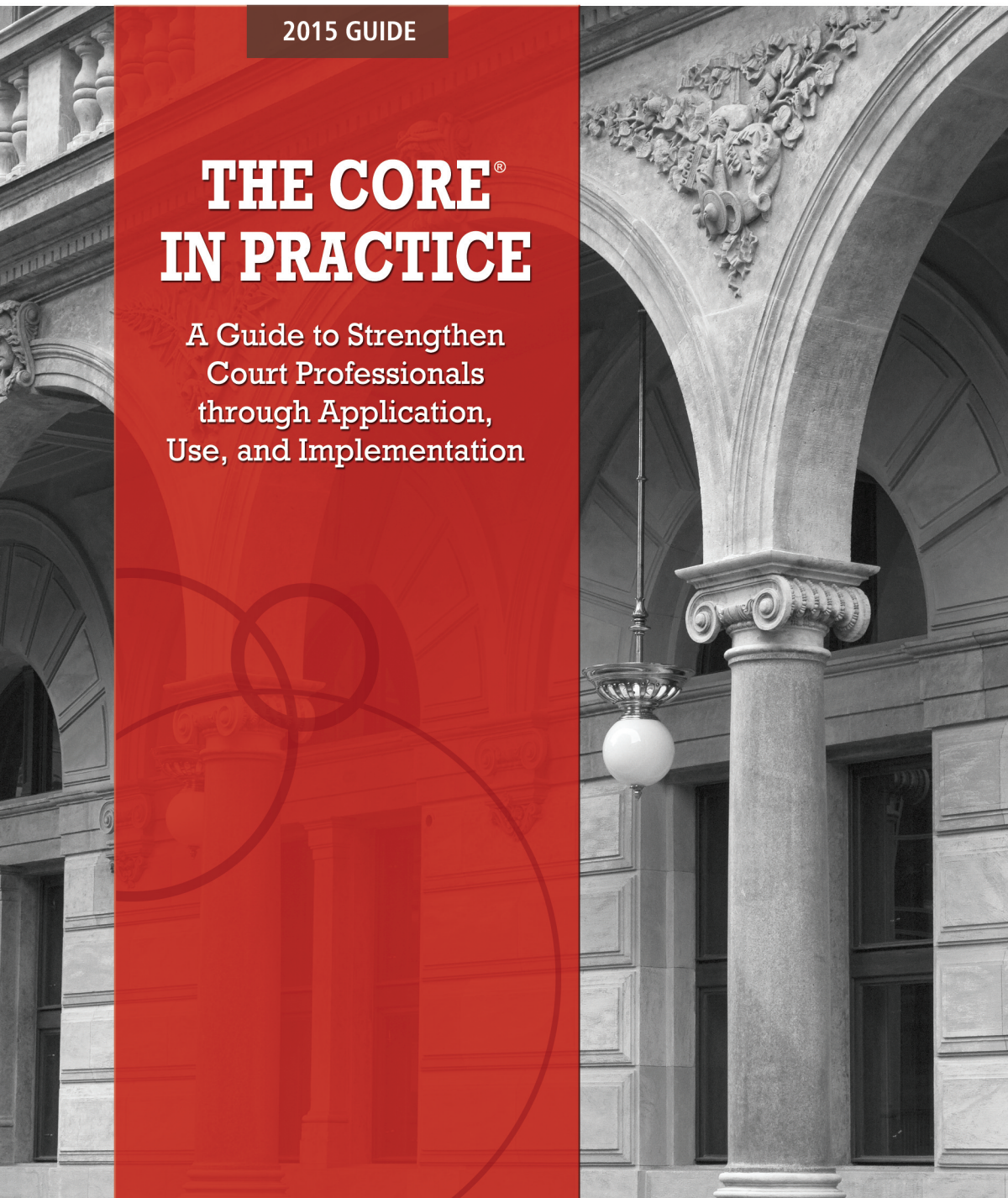CORE®
National Association
for Court Management

THE CORE® IN PRACTICE

A Guide to Strengthen Court Professionals through Application, Use, and Implementation

CORE | National Association for Court Management

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*THE CORE
IN PRACTICE*

*A Guide to Strengthen
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A Guide to Strengthen Court Professionals through Application, Use, and Implementation

PURPOSE

This Guide is a brief primer on what is contained in the Core and the multitude of ways it can be used to benefit courts through application, use, and implementation. Competent court professionals demonstrate the capacity to carry out required responsibilities in a manner consistent with effective performance. The NACM Core assumes that the essence of court leadership and professionalism includes a dedication to lifelong learning and continuous self-development. This Guide provides a tool to engage the Core in this effort through the development and strengthening of individuals and teams; organizational governance and growth; and improving business practices.

HISTORY OF NACM'S COMPETENCIES

The Core is based on a foundation of NACM member input and the desire for professional development and education relevant to daily practice and reflective of the wide range of court professional responsibilities. Through NACM's research and work, a set of competencies was developed and designed to provide information on the knowledge, skills, and abilities that court professionals should possess for effective individual and court-wide performance.

NACM's competencies have been in use and practice for over 25 years, setting a standard of proficiency that further defined the court management profession and provided the basis for the development of local, state, and national educational and certification programming.

NACM's competencies have been in use and practice for over twenty-five years, setting a standard of proficiency that further defined the court management profession and provided the basis for the development of local, state, and national educational and certification programming. Based on a field of court administration that has become increasingly professionalized and diverse, NACM reviewed and revised the competencies over a three-year period from 2012–2015, through the financial support of the State Justice Institute (SJI). The end product, the Core, represents the multitude of changes that have occurred in the profession and is intended to be forward-looking to encourage not only competencies for professionals working in the field of court administration but also to promote excellence in the administration of justice.

AUDIENCE

The intended audience for this Guide is comprehensive and wide-ranging. NACM envisions broad interest in this Guide to include all leaders and aspiring leaders within the judicial system, e.g., trial court administrators, elected officials, division managers, judicial educators, court consultants, public information officers, judges and judicial officers, judicial system planners, and strategists.

APPLICATION

The Core is designed to provide a framework of the critical competencies needed to be an effective court employee, manager, or court leader regardless of the type or size of court in which a person serves. The Core is designed for all levels within the judicial system and can therefore be used in a variety of ways to include:

Individual professional development
- By individuals within the judicial system to evaluate their own competence

> *The Core is designed to provide a framework of the critical competencies needed to be an effective court employee, manager, or court leader regardless of the type or size of court in which a person serves*

- By individuals to advance their competency levels to promote individual growth and development into a court manager or court leader position

Court member development

- As an orientation for new staff members
- As a tool for identifying areas of deficiency or gaps in competence for the self-aware professional and for the development of others as well as within the office as a whole

Advancing the field of court administration and management

- As a guide for local, state, and national training programs in court administration
- As a measure of how the profession is evolving over time

CORE OVERVIEW

The Core[1] defines what an effective court leader does to achieve excellence. It is both a map for reaching these goals and a lens through which to view the profession. It is composed of those immutable principles that serve as a conceptual foundation and the strategic priorities of the present-day justice system. It is valuable for us personally, for our courts as organizations, and for our collective profession.

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[1] *See* the Core website at http://nacmcore.org/.

Most importantly, the Core is ultimately valuable to the public because it enhances individual and corporate understanding of the primacy of justice in our

society. This understanding is reached through mastery of the competencies as defined within the three Core modules – **Principle, Practice,** and **Vision.**
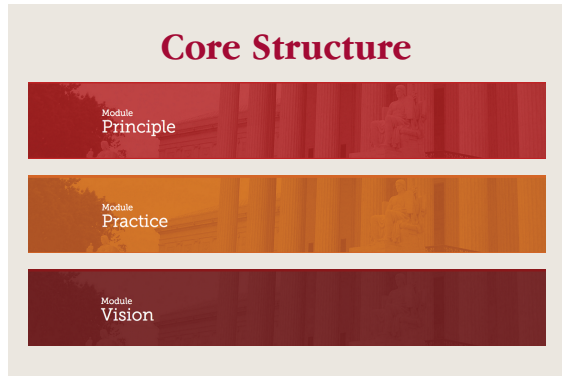
The **Principle** module focuses on the fundamental and enduring principles that every person working in the courts should demonstrate competency in regardless of their position. The competencies within this module include:

– *Purposes and Responsibilities:* emphasizing the concept that courts exist to do justice, guarantee liberty, enhance social order, resolve disputes, maintain the rule of law, provide for equal protection, and ensure due process of law; and

– *Public Trust and Confidence:* underscoring the idea that the strength of the judicial system rests largely on the trust and confidence the public, and other agencies, have in a system that fosters integrity, transparency, and accountability.

The **Practice** module defines the competencies that a court leader should have to effectively perform the day-to-day and long-term functions of the position. The competencies within this module include:

– *Caseflow and Workflow:* establishing the need to develop and institutionalize processes that promote fair and timely resolution of all cases; and

– *Operations Management:* acknowledging that courts are complex organizations comprised of an array of units and functions, which extends to managing courtroom operations, jury functions, information technology, the management of records, court reporters, interpreters, court security, business continuity and other related court services to ensure effective court operations; and

– *Public Relations:* focusing on the importance of an open and transparent system to promote public trust and confidence and the collective interest of court leaders to increase the public's understanding of the courts; and

– *Educational Development:* facilitating the process of transformative learning, which is important in fostering skilled and well-trained court employees and leaders who are creative and diligent in supporting traditional legal processes and responding to the changing demands on the administration of justice; and

– *Workforce Management:* conceptualizing the need to attract, engage, and retain a diverse workforce knowledgeable of relevant laws and legal processes who can measure and manage performance and service expectations; and

– *Ethics:* demonstrating the significance of a personal commitment to the principles of citizenship and justice, which supports the fundamental purpose and responsibilities of courts as a coequal branch of government; and

NACM® CORE

Module PRINCIPLE

While the specific functions court leaders perform and the environments in which they work varies significantly, fundamental and enduring principles serve as the foundation for the profession. Competencies in this module outline those principles.

Competencies:

Public Trust and Confidence • Purposes and Responsibilities

Module PRACTICE

These competencies relate to both daily and long-term functions court leaders must perform, either individually or in collaboration with others. Not all court leaders will individually perform all of the functions associated with these competencies but they should be aware of their relevance, the key skills they entail and their application, as appropriate, to their specific roles in the courts.

Competencies:

Caseflow and Workflow
Budget Resources and Fiscal Management
Public Relations
Operations Management
Ethics • Accountability and Court Performance
Educational Development • Workforce Management

Module VISION

The competencies included in this module focus on the creation of a strategic vision for the court. To perform this function, the court leader must demonstrate creativity, stamina, 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.

Competencies:

Leadership • Strategic Planning • Court Governance

– **Budget and Fiscal Management:** conveying the necessity of securing and maintaining the resources necessary to provide a multitude of mandated functions, special programs, and public safety initiatives that impact communities at an optimal level; and

– **Accountability and Court Performance:** asserting the essential need for accountability and court performance through organizing, collecting, and analyzing information and communicating performance data to the judiciary, other branches of government, and the general public.

The **Vision** module details what a court leader needs to be able to do to effectively develop, manage, and lead a strategic vision for the court. The competencies within this module include:

– **Leadership:** supporting the need to create a vision resulting in commitment to a common course and preferred future; and

– **Strategic Planning:** promoting the development of a strategic vision by establishing a strategic course, communicating that direction to internal and external stakeholders, and engaging them to work collaboratively toward achieving the organization's mission; and

– **Court Governance:** providing the framework for court leaders to manage and control court operations with consistency and predictability leading to performance levels based on established standards.

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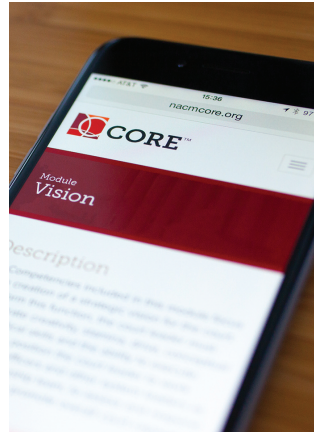
The Core is a critical means of ensuring that court professionals are dedicated to inspiring, supporting, and guiding the court's organization and people to achieve the important purposes of the judiciary. Leaders are focused on ensuring that citizens' constitutional rights are protected, that each case receives individual justice, that procedural due process is honored, and that the rule of law is preserved and enhanced. We are indeed fortunate to have this worthy calling.

APPLYING THE CORE

The competencies within the Core facilitate the process of transformative learning, which is imperative in fostering skilled and well-trained court leaders who are creative and diligent in supporting traditional legal processes and responding to the changing demands on the administration of justice. Focusing on competencies within the Core can help courts improve overall system performance and achieve their preferred future, but it is a difficult process. Courts must maintain the rule of law through enduring principles and predictable processes while also responding to powerful forces of change that are shaping society and impacting our nation's courts.
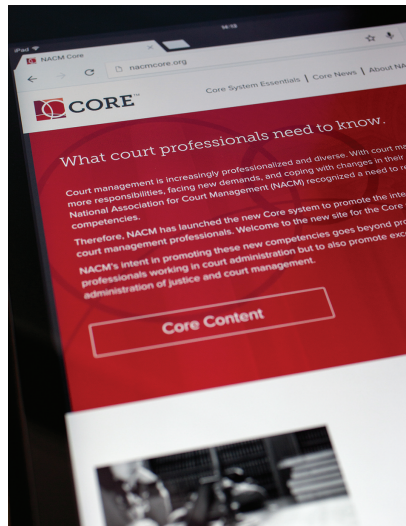
Judicial Branch Education

The penultimate goal is excellent court and justice system performance. One means to achieving this outcome is professional development of judges and court staff (especially those in and aspiring to leadership positions), and other

> *Court leaders who understand adult-learning concepts, the availability and viability of differing delivery methods, and the applicability of different learning styles and preferences can more effectively oversee professional development.*

justice system partners both inside and outside the legal environment. The term judicial branch education (JBE) seems very appropriate in this context. Because JBE helps courts maintain the delicate balance between the forces of change and its enduring principles and predictable processes, it cannot be remedial and limited to training events. Rather, it is strategic and integral to overall professional development and talent management.

Court leaders who understand adult-learning concepts, the availability and viability of differing delivery methods, and the applicability of different learning styles and preferences can more effectively oversee professional development. As we consider applying the Core, let's look deeper into the meaning of "competence." Experts emphasize two aspects of competency that are critical to understanding and effectively applying it in the real world. First, competence is not related to or associated with the individual, but rather to performance of a task or job. In fact, it is meaningless to talk about competency outside of this context. Second, competency relates to behavior. The literature suggests that competencies are linked to deep, enduring aspects of an individual's personality that can predict or cause behavior and impact performance. They indicate the ways in which people are able to think and generalize across situations. True competencies focus on intentional behavior, rather than simply on a person's knowledge, skills, or abilities. After all, even the most brilliant or highly skilled people bring little value to the court unless they can translate that knowledge and skill into action that supports both judiciary and organizational effectiveness. Therefore, a

person's behavior provides a lens through which others can better see how competent that person really is.

The bottom line: competency is both job- and behavioral-based. Considering both aspects helps us better understand and apply competencies to improving individual court staff and full court performance. The Core can help shed light on how this level of understanding differs from the way competencies are viewed and used in court governance today.

Professional Development

Professional development can help courts improve performance and achieve their mission and vision. The Core can be used for both individual and team development. While both will be discussed in more detail later in this Guide, specific suggestions follow:

Individual Professional Development
- Self-assessment of personal strengths and weaknesses
- Basis for selecting appropriate educational programs
- Foundation for improvement of individual performance
- Enhancement/fulfillment within current role
- Preparation for promotional opportunities

Team Development
- Identification of team or court learning needs
- Establishing priorities for educational programming
- Basis for in-house program development and rationale for national program/conference attendance
- Short- and long-range professional development planning
- Development of learning objectives and specific program deliverables for faculty

Court-governing leaders who oversee, fund, plan, and deliver JBE must constantly identify trends and threats that will impact courts and thereby shape professional development.

Court-governing leaders who oversee, fund, plan, and deliver JBE must constantly identify trends and threats that will impact courts and thereby shape professional development. The planning efforts of the Conference of Chief Justices (CCJ), the Conference of State Court Administrators (COSCA), and the NACM National Agenda should guide this process. Another key organization, the National Association of State Judicial Educators (NASJE), is similarly engaged in defining the practice of JBE and in gathering, sharing, and promoting resources (like the Core) among educators.

Professional Development Programming

Professional development programming through education must be intentional and well-managed. Leaders must ensure that JBE for judges, staff, and others is aligned with the court's mission, vision, structure, and workflow. At the same time, the programming itself must be built around a variety of sound adult education methods and advanced technology when warranted.

Judicial branch education helps courts maintain distinctive values such as due process and equal protection, but it must also respond to social forces including demographic and population shifts, science, technology, trends, public confidence and increased expectations, self-represented litigants' needs, different and expanded services, and its overall general resistance to change. When context, vision, purpose, and organizational performance focus on JBE and define developmental needs, educational programming is better targeted, developed, and managed.

Effective leaders understand that courts cannot achieve their organizational goals without the help of a network of partners both inside and outside the justice system. Courts are embedded in the paradox of an independent branch of government existing in an interdependent world. This requires strong judicial governance and leadership. JBE

should include networking, interagency cooperation, and collaboration opportunities whenever possible. Court-inspired collaboration and the strategic inclusion of others in JBE enhances court and justice system performance while broadening education development resources.

As previously mentioned, professional development must be well-managed and aligned with the court's mission, vision, structure, and, most importantly, internal workflows. Since court governance involves team management and structure by necessity, JBE leaders must encourage and reward collaborative efforts, both inside and outside the judiciary.

When court management is less cohesive, the quality of education is often lacking. By contrast, in a well-managed court, JBE is less likely to be a mere add-on or a largely irrelevant diversion from daily routines. Effective court leaders advocate, justify, and work to acquire needed educational resources. Persuasive advocacy links education needs to court performance, justice, and public service.

The Educational Development and Workforce Management competencies, for example, focus on ensuring that courts have the appropriate alignment of human talent in order to achieve their mission and vision. In addition to specific, technical expertise and substantive legal knowledge, related to day-to-day staff supervision, these and each of the other competencies within the Core include the skills necessary for individual and system-wide performance management, workforce planning, ethical decision making, staff talent management, change management, and effective court governance.

> *[T]he Core include[s] the skills necessary for individual and system-wide performance management, workforce planning, ethical decision making, staff talent management, change management, and effective court governance.*

Onboarding Process

The Core can also assist in staff development both as an orientation tool for new staff and as a guide to the onboarding process. Onboarding is more than just new employee orientation; it is a process. By contrast, orientation is an event – the first step in the onboarding process where courts collect all relevant human resources, payroll, and benefit forms. The onboarding process helps develop an engaged and motivated contributor. Onboarding conveys your organizational brand, explains your values and professional culture, aligns institutional expectations and performance, and provides the tools for the employee to be successfully assimilated into the judicial system with a quicker ramp-up to full productivity.

Onboarding follows the employee lifecycle for mentoring and development. It includes automation for consistent and timely tracking of onboarding events, seamlessly transitioning the court professional from the new hire and onboarding experience, to the performance management process in order to ensure success.

Continuing Education

The subject of Continuing Education Units (CEUs) should also be addressed within the implementation of the Core. CEU requirements differ for various court employees, and the CEU value may also differ, across courts and across states. In New Jersey, for example, one CEU equals 10 contact hours in an accredited program designed for professionals with certificates or licenses that allow them to practice. Generally speaking, CEU contact hours are provided only for participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction. The primary purpose of the CEU is to provide a formal record of individuals who have completed one or more non-credit educational experiences.

Many professionals require that practitioners earn a specific number of CEUs per year to ensure that they are up-to-date with current practices in their field. Proof of credits earned is necessary in order to renew a license to practice or maintain certification. The number of credits required varies by industry and state. Accepted methods for acquiring CEUs also vary. In some cases, online acquisition of credits is permitted, and in others, live, face-to-face instruction may be required.

Often, certificates are issued as proof that a practitioner has completed the required continuing education units. Many professionals display these certificates in their office. Many professions organize national conferences to provide members with an opportunity to meet, network, and learn. Vendor shows are a major part of these conferences, helping raise professionals' awareness of the newest and most innovative products and services that support their profession. NACM and courts across this nation may consider implementing formal CEU practices as a means of recognizing and encouraging one's commitment to lifelong learning and continuous self-improvement.

Identification of Gaps

The Core should also be used as a tool for identifying gaps in individual and court development. This assessment process must be dynamic and creative, responding not only to traditional roles, but also to powerful and changing demands of a technology-centered society. Professional development must occur in all courts and across the judiciary and justice system and should be a priority for judges, court staff, and justice system partners. Learning experiences should be accessible and tailored, so that personal, professional growth and skill development opportunities are equally available for all court professionals.

Evaluation

Finally, through constant program evaluation, court leaders can ensure that education programs evolve in response to social issues and changing individual and organizational needs. Often, aspiring leaders are not categorized as such, so it is important to be fair and equitable when offering educational development opportunities throughout the court.

INDIVIDUAL DEVELOPMENT

Much has been written about the difference between education and training, and court managers should have a clear idea on the role of each.

Training: If the end result is a specific behavior, such as welding two metals, and the justification for learning is to improve effectiveness of the organization in which the welder works, the enterprise is training.

Education: When the behavior at the end of a learning experience is unknown, because it is unknowable, and the justification for the learning is to enhance a person's "being," not necessarily the improvement of a performance that translates easily to the improvement of the organization's effectiveness (albeit that may occur), the activity is characterized as education.[2]

More simply, education is all about learning the theory. Traditionally, an education may reinforce knowledge in which you already have a foundation. For example, when one is enrolled in school, you may already have command of the English language, but you still learn English. Other subjects may be taught to individuals from inception without any experience, but it is the theory that you learn. In physics,

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[2] C. Barnes, "Education and Training – What's the Difference," *eLearning Industry* (June 13, 2014), at http://elearningindustry.com/education-and-training-what-is-the-difference.

one learns about splitting the atom, but one does not actually do it. It is for this reason that traditional professions such as accountancy, law, and medicine require a period of additional, practical training following academic study.

Training, conversely, provides one with the skills to actually "do" something as opposed to only knowing something about the topic or area of study. Training can be specific to one's need, vocation, or gap in skills. The purposes vary but can be used to implement a new system, improve a specific ability, or familiarize one with a particular ability in something (as in the "trainee"). In the court context, training might be for using a particular computer program for scheduling, case management, or other specific application. Education might involve management theory and supervision practices; that being the difference between reading and understanding the Core (education) and its implementation and practice (training).

Court leaders and managers must also consider education and training in the digital age of learning. Distance learning is not a new concept. Indeed, by 1890 there were more people in the United States undertaking correspondence

courses than there were students in the undergraduate system. Today, online training and education is a huge, burgeoning market, with brick-and-mortar, traditional colleges and universities offering a wide range of online degrees and certificates.

As employees of the judicial branch, individual development (education and training) is part of the larger framework of organizational development. In general, organizational development is a complex (and often vague) process that incorporates strategic measures to make an organization better equipped to manage its personnel and workflow. One aspect of the process is to enhance overall performance wherein the focus can be on an individual, team, or division of the court; on the organization as a whole; or on the loosely coupled stakeholders whose work is connected with the court. This would include social service agencies and nonprofit organizations working with court-involved citizens.

The court management profession is similar to other professional fields regarding the impact of the Knowledge Age. Continuous learning is now a standard practice in many industries, including the judiciary for judges, managers, and staff. Some of those expectations are loosely defined as in enumerating a variety of relevant training goals for an individual's end-of-year assessment, while other standards are more stringent, requiring individuals to complete a specific number of continuing education credits. In many courts at the state and local level, the emphasis on education and training has prompted the hiring of a chief learning officer. The Organizational Developing and Training model, in

The Core promotes the need for court professionals to attend training and to find new education opportunities inside and outside the system.

particular, has adapted to the new standards and now includes continuous learning and coaching. The Core demonstrates the renewal of the profession's efforts to stay abreast of the latest changes and knowledge that can assist individuals in honing their skills and abilities as a court employee or manager.

A fundamental action for development is collaboration with experts across many areas of practice. The review of individuals' strengths and vulnerabilities along the principle, practice, and vision modules are among the steps court managers take in immersing themselves in the field. The court's leadership is encouraged to seek new learning opportunities and promote career-long learning. The Core promotes the need for court professionals to attend training and to find new education opportunities inside and outside the system.

Court managers can use the Core to examine their strengths, vulnerabilities, preferences, etc. through various well-regarded frameworks. Personal assessments such as Myers-Briggs Type Indicator (MBTI),[3] Predictive Index,[4] and Strengths Finder[5] or training focused on individual development, such as *The 7 Habits of Highly Effective People*, can be juxtaposed against the Core's modules in determining the "best fit" and areas of development for court managers.

Like other organizations, courts must support individual development by solidifying itself as a learning environment. This is first established and then maintained by securing the time and capital resources to support court staff. Assistance can come in various forms such as internal

[3] *See* the Myers and Briggs Foundation at
http://www.myersbriggs.org/my-mbti-personality-type/mbti-basics/.
[4] *See* PI Worldwide at
http://www.piworldwide.com/solutions/predictive-index-system/.
[5] *See* Strengths Finder series (Gallup Press) at
http://www.strengthsfinder.com/home.aspx.

> *The individual and the organization are encouraged to pace the development process to allow the individual to maintain both their daily work schedule and incorporate the necessary time for learning and development.*

professional coaches, mentoring programs, agreements with local colleges and universities, job sharing, and/or partnering between the court's divisions or other courts and attendance at professional development conferences such as the NACM annual and midyear conferences. With limited and increasingly constrained resources, the courts must be judicious in determining the applicability of educational offerings to the current and forecasted qualifications expected of court managers and employees.

The court benefits when special assignments are identified that allow the individual to move beyond their current skill set through temporary assignment to new teams and cross-training. Placing a person in a new job, asking them to use new skills with the support of key people, creates an exciting and challenging learning model. There are seven recognized learning styles along the aforementioned MBTI illustrating the uniqueness of individuals. The individual and the organization are encouraged to pace the developmental process to allow the individual to maintain both their daily work schedule and incorporate time for learning and development

In the Harvard Essentials text, *Coaching and Mentoring,*[6] organizations that made a concerted effort to coach and mentor their employees reported the following results:

[6] Harvard Business Essentials, *Coaching and Mentoring: How to Develop Top Talent and Achieve Stronger Performance* (Boston: Harvard Business Press, 2004).

1) **Improved performance** – No employee is perfect. Some miss deadlines; others have trouble organizing reports. Coaching can solve most of the problems that prevent employees from maximizing their abilities.

2) **More competent employees** – Coaching can expand an employee's skills and let you delegate more responsibilities. This will free your time, so you can be a more effective manager.

3) **Better productivity** – Employees who are taught to work more efficiently will increase your department's productivity.

4) **Promotable employees** – Companies value managers who can prepare employees for higher-level roles. Establish a reputation for identifying and developing talent.

5) **Less turnover** – Employees are more loyal and committed, and less likely to leave a company, when their bosses try to help them improve and advance in their careers.

6) **Positive atmosphere** – Coaching strengthens executives' relationships with employees and creates an upbeat environment.

Once a model is in place, the next step is monitoring progress and providing feedback. Feedback that is relevant and timely is fundamental, as the court is obligated to ensure allocated time and funds are meeting the needs of the court and the public. There are several components to development feedback, including specific goals tied to the court manager's area of work. The goals are challenging for the manager's personal growth and the daily work life of the individual but at the same time realistic and tied to a measurement. The measurement ensures follow up and provides insight when the manager checks in on a periodic basis or reviews his or her work in a system, such as reviewing the professional development transcript.

At the same time that the court is an organization entrenched in the Knowledge Age, it is also experiencing a seismic shift in the generational workforce.

Baby Boomers: Born roughly during the years 1946 to 1964.
Generation X: Born mid-1960s to early 1980s
Generation Y: Born 1980 – 2000 (Millennials)
Generation Z: Born after 2000[7]

The Millennial generation, now the largest growing generation, comprises 42 percent of the United States workforce. This generation is the first global generation connected through technology, and a world without technology is unknown to them. They tend to have more social awareness and are attuned to social issues.   They also have less traditional educational experiences; that being, homeschooled, charter schools, and co-op education. The differences of this generation and their general attitudes toward instant gratification and a loose emphasis on privacy clearly demonstrate the impact the internet has had on them during their formative years of life. While Millennials are moving into the workforce in larger numbers, the courts must take into account the GenX generation, whose members are moving into leadership roles in greater numbers. The impact of these generations on the workforce and the expectations that are different and require greater use of technology must be brought to bear by the courts. The blended form of learning, for instance, was not as necessary for prior generations. This shift presents an opportunity for organizational development at all levels.

Although there are certainly exceptions, research has shown that Baby Boomers, as a group, base their vision

[7] *See* Talented Heads, "Generation X, Generation Y, and the Baby Boomers" (April 9, 2013), at
http://www.talentedheads.com/2013/04/09/generation-confused/.

of professional success on climbing hierarchical ladders. Conversely, Gen-X and New Millennial workers care little for tradition, placing a higher value on individuality, personal freedom, and the professional flexibility and creativity it takes to succeed. Generational divergence creates a communication challenge for today's court managers. The promise of slowly climbing the company ladder no longer has the motivational force it once did, and the traditional management structure is quickly slipping into obsolescence. Younger workers are less loyal to their organizations, quicker to adapt to cultural and technological changes, and more possessive of their free time.[8]

STRENGTHENING YOUR TEAM

The world is essentially organized around teams. The team may be called an orchestra, a flight crew, a military squad, a case-processing team, IT division, or any number of other descriptors for people working together to achieve a common goal.

In an efficient and well-aligned organization, each team and its members contribute to achieving the common goal. The team members are normally a diverse group, and even though each person has a specific job function and belongs to a specific department, he or she is unified with other team members to accomplish the overall objectives. The bigger picture drives actions; each function exists to serve that bigger picture.[9]

Consider the following "sports" analogy: Every Sunday afternoon in the fall we see teamwork in action when watch-

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[8] C. Marsten, *Motivating the "What's in It for Me?" Workforce: Manage Across the Generational Divide and Increase Profits* (Hoboken, NJ: John Wiley and Sons, Inc., 2007).
[9] S. M. Healthfield, "12 Tips for Team Building: How to Build Successful Teams," About.com, at http://humanresources.about.com/od/involvement-teams/a/twelve_tip_team.htm.

ing an NFL game. On offense, the quarterback gets the ball from the center and either hands it off to a running back, passes to a receiver, or keeps the ball. The offensive linemen block the defensive players to protect or give the quarterback time to execute the play. Each player has a role to play and knows the roles of the other team members. When necessary, a player can adjust to assist another player.

Just as sports teams recognize their mission to win the championship and consistently work toward those ends, it is equally critical for other kinds of organizations with their respective teams to understand and work toward contributing to the organization's mission. Courts as an organization are no exception. Consequently, it is important that all courts have a clearly articulated mission statement.

PRINCIPLES – What are the key attributes required for this position regarding public trust and confidence? How is integrity measured? How does this position fit into the court's purposes and responsibilities?

PRACTICE – What role does the position have within the organization's operations? What caseflow or workflow knowledge and abilities are required? With whom will the applicant communicate and what current and prior experience is important in these relationships? Is the knowledge of laws, policies, or specific procedures required? As appropriate for the position, managers should also consider including requirements for budget and fiscal management or the ability to measure and analyze performance of personnel or programs.

VISION – Consider the court's own vision for the future – what role will this position have in that vision?

The mission should be accompanied by a vision statement and statement of core values.

Of course, exceptional teams in any organization or industry seldom come together by chance; often they are developed by design over time. It takes smart recruitment, rigorous coaching, and continuous assessment. Effective courts expect that their leaders will recruit, retain, evaluate, and train staff with skills firmly grounded in the Core; leaders must have the necessary leadership and human resource related skills and capabilities, including knowledge of relevant laws and policies relating to day-to-day operations.

Recruitment

The court leader, who effectively manages and motivates the workforce, should possess the skills and capabilities necessary for job analysis and classification; performance management; workforce planning; professional staff development; development and updating of compensation and benefit plans; risk management; employee relations; and organizational change management.

Within the context of recruitment, the court manager employing the Core competency of Workforce Management should be able to attract and retain a diverse workforce. This includes multi-generational employees, reflective of the demographics of the community. A typical court "team" comprises multiple generations of employees. It is critical for managers to understand what motivates these employees.

The court manager seeking to recruit would also:
- Ensure merit-based selection and promotion. Employee evaluations should be ongoing with timely feedback and not limited to an annual or biannual exercise.
- Assess and recommend appropriate personnel classification and competitive compensation, benefit, and reward structures.

- Support activities that address generational and other differences in the workforce.

Court managers strengthen the recruitment process through the effective application of the Core. The Core modules are a broad concept that may assist the manager seeking to write an effective description of the position to be filled and preparing for the interview process. Finding the successful job candidate requires that the court adequately define the qualifications, experience, background, and credentials of the candidate it seeks to hire and eventually promote.

Retention of Staff and Organizational Knowledge

Within the context of staff and knowledge retention, the court manager employing the Core competency of workforce management would be able to leverage technology in ways that benefit both the organization and the employee. For example, with today's technology there are numerous opportunities for court teams to be disbursed throughout the county or an entire state – the virtual team concept. There are potentially many advantages to organizing a virtual team in both efficiency and cost savings. A team does not have to be in a particular office, building, or city.

It takes some thinking out of the box, but there are several successful court applications around the country. In Minnesota, for instance, there is a cadre of court employees working from home doing data entry for traffic cases and payment of fines. This scenario is not just convenient for the employee but saves on workspace in the office and travel time, and can create other efficiencies. The productivity of each virtual employee can be monitored, and minimum standards for productivity are established. Trust and reliability is built over time as the virtual employee proves herself by meeting individualized performance expectations.

As the workplace evolves, in part due to new conferencing and collaboration tools, so has the way employees communicate with their co-workers and customers. Being at work does not necessarily mean physically being in the office. The same can now be said for attending meetings. Since many employees have access to a smartphone or tablet, collaboration can occur virtually anywhere through audio or even face time on a smart phone.

The court manager seeking to retain employees and organizational knowledge should also:

- Develop and continually update a comprehensive manual of personnel policies and procedures that relate specifically to the court. Such manuals should be published online on the court's intranet accessible only to court employees.
- Set and monitor ethical standards and behaviors. The *NACM Model Code of Conduct for Court Professionals* can serve as a template of guiding principles.[10]
- Employ efforts to enforce policies such as prohibiting harassment, bullying, and a hostile work environment so that a safe and secure environment is fostered.

Evaluate and Educate
At this stage of team development, the court manager employing the Workforce Development Core competency would be able to:

- Encourage staff development by resolving performance problems and setting and supporting goals to be achieved. Address such situations when discovered – don't wait to surprise the employee at evaluation time.

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[10] *See National Association for Court Management's Model Code of Conduct for Court Professionals,* at https://nacmnet.org/sites/default/files/membersonly/ Model%20Code%20of%20Conduct%20for%20Professionals%20with%20com mentary.pdf.

- Create a "high performance" work culture and environment by developing performance expectations, metrics-oriented performance-monitoring systems and feedback, and review mechanisms.[11] Of course, court leaders and managers set the example in work ethic and other attributes of achieving expectations.

- Support activities that address generational and other differences in the workforce.

- Identify staff education and training needs and secure resources for meeting those needs. There are a number of exercises and activities designed for team building that should be done outside of the office, such as a retreat. There are numerous sources on the internet, such as "team building activities for adults."[12]

- Use a variety of staff development tools: education, training, coaching, mentoring, and professional development opportunities of both a basic and advanced nature that meet individual and organizational needs.[13]

- Periodically assess the employees' satisfaction with their job by administering the court employee satisfaction survey #9 in the CourTools.[14]

Achievement:

Employees need to know what is expected of them and receive timely, regular feedback on how they are doing. At all levels of an organization, many employees want to be kept

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[11] *See* National Association for Court Management, "Competency: Workforce Management," at http://nacmcore.org/competency/workforce-management/?module=practice#note-1037-1.

[12] See New Jersey Team Building, "All Team Building Activities," at http://www.newjerseyteambuilding.com/team-building-new-jersey/all/.

[13] National Association for Court Management, "Competency: Workforce Management," at http://nacmcore.org/competency/workforce-management/#note-1037-2.

[14] National Center for State Courts, "Court Employee Satisfaction," CourTools, at http://www.courtools.org/~/media/Microsites/Files/CourTools/courtools_Trial_measure9_Court_Employee_Satisfaction.ashx.

Evaluating and educating team members is a continuing and thoughtful process, and the court manager's application of the Core provides a start for this process.

PRINCIPLES – Is the team fulfilling its purpose? Are we meeting our responsibilities to the public, the court, and other affected stakeholders?

PRACTICE – How effective is the team? Where are the weak links? How do we strengthen the team? Does the team and its members maintain effective communication with others? Has the team established effective partners? Does the information technology system meet the team's needs? Is the team effectively managing workflow and caseflow? Are appropriate education and development opportunities available? Are policies and procedures well communicated and applied? Is there an atmosphere of trust? Are team and individual expectations clearly explained and known by all? How is accountability addressed? What motivates the team?

VISION – Managers should address the vision for their teams based soundly upon their vision for their organization. Have you communicated the vision clearly and effectively to the team? What challenges do they see? What do you want (and need) team members to do and to know now? Five years from now? How will you lead them toward this vision? Have you planned for challenges that may be encountered? How will you involve the team in the strategic planning process? How often do you check in with team members to reassess the effectiveness of the team in meeting your vision?

informed and recognized for their accomplishments by both managers and judges.

Work Content:

For employees to be satisfied, they need to know that the work they do is important and their tasks contribute meaningfully to the court's mission and common purpose.

Responsibility:

Employees are generally motivated to do well if they are given the appropriate freedom and authority to carry out their work in the best way possible. Employees become more satisfied when the court supports and encourages staff to grow and develop their abilities on the job.

PRINCIPLE – Do employees know and appreciate why they are important to the organization and the public they serve?

PRACTICE – Managers must provide the resources and information necessary for employees to actually do their jobs. What resources are available? What is your educational plan for this employee? What is the overall workforce management plan for motivating and preparing employees to meet the organizational goals? Successful employees need their managers and leaders to purposefully consider what they need in the practical application of their jobs.

VISION – Has the vision been clearly articulated to all team members? Do team members know their own role in achieving this vision? Strong court leaders will effectively plan for the purposeful application of the vision and values.

Building an effective court team requires careful planning and inculcation. The court should not be drawn into what is expedient and begin the process with a non-specific and obsolete job announcement. The Core offers court leaders the

opportunity to purposefully and carefully consider the continuous growth of both the individual and team at all stages.

DEVELOPING AND IMPROVING BUSINESS PRACTICES

Developing and improving business practices involves the overall organizational performance of a court. Today's court professional must continually focus on operational excellence and innovation for access to justice and the utilization of technology – both of which require the development, assessment, and revision of business practices. The term "reengineering" also describes this process. Today, these skills are expected of the proactive court leader and the Core can be utilized to meet that expectation.

This segment briefly addresses topics related to business practices, traits of court professionals engaged in business process improvement, organizational traits, and examples of courts that have developed and improved business practices.

Business practices are those elements (strategies, personnel, processes, and measures) that create standard organizational functions. In courts, these are the important protocols that suggest how a court operates, provides services, and carries out its important judicial branch functions. When embarking on the process of improving business practices, there are many steps to consider:

- Review the NACM Core and associated curriculum, and similar management-related literature;
- Seek information from other courts (best practices, benchmarks, etc.);
- Review governance, leadership, and related factors in the court environment;
- Consider the court culture, environmental variables, and facility aspects;

- Develop or review a statement of the goals, objectives, and vision for the organization;
- Perform assessments to identify areas of concern, problems, or challenges;
- Gather information and research, using data and metrics, as well as staff and stakeholder feedback, to determine focus and to obtain input;
- Discuss collaborative options available to the court; this may include one or more of the following:
    o Brainstorming, which is a group process for obtaining ideas
    o Mind-mapping, which is a process of charting or diagramming ideas
    o Reviewing scenarios, whereby a sequence of actions or events is considered
    o Observing staff and collecting information to inform leadership on viewpoints
    o Benchmarking and assessing operations in contrast to those of other courts
    o Seeking outside expert information and assessment
- Consider one or more options and solutions;
- Implement the chosen option by documenting the selected program, establishing performance metrics, and considering pilot or demonstration (experimental) projects;
- Monitoring progress and accomplishments, utilizing the established metrics; and
- Reviewing, revising, and enhancing the solution, while recording performance outcomes.

When considering business-practice establishment or modification, typical steps that should be considered, include the following items:

1. Use of the problem resolution cycle, which involves: identifying and defining the problem; gathering information and researching options; developing alternatives; selecting and implementing the best option; assessing performance of the chosen action(s); and modifying or amending the action;[15]

2. Use of business process review (BPR), which is the analysis and design of processes, workflows, and actions that encourage a court to rethink how practices are currently configured;[16]

3. Consideration of how other courts operate and innovate, which is commonly called benchmarking, or comparing court practices across diverse, multiple courts;

4. Utilization of National Center for State Courts' High Performance Courts Framework, vis-à-vis use of self-evaluation areas and problem-solving steps;[17]

5. Use of the Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis, a structured process, which allows an organization to evaluate operational **strengths, weaknesses, opportunities, and threats** when considering change;[18]

6. Review of court metrics and measures utilizing the National Center for State Courts' CourTools[19] which includes measurement of court-based processes such as access and fairness, clearance rate, time to disposition, age of active pending cases, trial date certainty, reliability

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[15] *See* "Six-Step Problem Solving Model," Restructuring Associates Inc. (2008) at http://www.yale.edu/bestpractices/resources/docs/problemsolving model.pdf.

[16] *See* "How to Analyze a Business Process," wikiHow, http://www.wikihow.com/Analyze-a-Business-Process.

[17] National Center for State Courts, High Performance Court Framework, at http://www.ncsc.org/Information-and-Resources/High-Performance-Courts.aspx.

[18] T. Berry, "What Is a SWOT Analysis?" at http://articles.bplans.com/business/how-to-perform-swot-analysis/116.

[19] National Center for State Courts, "NCSC Offers Steps for Court Reengineering Success," at http://www.ncsc.org/Services-and-Experts/Court-reengineering.aspx)

of case/court files, the automated case management system, utilization of jurors, collection of monetary sanctions, court employee satisfaction, and cost per case for court functions.

7. Consideration of reengineering principles and practices, which include:[20]

   a. Centralization or regionalization of functions

   b. Maximized use of technology and automation, elimination of redundancy and

   c. Review of structures and processes.

Examples of court business process evaluations include:

A. An operational inventory conducted by the Scottsdale City Court, whereby court tasks were inventoried and evaluated to seek efficiencies and to understand how limited human resources were being utilized.[21]

B. Planning processes used in the Superior Court of the Virgin Islands, whereby strategic planning actions were rooted in understanding court performance measures and examining the court's culture to refine operational practices.[22]

C. Reengineering actions, such as those used in various states to evaluate processes, implement technology, and consider changes in court structure.[23]

D. Customer service improvements that make waiting less painful - waiting for a case to be called into court. One best practice involves texting attorneys and

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[20] National Center for State Courts, "NCSC Offers Steps for Court Reengineering Success," at http://www.ncsc.org/Services-and-Experts/ Court-reengineering.aspx.

[21] J. Cornell, "One Court Looks at Itself in the Mirror: The "Bucket List" Project – a Low Tech Self-Review," *Court Manager* 27, no.4, (2012).

[22] *See* Superior Court of the Virgin Islands, Divisions of St. Thomas/St. John and St. Croix, "2014-2019 Strategic Plan," at http://ncsc.contentdm.oclc.org/cdm/ref/collection/ctadmin/id/2087.

[23] *See* National Center for State Courts, "Court Reengineering: Compilation of Ideas from the States at http://www.sji.gov/PDF/Court_Reengineering_ Compilation_of_Ideas_from_the_States.pdf.

litigants on the scheduled day, apprising them of up-
dates as the docket proceeds throughout the day.
Similar practices might decrease the number of
people, and possibly the chaos.[24]

In order to evaluate and change business practices, court
leaders should gain insights by assessing and validating
chosen actions by asking:

- How they will impact and are affected by caseflow
  and operations management; how staff and workforce
  development can be involved;
- Inquiry on what may be affected by budget and fiscal
  impacts; and
- How will the court demonstrate accountability and
  performance.

Top leaders should also consider influences from court
leadership, planning processes, and governance structures,
while ensuring the processes support public trust and
confidence in the court and align with the court purposes,
mission, and vision.

A court leader focused on process enhancement should
exhibit certain skills and traits, including the following:

- Comfort in leading the organization through the
  change process;
- Focus on continuous improvement and maximizing
  efficiencies;
- Skill in facilitating discussions, seeking input, and
  communicating;
- Ability to ask critical questions and challenge the status
  quo;
- Ability to inquire about practice causes and effects;

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[24] *See* "Mobile Millennials: Over 85% of Generation Y Owns Smartphones"
(September 5, 2014), at http://www.nielsen.com/us/en/insights/news/2014/
mobile-millennials-over-85-percent-of-generation-y-owns-smartphones.html.

- Possession of ample determination and stamina;
- Thorough knowledge of the organization; and
- Willingness to document and measure actions and accomplishments.

Organizational members should be comfortable with change, be receptive to continuing individual and organizational evaluation, and seek reengineering opportunities.

RESOURCES

In addition to this Guide, several other tools have been developed to strengthen court professionals through application, use, and implementation of the Core. These include the NACM Core website[25] and Core curriculum.
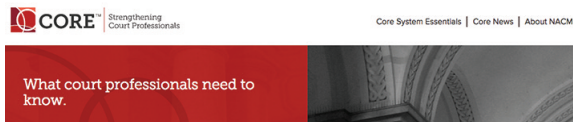
Core Website
Due to the
fundamental
changes in the
way people interact with online information, delivery of the new Core required a very different means of organization, a fundamental shift in the very structure of how the content is made available. Reliance on a rigid narrative dampens the user's experience when interacting with online content. For that reason, the Core website was designed and organized to encourage organic discovery.

The first step of that organization was through presentation of how the competencies are categorized. Starting from the Core, you'll see there are several ways to enter into the competencies. Let's talk about the broad categories first: Modules.

Modules:
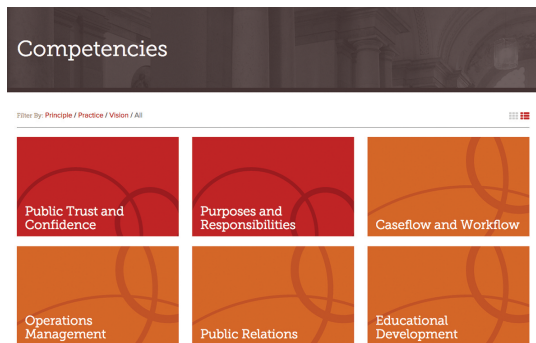The competencies within the Core are framed into three modules - Principle, Practice, and Vision. The All Modules

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[25] *See* the Core website available at http://nacmcore.org/.

Modules

Principle	Practice	Vision

page of the Core website allows users to obtain an overview of the Core framed in a traditional outline. In discovering these modules, a brief introduction is provided followed by an invitation to explore each module individually.

The modules are the best way to get an overall view on how the competencies are organized. Once a user is familiar with the Core structure, the next step is to browse all 13 competencies in one view. The default presentation of that view is a grid, which shows the titles of the competencies in tiles with icons that correspond to the modules and a short description of each competency.

Competencies

Filter By: Principle / Practice / Vision / All

Public Trust and Confidence	Purposes and Responsibilities	Caseflow and Workflow
Operations Management	Public Relations	Educational Development

At the top of the competency grid are additional options. On the left side, you can sort the overall list down to individual modules. The right side switches between the grid and a list view. While the site is optimized for a solid mobile experience, in some settings a simple text-based interface is best. The website is therefore designed to accommodate the user's individual choice of interface.

Components:
Once a competency has been selected, a list of components will display on the right-hand side (near the end of the

Components

Access

Budgeting

Education

page, if you look at it on a smaller screen). Components are a way that we fine-tuned the organization of the competencies. They also offer a view of competencies related to a particular discipline beyond the borders of modules. Take the Communication component—this view displays every competency that involves communication, regardless of the modules to which they are assigned. Of course, the best way to discover these connections is by browsing the competencies themselves.

Related Competencies:
One more way of working through the competencies is near

Related Competencies

Public Relations, Ethics

the bottom of each one: Related Competencies. Each competency has one or two curated, and related, competencies. These are competencies that share a great deal in common with the one you're viewing.

Curriculum

Developing an educational curriculum is more than creating course outlines and PowerPoint presentations. Curriculum design involves a detailed process for ensuring that the intended use is well-defined, the potential audiences and their needs are identified, and the delivery methods are determined. In addition, the process should be inclusive, engaging practitioners and other users of the curriculum in the design process. Each part of the design process is a critical step in creating high-quality, relevant, and useful curriculum content that will ensure NACM meets its educational goals for the Core.

Through application of a Curriculum Use Plan, key decisions were made about the curriculum goals, audience, uses, and delivery mechanisms. In addition, the Plan focused on identifying training needs as they relate to the overall goals and provides a template for the curriculum designs. What resulted are curriculum designs that are flexible enough to allow a faculty member to build a course, training, or session for any group of new or seasoned court personnel of every court type and size. The design is also flexible enough to assist a faculty member in building a course, training, or session of any length and for a variety of delivery mechanism (in-person or online learning, asynchronous or synchronous learning, self-study or faculty-lead).

Intended Use:

The Core Curriculum has been designed for use by all new or seasoned court personnel of every court type and size. The curriculum designs are based on each of the 13 competencies of the Core. In total, the designs provide an overarching plan for the education of court personnel. Individually, each curriculum design and associated information provide faculty with resources and guidance for developing educational programming. It is intended that the curriculum will serve as a guide for educational offerings including regional conferences, state based trainings, online learning opportunities, and potentially as a self-study guide. It is the intent that the curriculum supplements and informs the work of other national programming efforts rather than supplant it.

Design and Format:

Each curriculum design includes a series of **Learning Objectives** and **Content** to support those learning objectives. Further, each curriculum design includes **Faculty Resources, Participant Activities** to measure achievement of the learning objectives, and a **Bibliography**.
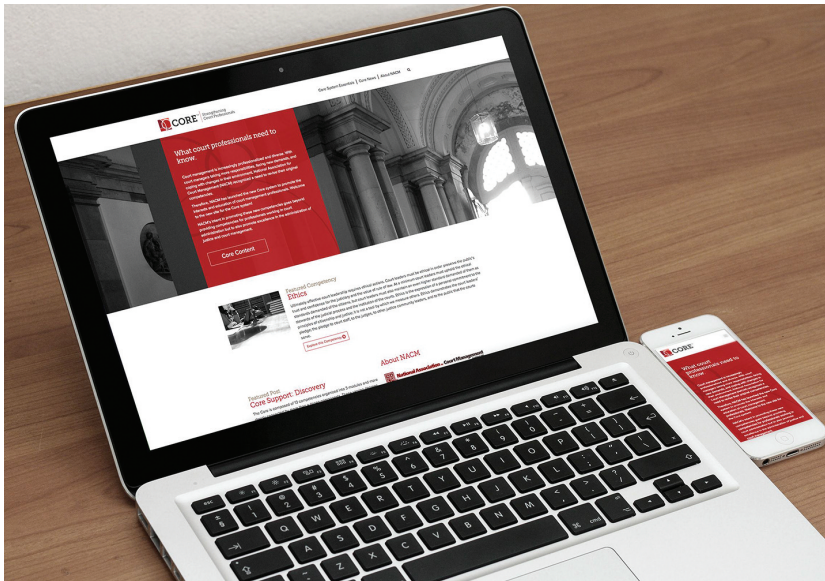
The bibliography is intended to help faculty members be aware of and familiar with the content beyond what is included in the design. Additionally, a **Glossary** is offered as an ancillary resource document to the curriculum designs to help the court manager profession continue to develop a shared language of words and terms that represent, describe, and guide the work of the profession.

Access:

The Core curriculum may be accessed through the Core website - http://nacmcore.org/.

SUMMARY

Regardless of their field or discipline, professionals have a duty to develop their skills. This duty is of a distinctive character when it is discharged in the public interest and as a matter of public trust. For public servants working in the courts this duty is of a truly special nature. Courts play a singular role in society, and their effective administration requires a level of competence that is commensurate with the high standards to which the judicial branch is, and must be, held.

Developed with input from individuals working in all levels of court, the Core builds on its predecessor in ways that will ensure that court leaders are equipped with the tools necessary to lead and manage courts in the modern age. The Core recognizes the value of the enduring principles of the profession and the interconnectedness of the competencies that define it, and it provides for their application in ways that are dynamic, practical, and adaptable.

Whether used for individual or team training and assessment purposes, the Core serves as the basis for the selection or development of educational programming delivered in individual courts or court systems, or through state or regional court professional associations, national judicial branch education providers, or universities.

Court leaders must actively encourage and model professional development within their courts. Training for court professionals cannot simply be a diversion from daily routines, a disconnected practice unrelated to the challenges confronting court managers, or a luxury. Court leaders have an obligation to regard professional development as an essential element of organizational success and accountability, and they must create and sustain a culture in support of it. This means the development of quality

> *The Core is not self-executing. Its ultimate value requires leadership from court leaders and others to ensure its relevance. This leadership is critical if the Core is to become the vital and lasting part of the fabric of our profession it was intended to be.*

programming, systems for assessing individual development and organizational performance, and a commitment to the highest levels of individual and corporate accountability in recognition of the trust placed in the judiciary.

The Core is not self-executing. Its ultimate value requires leadership from court leaders and others to ensure its relevance. This leadership is critical if the Core is to become the vital and lasting part of the fabric of our profession it was intended to be.

The Core is a call to action for each of us to take full measure of our role, purpose, and potential. It is a dynamic body of work that was designed to keep pace with the challenging and changing environments in which courts operate. To keep abreast of news about the ways in which the Core is improving justice in courts systems around the country, subscribe to the monthly Core Newsletter at http://nacmcore.org/.

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Core® Modules Summary

Module
Principle

While the specific functions court leaders perform and the environments in which they work varies significantly, fundamental and enduring principles serve as the foundation for the profession. Competencies in this module outline those principles.

Competencies
- Public Trust and Confidence
- Purposes and Responsibilities

Module
Practice

These competencies relate to both daily and long-term functions court leaders must perform, either individually or in collaboration with others. Not all court leaders will individually perform all of the functions associated with these competencies but they should be aware of their relevance, the key skills they entail and their application, as appropriate, to their specific roles in the courts.

Competencies
- Caseflow and Workflow
- Operations Management
- Public Relations
- Educational Development
- Workforce Management
- Ethics
- Budget and Fiscal Management
- Accountability and Court Performance

Module
Vision

The competencies included in this module focus on the creation of a strategic vision for the court. To perform this function, the court leader must demonstrate creativity, stamina, 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.

Competencies
- Leadership
- Strategic Planning
- Court Governance