

# Purpose and Responsibilities

## Key concepts

Purpose of Courts

Management and Leadership in the Nation's Courts

Courts as an Institution and Organization

New Directions in Courts and Court Management

## Executive Summary

An understanding of the purposes and responsibilities of the courts are the most fundamental aspect of court leadership, providing critical guidance for decisions about court operations, policies, and procedures. The fundamental purposes and responsibilities of courts apply regardless of the specific jurisdiction in which a court functions and provide both the philosophical and legal framework for the daily work of all court leaders.

## Learning Objectives

As a result of this education, participants will be able to:

- Describe why courts exist and the major purposes that courts carry out.
- Define the values, foundation, and historical perspectives underlying the American court system.
- Define key concepts and terminology, especially the judicial system's dedication to the rule of law, equal protection, and due process as related to the purposes of courts.
- Apply the values and goals of the American judicial system to specific court administrative tasks and responsibilities including dispute resolution.
- Explore court management concepts, accountability and quality control measures, and efficient processes in executing the role of courts in society.
- Articulate the practical impact and relevance of the purposes and responsibilities of courts to their jurisdiction, day-to-day court operations, and their job.

## Activities

There are corresponding activities for each learning objective, including:

- Purposes and Responsibilities
- Courts as an Institution and Organization

## Curricular Resources

The full curriculum has a detailed listing of relevant resources and a bibliography.

- NACM Publication: The Purposes and Responsibilities of Courts by Paul DeMuniz
- NACM Publication: Purposes and Responsibilities of Courts

## Purpose and Responsibilities Curriculum

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### Section 1 | Purposes of Courts

- Do Individual Justice in Individual Cases
- Appear to do Justice in Individual Cases
- Provide a Final Resolution of Legal Disputes
- Protect Individuals from the Arbitrary Use of Government Power
- Make a Formal Record of Legal Status
- Deter Criminal Behavior
- Rehabilitate Persons Convicted of Crimes
- Separate Persons Convicted of Crimes from Society
- Summary

### Section 2 |

#### Sources of Liberty and Justice for All

- Magna Carta
- Common Law
- Declaration of Independence
- The Federalist Papers
- The U.S. Constitution

### Section 3 | Key Concepts and Procedures

- Key Concepts
- Court Procedures
- The Structure of Courts

### Section 4 |

#### Courts as an Institution and Organization

- Characteristics
- Making the Distinction
- Judicial Institutions
- Judicial Independence
- Threats to Judicial Independence
- Justice Reform Organizations

### Section 5 | Court Reform and Accountability

- National Commission on Civil Disorder (Kerner Commission, 1967)
- 5.2 Courts Must Be Accountable

### Section 6 | Management and Leadership in the Nation's Courts

- Court Administration Duties
- Trial Court Performance Standards

### Section 7 | New Directions in Courts and Court Management

- Problem-Solving Courts
- Alternative Dispute Resolution (ADR)
- Restorative Justice

### Section 8 | Practical Application of Purposes

- Judicial Branch Ethics
- Comment

#### General Resources:

[Purpose and Responsibilities – NACM CORE® Curriculum](https://nacmnet.org/competency/purposes-and-responsibilities)  
[nacmnet.org/competency/purposes-and-responsibilities](https://nacmnet.org/competency/purposes-and-responsibilities)

[NACM CORE®: What Court Professionals Need to Know](https://nacmnet.org/nacm-core)  
[nacmnet.org/nacm-core](https://nacmnet.org/nacm-core)

[The CORE® in Practice – a Guide to Strengthen Court Professionals through Application, Use, and Implementation](https://nacmnet.org/wp-content/uploads/THE-CORE-IN-PRACTICE-Guide-2023.pdf)  
[nacmnet.org/wp-content/uploads/THE-CORE-IN-PRACTICE-Guide-2023.pdf](https://nacmnet.org/wp-content/uploads/THE-CORE-IN-PRACTICE-Guide-2023.pdf)