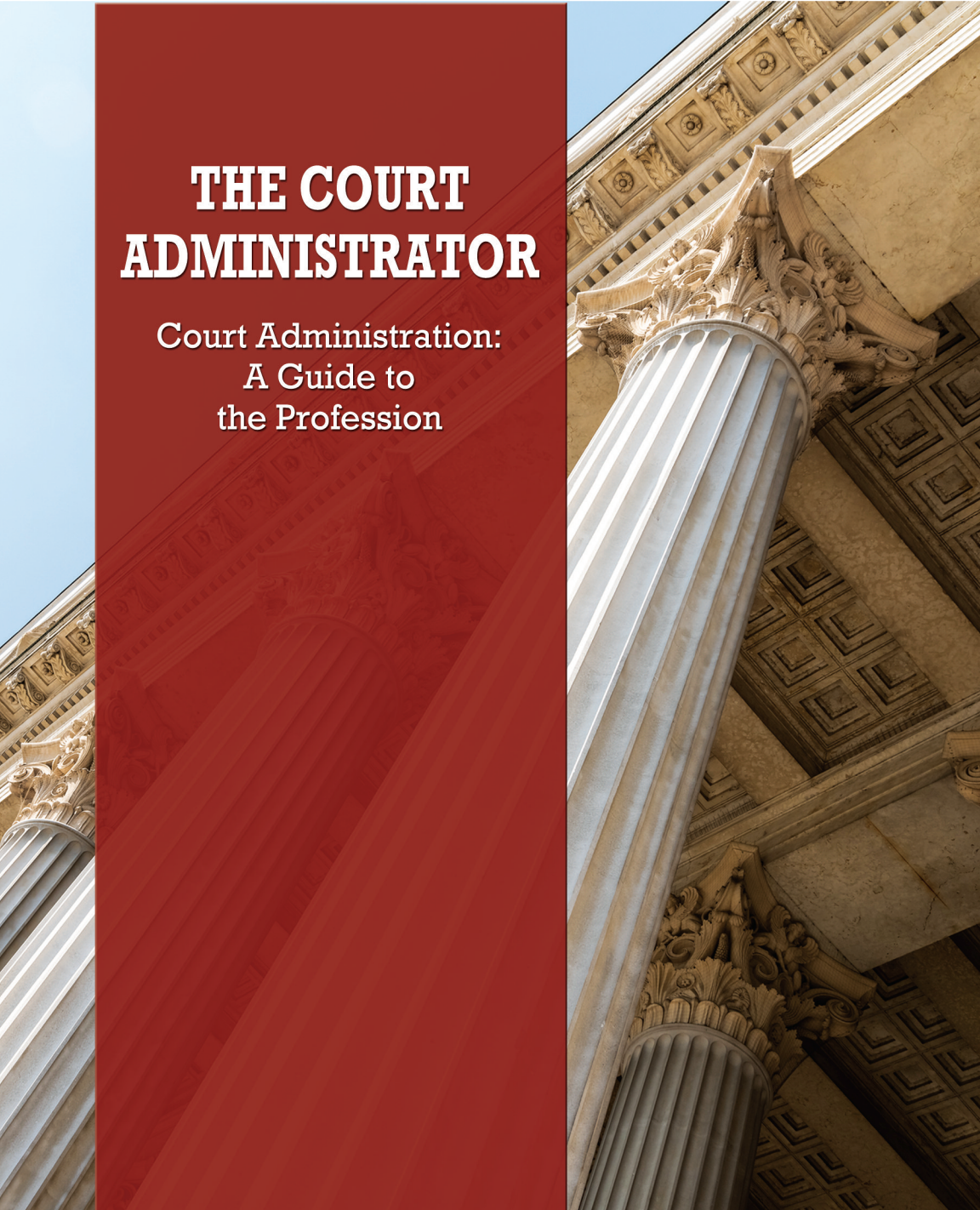




National Association
for Court Management

THE COURT ADMINISTRATOR

Court Administration:
A Guide to
the Profession



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Court Administration: A Guide to the Profession

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Introduction

The National Association for Court Management (NACM) is a non-profit organization dedicated to improving the quality of judicial/court administration at all levels of courts nationwide, with its scope expanding internationally. The purpose of NACM is to provide a forum for court professionals and more importantly to promote the fair and impartial administration of justice. The association offers court managers an ethical code of conduct that promotes professionalism and competence, as well as aids in the navigation of the independent and interdependent relationships that court professionals face. The association improves the profession through education, provides opportunities for members to exchange information and ideas, and develops publications to guide the application of best practices in court management.

Court administrators have a responsibility to identify and implement initiatives that increase the public's understanding of the judicial system and provide for equal access to justice for all. Court administrators also ensure that the independence of the judiciary as the third and independent branch of government is maintained while cultivating relationships with the other branches of government and stakeholders.

NACM has prepared this Guide to provide a better understanding of court administration for judicial officers, court professionals, and other interested parties. It describes the history and significance of professional court administration and the role of the court administrator, including the qualifications and resources for selecting court administrators.

History of Court Administration

A heightened awareness in the early 1970s of the need for professional management to direct the multi-faceted operations of courts has resulted in the profession of court administration. Over the years, court administrators have become an integral part of judicial management because the effectiveness of the judiciary resides in organizational competence. Courts must keep pace with increasingly complex caseloads and the increasing focus on the performance of the judicial system. The ability to address those and other challenges requires effective management by judges within the courtroom as well as by administrators outside of it.

In August 1969, soon after he became Chief Justice of the United States Supreme Court, Warren E. Burger observed, “The courts of this country need management, which busy and overworked judges, with drastically increased caseloads, cannot give. We need a corps of trained administrators or managers to manage and direct the machinery so that judges can concentrate on their primary duty of judging. Such managers do not now exist, except for a handful who are almost entirely confined to state court systems. We must literally create a corps of court administrators or managers and do it at once.”

As a result of Chief Justice Burger’s efforts, and those of other leaders in the field, court administrators have become an essential part of the federal, state, and local courts.

“The dignity and stability of government in all its branches, the morals of the people, and every blessing of society depend so much upon an upright and skillful administration of justice...”

– President John Adams

Why Court Administration?

Courts need professional administrators to organize and manage operational matters in conjunction with leadership from judges, just as city managers, school superintendents, and hospital administrators manage their institutions. Virtually every expert in the field of judicial administration has stressed the need for management by educated and trained professionals.

This concept of court administration has been endorsed by the American Bar Association, the National Advisory Commission for Standards on Court Organization, and many other national associations, conferences and commissions. It is a validation of the importance of strong organizational leadership. The field of court administration emanated from the growing need to professionally manage internal operations, deal with organizational system complexity, large workloads and volumes, and ever-increasing expectations for organizational performance and accountability. Court administrators ensure that those ever-increasing expectations are valued and demonstrated not only for the benefit of those external to the organization but also for those within it.

Professional court administrators may have a variety of working titles including: court or district administrator, court executive, court manager, court executive director, clerk of court, chief administrator, or court director. Professionally educated and trained administrators – thoroughly disciplined in judicial procedures and modern administrative practices, whether in practice or through universities – provide court systems with the administrative competence courts traditionally have lacked and needed. Court administrators work in an executive component or productive pair relationship with a chief

judge. The term chief judge is used in this Guide and is meant to indicate the person holding administrative oversight of the court. Some courts may refer to this as chief judge, presiding judge, administrative judge, senior judge or numerous other titles. Some courts may have such oversight performed by a governing group or council of judges.

The administrator's primary role is to facilitate the administrative functions of the court under the general guidance of their chief judge. Together, they provide the court with an executive leadership team capable of confronting issues, dealing with increased complexity, and addressing the necessity of change and innovation that characterize a modern and evolving court system.

Court administrators also fulfill roles as supervisors, managers, or leaders and each role serves a different purpose:

- Supervision, perhaps the most narrow of the roles, is the function of watching and directing a set of activities and actions, essentially providing oversight to the activity.
- Management involves coordinating the work, actions, and efforts of people to accomplish, or in support of, defined goals and objectives. Coursework on management often includes an acronym that illustrates management functions (POSDCORB); it represents the traditional duties of a manager – planning, organizing, staffing, directing, coordinating, reporting, and budgeting.
- Leadership involves higher level, and more complex, functions such as establishing a vision, promoting and sharing the vision and goals, and then providing support via information, knowledge and methods to

realize the vision. It also involves skill in anticipating or keeping current on emerging challenges, trends, and proficiencies within a profession.

At any given time, a court administrator may provide supervision, management, or leadership. It is leadership however, that is the hallmark of a professional and of the modern court administrator. These leadership abilities allow the court administrator to effectively partner with the chief judge and all judges as well as their staff, to respond to the growing demands upon a court and the increasing expectations for performance.

Court administrators may also be called upon to be innovators, “out of the box” thinkers, change agents, or even entrepreneurs. The duties of court administrators vary, depending on the jurisdiction, location, size of the court, and perhaps the particular focus of the court or division in which they are employed.

The court administrator typically functions in administrative areas, rather than legal areas, and therefore requires the specialized skills of any professional position with managerial responsibility. One chief judge stated, “We have plenty of lawyers in the court. What we need is someone who has a managerial background and knows what management is.” This Guide elaborates on skills and functions performed by court administrators, and the crucial foundational knowledge, skills and abilities detailed in NACM’s Core[®].

Relationship of the Administrator to the Bench

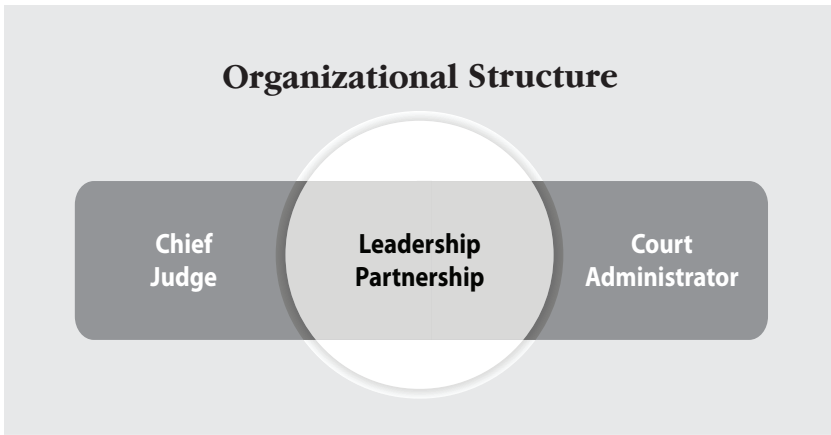
Judges and court administrators work in a complex legal environment characterized by both ambiguity

and adherence to local custom - both cultural and organizational. Within that environment, one of the most significant relationships is that between the judges and the court administrator. Judges are ultimately responsible for the court's effective administration. Frequently, constitutions and statutes make this duty clear, while at other times the duty is implied. In either case, effective administration takes place when the judicial officers and the court administrator lead the court together providing a roadmap that court staff can successfully follow. Effective systems of administration provide for the participation of all staff (to varying degrees) within the organization in the development of policy and planning for the court. Through the collaborative efforts of the court administrator and the chief judge, court policy is defined, implemented, monitored, sustained, and/or revised.

A Dual Function

The court administrator serves the dual function of increasing the amount of time a judge has for adjudication (i.e., hearing and handling cases) and bringing management knowledge and ability to the judiciary. In any court, judges must divide their time between judicial and administrative functions. With ever-present caseloads and ongoing demands for expedient case resolutions, judges often have little time to direct the daily operations of the court system, plan for the implementation of new technologies, or integrate new procedures that can improve system performance.

A court administrator, along with a chief judge (or to those the court administrator reports to), comprises the court leadership team. Some courts include an appointed or elected clerk or probation chief as part of the



senior leadership team. A court administrator can help the court develop and recommend policies and coordinated work processes that enhance system performance, while maintaining the independence of individual judges and operations. Court administrators can also develop goals for the courts, prepare and execute budgets, recognize changes in caseload or demographics that will affect court operations and funding, manage court personnel and programs for their professional development, improve jury systems, increase access to justice and services to the public, implement automated information systems, plan for facility requirements, administer systems for assessing and collecting fees, and establish procedures for handling information requests.

Court administrators are often called on to address high level issues - budgets, media, irate consumers and interagency negotiations to name a few. As such, court administrators are often the liaison between the court, the public and governmental stakeholders. Likewise, some issues facing the courts can be very delicate and

require special attention. A court with an effective court administrator working closely with their bench can successfully manage any issue or crisis. In certain matters the chief judge may not wish to be directly involved and in other matters there may be ethical considerations precluding the judge from having direct involvement; nonetheless the partnership between administrator and judge will foster solutions that will benefit the judicial system.

Chief Judges and Court Administrators – A True Partnership

The attitudes and perceptions of the judiciary, especially those of the chief judge, are of key importance to a court administrator. Likewise, the functions and performance of the court administrator are critically important to the court and should be a prime focus of the chief judge. Usually, a court administrator serves as an appointee of the entire court but is subject to the supervision and direction of the chief judge. In addition, many functions performed by a court administrator were traditionally duties of the chief judge. Therefore, the perspective of the chief judge regarding the court administrator's role will determine (to a great extent) the particular duties of the court administrator in actual practice.

For instance, if the chief judge views the functions of the court administrator as those of a member of the leadership team – rather than as separate and supportive of his or her own functions – the judge may be more likely to entrust the administrator with broad responsibilities. In this situation, a chief judge sees the court administrator as a professional and as the main source of support, advice, and information on managerial matters facing the court. The chief judge and the court administrator

can increase each other's effectiveness by establishing a relationship based on mutual respect for one another while utilizing the unique skills each brings to the task at hand. If the courts are not already functioning in this way, this is where they ought to be as high-performing organizations.

Job Success Factors

The court administrator's success in assuming administrative and managerial responsibility for the court's operational activities and institutionalizing a high-performance approach within the court depends on several factors. The court must actively support the administrator. Acceptance and support for the position are achieved most easily when the role of the court administrator is well-defined. The judges must be willing to entrust the court administrator with those duties that do not involve legal decisions. The judges should understand that assigning duties and responsibilities does not constitute a loss of control. As policymakers, they collectively manage the activities of the court administrator and, through the administrator, the administrator's staff and all court personnel. Judges will discover that their knowledge of court operations will increase because a professional administrator provides an excellent communication link. The success of a court's administrator depends on a clearly defined role, acceptance by the judges, good communication between the court administrator and others in the court system, and the competencies of the individual fulfilling that role.

Selecting a Court Administrator

Having made the decision to employ a court administrator, the court needs to answer the following questions:

What exact functions does the court want the court administrator to perform? What knowledge, skills, and abilities will suit the court? What competencies and traits are important to the success of the court? What role does the administrator play in the court organization? It is essential that the court clearly address these questions and identify the role and duties expected of the court administrator and publish them in the job announcement.

There are as many titles for “administrator” as there are courts and people in these roles. The title reflects the scope of responsibility and authority the court assigns to the role and the title should be closely aligned with the job description and position title. Ideally, the court administrator will combine the technical skills of a manager with the knowledge of public administration and an understanding of the duties and issues typical in the courts.

Specifically, the court administrator should have completed considerable study of public and/or business administration or have practical experience in these fields. To this end, many courts require that a court administrator hold a degree in business, public, or judicial administration and/or be a graduate of the Fellows Program of the National Center for State Courts’ Institute for Court Management (ICM) or have certification from a similar program. In addition, the court administrator should be familiar with courts and government as well as with organizational and operational management. If the position manages personnel, prior management experience should be required.

A court administrator may be selected by a process that includes a majority vote of all the judges in a multi-judge court. In very large urban courts, a selection committee chaired by the chief judge and a representative of

the entire bench can select and/or recommend to the entire bench the hiring of an administrator. The position of court administrator is the most important administrative position in the court; therefore, each judge should participate in the hiring process, to the extent practical.

Many courts delegate appointment and removal authority to the chief judge. Because the court administrator serves the entire court, a policy of majority appointment and removal ensures continuity and insulates the court administrator from decisions that arise from a short tenure as chief judge or rotation from that role, if and when a change of the chief judge occurs. The court administrator's term is usually indefinite as a court administrator typically serves at the pleasure of the court.

A nationwide search for a court administrator ensures a diverse pool of qualified candidates. The National Center for State Courts (NCSC), which provides secretariat services to selected professional organizations such as NACM and the Conference of State Court Administrators (COSCA), maintains a list of job openings. Other recruitment avenues (search firms, job boards, job posting sites, and recruiting sites) should also be considered and used to ensure broad outreach to qualified candidates. The process is time-consuming and there are benefits and weaknesses with each type of process and with each outreach resource utilized.

Preferred and Minimum Qualifications

The years of experience sought should be based on the size and structure of the court organization. In some instances, the job announcement will note a minimum number of years of experience required, and preferred qualifications often will be stated. The position frequently will require a number of years of progressively

responsible management experience. Examples of qualifications may include: a graduate degree in judicial administration, public administration, public policy, business administration, or law with management experience in a court for multiple years, with proven competency in administration and management.

Core Competencies of a Court Administrator

As part of an organized profession, NACM members endeavor to demonstrate certain qualities attributed to a profession; they include specialized knowledge and education, a code of professional ethics, and expected standards of performance.

NACM has asserted that a court administrator should have these qualifications:

- Administrative ability demonstrated by substantial experience in progressively responsible management positions in government or the private sector;
- Experience in current business and management techniques, including use and implementation of case management automation and information technology;
- A demonstrated ability to observe, identify issues, gather data, analyze and offer recommendations to improve court administration, implementing when approved;
- Good judgment, understanding, and being tactful and effective in maintaining working relationships with other courts and with local, state, and federal government officials, members of the Bar, and the public;

- High-level of willingness to cooperate with and have trust in justice partners and stakeholders;
- The ability to conduct conferences and meetings and communicate clearly in writing and speech to employees, judges, representatives of government agencies, industry, and the public;
- Formal training and educational qualifications in court administration and managerial experience, in addition to familiarity with court procedures and functions;
- Creativity, leadership, planning ability, organizational skills, initiative, decisiveness, and dedication to make productive changes in the unique court environment;
- Ability to understand, promote and model high ethical standards;
- A fundamental understanding of Constitutional principles and adherence to the court's purpose and goals as a separate branch of government;
- Ability to follow as well as lead in the implementation of policies created by the judiciary; and
- Respect for the requirements of confidentiality and loyalty when entrusted with the confidence of judges.

In 2015, NACM released the Core[®] updating the long-standing core competencies that, for over twenty-five years, provided the foundation of national, state and local court management educational programming. The field of court management has become increasingly professionalized and diverse. With increasing responsibilities, new demands, and changes in the environment in which court administrators work (e.g., political, economic, and technological), NACM recognized a need to review and update the original competencies. The



Core® is intended to be forward-looking to encourage not only competencies for professionals working in court administration but also to promote excellence in the administration of justice.

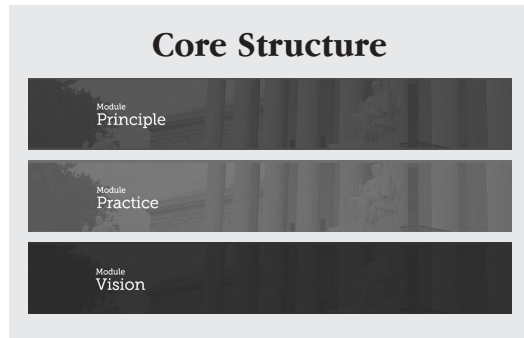
What Are Core Competencies?

Being a competent court administrator means that an individual has a demonstrated capacity to carry out required responsibilities in a manner that is consistent with producing effective performance. The Core® is designed to help court administrators become court leaders who understand what it means to demonstrate capacity in all aspects of court administration. Overall, the Core® is a comprehensive and detailed description of what individuals working in the field of court administration need to know and effectively be able to do. The Core® is not intended to be static indicators of performance but rather dynamic and adaptable to different types and levels of courts.

Court leaders, managers, and their staff will find the Core® is organized to reflect the types of knowledge and skills needed to be effective at all levels of court management. Recognizing that the Core® provides an opportunity to assist both young professionals new to the field, as well as those looking to advance in the field and improve their overall performance. NACM's approach provides a roadmap for the profession of court administration—from the foundational knowledge essential to every individual in court management to the more complex and advanced areas required to be an effective manager and court leader.

As such, the Core® is organized into three modules: **Principle**, **Practice**, and **Vision**. Within each are

competencies an individual requires to be an effective staff member, manager, or court leader, whether in a current position or advancing to positions of greater responsibility and authority.



The **Principle** module focuses on the fundamental and enduring principles that every person working in the courts should be knowledgeable of and demonstrate competency in, regardless of the individual functions or tasks they perform for the court. The competencies within the Principles module are relevant at all experience levels—whether as a newly hired employee, a seasoned professional moving into the courts from other disciplines or agencies, or as a long-time member of the court community.

The **Practice** module defines the competencies that a court leader should have to effectively perform both the day-to-day and long-term functions of the position. Although not every court leader will individually be responsible for performing each specific function, it is important to have an understanding of why the function is important, what critical skills are needed to be effective, and how to apply the skills.

The competencies in the **Vision** module detail what a court leader needs to be able to do to effectively develop and manage a strategic vision for the court. Court leaders must be able to identify and address emerging issues that have an impact on the administration of justice, and

they must be able to navigate changing political and economic environments. To perform these functions, the court leader must demonstrate creativity, determination, drive, conceptual and analytical skills and the ability to execute. These traits position the court leader to work with judicial officers and other system leaders as part of a leadership team, to assess and respond to trends and to promote overall court capacity and effective court governance.

Application and Use of the Core Competencies

The Core® is designed to provide a framework of the critical competencies needed to be an effective staff member, manager, or court leader regardless of the type of court in which a person works. The Core® can be used by the court administrator in many different ways:

For individual professional development

- By individuals within the judicial system to evaluate their own competence
- By individuals to advance their competency levels to promote individual growth and development into a court manager, or other leadership positions

For staff development

- As an orientation tool for new staff members
- As a tool for identifying areas of deficiency or gaps in competence within the office as a whole

For advancing the field of court administration and management

- As a guide for national training programs in court administration

- As a measure of how the profession is changing over time

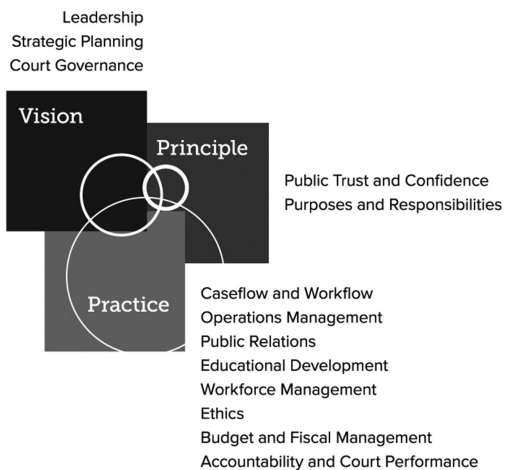
Regardless of how the Core[®] is used, it has been structured to provide consistent information across all competencies. This consistent structure defines and reviews the indicators of competence and also how the competency is demonstrated in the daily responsibilities of the court administrator. These competencies of the Core[®] include:

Public Trust and Confidence

Public trust and confidence is integral to the credibility of the judicial branch. To be effective at managing trust and confidence, court leaders must be able to maintain an organizational culture that fosters integrity, transparency and accountability for all court processes and proceedings.

Purposes and Responsibilities

While the Purposes and Responsibilities competency requires knowledge of and reflection upon theoretical concepts, their history, and development over time, it is practical in nature. The Purposes and Responsibilities competency gives meaning to court



management and the other twelve competencies in the Core[®]. The other competencies are defined by Purpose. Purposes and Responsibilities guide courts on how to achieve their overarching mission of the administration of a fair and accessible system of justice.

Caseflow and Workflow

Caseflow Management is the process by which courts carry out their primary function of moving cases from filing to disposition. The management of caseflow is critical because it helps guarantee every litigant receives procedural due process and equal protection. This also requires the balance of individual justice in individual cases and justice delayed is justice denied. Workflow management involves the coordination and support of all tasks, procedures, resources (human and otherwise) necessary to guarantee the work of the court is conducted efficiently and is consistent with the court's purposes and responsibilities. An effective court administrator understands that effective caseflow and workflow management makes justice possible both in individual cases and across the judicial system.

Operations Management

Court administrators must manage and support complex environments which are comprised of an array of departments, units and functions that need to be maintained on an ongoing basis to support court operations. The range and nature of these functions and activities varies significantly, depending on court jurisdiction; and the unique ways individual courts are organized and operate. Regardless of the nature of the court (urban or rural, large or small, general or limited jurisdiction,

specialty or problem solving, federal, tribal, administrative, or international), these elements of operational management are vital and court leaders will have some level of responsibility. Effective court leaders understand the court's operations and, regardless of who has formal authority over them, work to ensure they are well managed. Among the operational areas (not included in other Core® areas) are jury oversight, facility management, security, space planning, emergency preparedness, technology oversight, records management, and information technology responsibilities.

Public Relations

If the courts are to be accessible, open, responsive, affordable, timely, and understandable, courts must learn from and educate the public. To interact effectively with the public, court leaders must understand the impact the media can have on forming the public's understanding and perception of the courts. Understandable courts, skillful community outreach, effective intergovernmental relations, and informed public information all contribute to improved court performance and enhance public trust and confidence in the judiciary.

Educational Development

Educational development can help courts improve court and justice system performance to achieve their desired future. Education development programs are aimed at judicial and court administration staff, especially those in and aspiring to leadership positions and many others with whom the court interacts, both internal and external to the courts. Because judicial branch education helps bring about all other competencies and helps

courts maintain balance between the forces of change, enduring principles, and predictable processes, court leaders take responsibility for it. Judicial branch education needs to be strategic and emphasize education and development.

Workforce Management

Courts need people who are competent, educated, professional, ethical, and committed. Effective human resource management not only facilitates exceptional performance it also increases morale, and the employee's perception of fairness and self-worth. People who work in the courts take on an important role and are held to a high standard. With proper leadership, court human resources management contributes to a meaningful work environment.

Ethics

Ultimately effective court leadership requires ethical actions. Court leaders must be ethical in order to preserve the public's trust and confidence in the judiciary and the rule of law. At a minimum, court leaders must uphold the ethical standards demanded of the citizens, but court leaders must also maintain a higher ethical standard as stewards of judicial administration and the institution of the courts. Ethics are the expression of a personal and professional commitment to the principles of citizenship and justice.

Budget and Fiscal Management

The acquisition, allocation, and management of a budget impacts every aspect of court operations and can

determine how well a court can achieve their mission. Resources are rarely sufficient to fund everything of value to courts, but when resource acquisition and allocation are skillful, courts have the opportunity to preserve their independence as the third branch of government, and build and maintain public trust and confidence.

Accountability and Court Performance

Court leaders are accountable to both the judiciary and the public to maintain a high performing court, which means court administrators must be able to measure and manage performance. This may include actions to monitor case management systems and provide research and advisory information. The skillful collection and analysis of case management information ensures that court leaders are able to factually demonstrate through data the actual performance of caseflow management in a court. All court organizations want better outcomes, and the best way to achieve better outcomes is by measuring the performance of processes that support court programs and related services, and then utilize the data to make improvements. Accountability and performance management is a process that allows the court to answer questions such as:

- How good are we at achieving our goals and objectives?
- Are we improving?
- What do we define as success? And, how do we know we've achieved it?

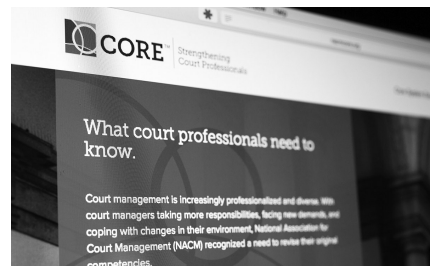
Leadership

Effective court leaders create, implement, and nurture a clear and compelling vision for the court, bringing a

strategic perspective to their work, while staying attuned to daily operations. The combination of leadership and proactive management enable the court to fulfill the public's trust in the judiciary through service and adherence to the rule of law. The effective court leader is ultimately measured by the judiciary's performance in key areas: procedural due process, the protection of rights, transparency, access to justice, the stewardship of scarce resources, and the achievement of timely justice in individual cases. Effective court leadership delivers on these promises through a well-defined and fully operational governance structure. Leaders in the courts may take a variety of roles as an innovator, motivator, communicator, collaborator, visionary, strategist, and diagnostician.

Strategic Planning

Strategic planning is a process that involves principles, methods, and tools to help court leaders decide what to do and how and when to do it. The strategic planning process is directional and linear. Strategic planning translates the court mission, core functions, and the vision into plans and action. Strategic planning invites court leaders, their justice partners, and the community, first to imagine and then to deliver the future they prefer.



Court Governance

Court Governance is the framework by which courts operate, managing day-to-day operations and developing long term strategies. Effective court governance provides

consistency and predictability of operations, increases transparency and accountability, and promotes meaningful input into the decision-making process. It is essential as it supports judicial independence, enhances public trust and confidence in the courts, and improves the overall administration of justice.

To learn more about the Core[®] visit the Core website – <http://nacmcore.org>.

Why Participate in a Professional Organization?

NACM is the largest court management association of its kind and is an organization for court professionals. It was formally established in 1984 by consolidation of the National Association of Trial Court Administrators (NATCA) and the National Association for Court Administration (NACA), officially merging in September 1985.

NACM provides professionals in the field of court management with the tools and resources necessary to succeed in a rapidly changing environment. One of NACM's objectives is to distribute information received from scholars, technicians, researchers, and experienced court administrators.

The ranks of the association are comprised of a wide range of leaders from all types of courts, a number of whom have pioneered innovative systems for resolving major administrative problems. Members include judges, supervisors, managers, human resources directors, educators, researchers, students, and a variety of other professionals working in and around courts.

Through participation at meetings and via correspondence, publications, and standing committees, NACM

members network, innovate, and solve problems of court operations. Members are kept informed of developments in the field through the *Court Manager*, NACM's official quarterly publication, and the *Court Express*, a bimonthly electronic newsletter. NACM also publishes many other guides on topics of interest, posts information on its website, and conducts periodic surveys to monitor trends in the court and profession and provide detailed reports on the findings to its members.

Among NACM activities are conferences, webinars, and educational programs. The highlight of each conference is the educational program. Meetings of the association's committees, the annual business meeting, and the election of board members are also conducted. NACM's work on professional administrator competencies provided the foundation of the ICM program and complements others such as the Michigan State University Judicial Administration Program and court administration curricula in universities throughout the country. Altogether, they represent landmarks in the movement that now recognizes the profession of court administration and court management.

NACM partners with many other organizations and associations all of whom share a common goal of improving the quality of judicial administration. These professional associations operate at the national, regional, and state levels and represent courts of every type, whether federal, state, or local. Those seeking information on NACM partnerships, educational offerings, and topics related to court administration can visit the website – www.nacmnet.org.

“We need to promote the concept of management in the courts as a noble calling. Both the art and the science of management are essential ingredients in ensuring the administration of justice.”

***– Sandra Day O’Connor (Retired)
Associate Justice, US Supreme Court***

Model Code of Conduct for Court Professionals

NACM recognizes the importance of ethical conduct by its members in the administration of justice. NACM members hold positions of public trust and are committed to the highest standards of conduct. NACM members observe these standards of conduct to preserve the integrity and independence of the judiciary. The NACM Model Code of Conduct embodies a dedication to upholding and increasing the public’s confidence in the judicial branch of government and also reflects a commitment to promoting integrity within the association and profession.

“Ethics is knowing the difference between what you have a right to do and what is right to do.”

– U.S. Supreme Court Justice Potter Stewart

The NACM Model Code of Conduct follows, in summarized form. The Model Code of Conduct may be found at <http://www.nacmnet.org/ethics/index.html>. Included are definitions, comments, real-life scenarios and expanded commentary on aspects of the Model Code. Links are included to provide information about other pertinent codes.

NACM Model Code of Conduct for Court Professionals

Canon 1: Avoid Impropriety and the Appearance of Impropriety in All Activities

1.1 - Performance of Court Duties	Work diligently, efficiently, equitably, thoroughly, courteously, honestly, truthfully, and with transparency. Carry out properly issued court orders and rules, and act within the court professional's authority.
1.2 - Avoid Impropriety	Avoid improper influences and activities that would impugn the dignity of the court.
1.3 - Fairness	Conduct work without bias or prejudice.
1.4 - Respect of Others	Treat those interacting with the court with dignity, respect, and courtesy.
1.5 - Involvement in Actions Before a Court	Notify authority when self or other personal relation is arrested, named as a party, or otherwise formally involved in any action pending in any court.
1.6 - Avoid Privilege	Use official position solely for intended purpose and do not exploit access to judges and court.
1.7 – Assist Litigants	Respond to inquiries regarding standard court procedures and provide legal advice only if part of official duties.

Canon 2: Perform the Duties of Position Impartially and Diligently

2.1 - Independent Judgment	Avoid relationships that impair impartiality and independent judgment, and remain vigilant of conflicts of interest.
2.2 - Personal Relationships	Recruit, select, and advance personnel based on demonstrated knowledge, skills, and abilities. Avoid supervising or influencing the hiring or advancement of personal relations. Constantly monitor work relations with personal relations and take remedial action at earliest sign of problem.
2.3 - Misconduct of Others	Expect colleagues to abide by these canons and report violations.

2.4 - Attempts at Influence	Immediately report any attempt to compel violations of these canons.
2.5 - Properly Maintain Records	Do not inappropriately destroy, alter, falsify, mutilate, backdate, or fail to make required entries on any records within the court's control.
2.6 - Legal Requirements	Maintain legally required confidentialities of the court and disclose information only to authorized individuals.
2.7 - Discretion	Be respectful of the personal lives of both employees and those involved with the court system. Only use and provide information that is verified and within the parameters of disclosure.
2.8 - Proper Use of Public Resources	Manage resources, property, and funds judiciously.

Canon 3: Conduct Outside Activities to Minimize the Risk of Conflict with Official Position

3.1 - Outside Business	Avoid outside activities that reflect negatively upon the judicial branch and on one's own professionalism. Maintain clear boundaries between court work and other professional/personal interests.
3.2 - Compensation and Post-Employment Restrictions	During or following employment with a court, do not engage in business with same court unless both the employment and commercial interests are fully disclosed to and approved by the court.
3.3 - Avoid Gifts	Do not solicit, accept, agree to accept, or dispense any gift, favor, or loan that would influence an official action of the court.
3.4 - Financial Disclosure	Disclose all financial interests and dealings required by law, rule, or regulation.

Canon 4: Refrain from Inappropriate Political Activity

4.1 - Refrain from Inappropriate Political Activity	Participation in political activity, including campaigning for a court position, is limited to non-court hours, using only non-court resources. A court position should be resigned if there is a conflict of interest, or interference with the performance of duties.
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Court Administration Internationally

Courts around the world perform the critical function of upholding the rule of law in the administration of justice. Each court system represents a diverse set of mandates, structures, and organization, reflecting the different cultures, history, legal traditions, and needs of each nation. In addition, there are several international courts and special tribunals for specific situations. Courts around the world rely on effective court administration to succeed, thus the demand for professional court administrators exists globally.

NACM has a strong tradition of collaborating and supporting international court administration through both partnerships and the individual efforts of NACM members who perform consulting and technical assistance projects worldwide. Resources are available on the NACM website: <https://nacmnet.org/international>.

The Future of Court Administration

In order to be successful, court administrators will need to focus on collaboration and dialogue with all aspects of the justice system and other professionals. They will increasingly deploy and use technology to perform court functions and satisfy the expectations of the public. Future court administrators will be required to navigate interdependencies that accompany complex organizational structures. They must successfully manage inherent system intricacies, continually evaluate and reengineer processes for efficiencies, economies of scale, and operational improvement, and be adept at change management to master these collaborations.

Generational changes will influence how the courts are managed. Court administrators and thus court administration will be led by millennials who were inspired from a young age to collaborate, innovate and share. The foundation will be built upon skills of leading teams, entrepreneurial spirit and collaborative networking with high capacity of being an integrator with a high level of specialization in a technical world. The evolution of court administration and the need to meet the expectations of a new workforce of the future requires the need to recognize that multiple viewpoints are better than one and that micro-managing and negative feedback stifles creativity. The building blocks for the future of court administration and court managers are:

- **Transparency** – judicial employees must be able to apply the values of, and have line of sight and involvement in, the vision of the court organization.
- **Flexibility** – successful court organizations and court managers have to have the capacity to embrace change.
- **Collaboration** – newer generations are growing up on social media and have a more collaborative approach to work – moving from the top-down structure and embrace a flatter management and reporting structure.
- **Empowerment** – jobs/careers and personal life are an integrated pair of experiences that foster collaboration and innovation, court leaders ought to nurture their sharing personalities.
- **Host (Not Hero)** – the role of the court manager is more like a host than a hero—drawing people together around an issue or challenge, engaging them and getting results through others.

The NACM National Agenda

Developed through research and input from state association leaders and NACM members, the NACM **National Agenda** established a set of priorities designed to be a “touchstone” for NACM’s leadership in its education, training, and advocacy that are intended to drive NACM priorities. Court administrators will benefit from becoming familiar and keeping apprised of these NACM strategies. Full content and narrative may be found on the NACM website.

NACM Membership

Membership Benefits Include:

- Continuing education opportunities for court professionals
- Reduced conference fees to NACM’s annual and midyear conferences
- Networking opportunities with professionals who share your values, concerns, and interest in improving the quality of justice
- Conference live-streaming and recorded educational programs
- Conference, Graduate Studies and ICM Scholarships
- Mentoring opportunities



NACM Members Receive the Following:

Court Manager, a quarterly publication that provides members with useful articles and research specifically covering issues relevant to court managers.



Court Express, a quarterly electronic publication that contains “nuts-and-bolts” information on court projects, while keeping members informed of changes in the profession.

Guides, annual publications that provides members with an in-depth review of various topics related to judicial administration.



For more information visit
<http://nacmnet.org/court> administration.



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A Professional Organization For Those Who Manage and Support Courts

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Membership Rates

Joining or renewing a regular membership?* Save \$10 at www.nacmnet.org.

Consider a multi-year membership.* Save \$15 per year of payment.

Payment Information

Send application and payment information to: National Association for Court Management, c/o National Center for State Courts, 300 Newport Avenue, Williamsburg, VA 23185. You may also join online at www.nacmnet.org. **Make checks payable to NACM** in U.S. dollars.

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