the most widely used in the district.

The Tenth Judicial District now has data to support exploring the implementation of text-messaging services for self-represented litigants. One item to consider will be the cost for a software program to allow staff to respond to text messages. The program should have the ability to develop standardized answers for appropriate situations, allowing for faster response times. If implemented, the text-messaging program could be evaluated by looking at:

- *the number of self-represented litigants who contacted the Self-Help Center via text messaging;*
- *the length of time spent working with a self-represented litigant via text message compared to working with a self-represented litigant in-person, via telephone, or by email;*
- *the number of text messages exchanged between the self-represented litigant and Self-Help Center staff;*
- *the length of time that passes between when a text message is received and when Self-Help Center staff first respond to the message; and*
- *the satisfaction level of self-represented litigants who contact the Self-Help Center via text messaging compared to those who call, email, or appear in-person.*



*...text messaging can supplement existing services, make more efficient use of staff time, and increase access to justice for those who need it most.*



By analyzing data from court users in the Tenth Judicial District, we can tailor remote Self-Help Center services to the people it serves. In addition to reviewing the statistics from the Self-Represented Litigant Network and the survey results, this author found it invaluable to speak to judges, administrators, and staff across the Tenth Judicial District for their thoughts on implementing such a program. They provided additional insight that was not addressed by the survey.

Providing services via text message will not replace in-person, telephone, or email services. The messages, by design, will be short and direct the individual to other resources, such as forms and legal aid providers. However, text messaging can supplement existing services, make more efficient use of staff time, and increase access to justice for those who need it most. If Marley (*see p. 58*) had been able to send a text message, she would have saved a lot of time, frustration, and resources—not only for herself, but for those around her, as well.

## References

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