



Council of Chief Judges of the State Courts of Appeal

New Chief Judges and First-Time Attendee Orientation



November 2018

Table of Contents

“The History of the Council of Chief Judges of the State Courts of Appeal: A Vision Realized – The Making of the Council of Chief Judges”	3
CCJSCA Committee Overview	7
NCSC Key Staff.....	11
Hot Tips for New Chiefs.....	13
CCJSCA Website Snapshot	15
Home.....	17
Chief’s Forum	18
Knowledge Base	19
Speeches.....	20
New Chief’s Toolbox.....	21
Learning Center	22
Interactive Learning Modules.....	23
Conference Videos.....	24
New Updates.....	25
Member List.....	26
Appellate Court Innovations.....	27
Valuable Resources.....	29
· Governance & Leadership for Chief Judges of the State Courts of Appeal Learning Module.....	31
· “Quick Start Guide to Cybersecurity – Recommendations and Tips” by Bryant Baehr.....	55



1979-2015

The History of the Council of Chief Judges of the State Courts of Appeal

History

The History of the Council of Chief Judges of the State Courts of Appeal

By Art Scotland and John Irwin

1979-2015



A Vision Realized - The Making of the Council of Chief Judges

“Isolated islands” is an apt description of the state intermediate appellate courts that existed when David Enoch became chief judge of the Colorado Court of Appeals in 1979. Dave discovered this isolation upon taking the administrative reins of his court after serving as an associate judge for six years. Charged with “giving direction and leadership to a new and growing court,” Dave found “many unsolved problems,” including “case management of a docket which had grown beyond the capabilities of available personnel,” a “budget that was always underfunded,” and the newfangled “introduction of computers.”

A Vision Realized

“Isolated islands” is an apt description of the state intermediate appellate courts that existed when David Enoch became chief judge of the Colorado Court of Appeals in 1979.

Finding no help within his state for those and other “unanswered concerns unique to an intermediate appellate court,” Dave “turned outward for some guidance,” only to discover that none existed. His calls to the American Bar Association Appellate Judges Conference, the National Center for State Courts, the Institute for Court Management, and the Judicial College in Reno revealed that each offered some training for appellate judges generally, but “none specifically addressed the management concerns of a chief judge of a state intermediate appellate court.” Faced with this void, Dave envisioned the creation of a national organization of chief judges as a sounding board.

Filling the Void

Dave decided to contact other chief judges to determine whether they, too, “felt the need of some forum to share problems and hopefully answers.” He was surprised to learn that no organization had a list of the names and contact information of the chief judges in the 29 states with intermediate appellate courts. Using out-of-date information obtained from West Publishing Company, Dave telephoned Chief Judges Francis Murphy (New York), Keith Callow (Washington), and John Kelly, Jr. (Missouri), who enthusiastically embraced Dave’s idea to establish a “Council of Chief Judges” and agreed to call other chief judges in their geographic areas.

“With 100 percent support from those contacted by phone and mail,” Dave turned to planning a meeting of chief judges to organize a council. He noted that, “faced with no staff, budget, or facilities, it became apparent that we had to seek help from an existing organization that would provide some assistance, at least until the council could become self-supporting.” Washington Chief Judge Callow, who lectured at the Judicial College in Reno, Nevada, suggested talking with its dean, Ernst John Watts, about holding the organizational meeting there. The dean agreed and “graciously committed meeting rooms, dormitory space, and such staff as necessary to support this first meeting.”

Thus, on October 29, 1980, 35 chief judges from 22 states (Alaska, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Louisiana, Maryland, Massachusetts, Missouri, North Carolina, New York, Oklahoma, Pennsylvania, Tennessee, Texas, Washington, and Wisconsin) made the trek to Reno at their own expense to make Dave Enoch’s vision a reality.

Dave had explored the possibilities for affiliation with a national organization. In his view, “it appeared to be only natural that the Council of Chief Judges of state courts should come under the umbrella of the National Center for State Courts (NCSC), which served the chief justices of the state supreme courts, state judicial administrators, and other state-court-related groups.” But the NCSC Board of Directors rejected Dave’s request to include a Council of Chief Judges as an affiliate organization. Favorable responses were received from the American Bar Association and the Judicial College in Reno.

“Faced with no staff, budget, or facilities, it became apparent that we had to seek help from an existing organization that would provide some assistance, at least until the council could become self-supporting.”

– DAVID ENOCH
Chief Judge Colorado Court of Appeals

The chief judges gathered in Reno voted to accept the invitation of the American Bar Association to become a member of the Appellate Judges Conference of the ABA’s Judicial Administration Division. Missouri Chief Judge Kelly presented proposed articles of incorporation that, with minor modifications, were approved unanimously, establishing “a body for consultation concerning the improvement of the administration of justice, rules and methods of procedure, and the organization and operation of the Courts of Appeal.”

Hence, the Council of Chief Judges of the State Courts of Appeal was born. Elected to serve as its officers were Colorado Chief Judge David Enoch, Chairman; New York Chief Judge Francis Murphy, Vice Chairman; Washington Chief Judge Keith Callow, Secretary; and Missouri Chief Judge John Kelly, Jr., Treasurer. Chosen to serve on the Executive Committee were Georgia Chief Judge J. Kelley Quillian; Massachusetts Chief Judge Allan Hale; Illinois Chief Judge Robert Downing; and Texas Chief Judge Paul Nye.

The First “Seminar”

The day after the business meeting at which the council was created, the chief judges held their first educational program, then called a “seminar.” Dave Enoch had identified the topics and assigned presenters to talk about how their courts operate and address problems. The topics were Staffing and Personnel; Budget Preparation; Dealing with Judicial Personalities; Calendaring - Dispositions; Duties of the Clerk’s Office; The Court Administrator; Settlement Conferences; Accelerated Calendars—the Colorado and South Illinois Experiences; Relationships with the Highest Court; Working with the Trial Court; Lobbying Techniques; and Public Awareness of the Courts.

Three decades later, many of those topics, and more, continue to present issues and problems that must be addressed by chief judges. Thus, as recently expressed by one of our venerable chiefs, the late Bill Cornelius of the Texas Court of Appeals, membership in the Council of Chief Judges is as necessary and valuable today as it was in 1980.

At our 2013 conference in Houston, Bill reminisced about his participation in the council’s organizational meeting and first seminar in 1980, and about his attendance at 31 of the 33 annual

*“We learn much from each other
in our conversations and social
interactions”*

- BILL CORNELIUS
Chief Justice
Texas Court of Appeals

council conferences. Bill emphasized both the value of the “professional advancement courses that speak to the particular problems of chief judges” and the benefit of camaraderie, collegiality, and chats among council members. “We learn much from each other in our conversations and social interactions,” Bill astutely observed.

Planning for the Future

The first Executive Committee meeting of the Council of Chief Judges was held in Houston, Texas, on February 5, 1981. The primary focus of the meeting was the issue of funding and financial support of the council. The committee explored incorporation as a nonprofit entity to seek tax-deductible contributions as an educational group organized under Internal Revenue Code section 501(c)(3). It was agreed that a “tuition fee” would be charged for attendance at annual Council of Chief Judges educational seminars and that Dave Enoch, in his discretion, would set the fee for members to attend the 1981 seminar to be held in Philadelphia and the 1982 seminar to be held in Chicago.

An Education Committee was created, chaired by Texas Court of Appeals Chief Justice Clarence Guittard. Discussion was had on what topics to include in the curriculum of the 1981 seminar. The meeting minutes state: “Among those items which were felt to be of greatest current interest to judges administering courts of appeal were data processing, word processing, and computers in the courts.” (Bill Cornelius recalled that technology was “just creeping into” the courts, but little was known about what was available and what could be done with emerging technology. In his words, chief judges “needed to deal with it, so they might as well learn it.”) It also was agreed that the committee would send a questionnaire to all intermediate appellate court chief judges “inquiring as to the subjects they wish to have included in the curriculum and their interest in and willingness to serve as a member of the faculty at the October 1981 seminar.”

Members of the Executive Committee then personally telephoned the chief judges of states that had not yet participated in the council and encouraged them to attend the Philadelphia seminar. A mailing list was created, and chief judges were asked “to pass on to their successors all information concerning the existence of the Council of Chief Judges” and to inform the council “of the changes of names, positions, and addresses so that the listing of those eligible for membership would be kept current.”

The Glue

Present at this first Executive Committee meeting was Mary Ellen Donaghy, staff of the American Bar Association’s Appellate Judges Conference. A dynamo, Mary Ellen, and a number of unique personalities among the chief judges of the council’s early years, got it off to a great start.



Committees Overview

Administration of Justice/Historian/Resolutions

This committee is responsible for reviewing requests from member states to take formal positions on issues affecting the administration of justice and, as appropriate, composes resolutions that formally declare the Council's views, policies, and issues affecting its work. It reviews resolutions adopted by the Conference of Chief Justices on matters relating to public service and the administration of justice, and makes recommendations to the Council's Executive Committee for their support. The AHR serves as a clearinghouse for information that may be of assistance to member courts and communicates judicial issues emerging in state legislatures to the Council's membership. Additionally, the AHR composes resolutions that express appreciation and recognition to individuals and organizations for their worthy efforts on behalf of the Council.

Annual Conference

The Annual Conference Committee is responsible for planning the annual conference.

Communications Committee

The Communications Committee serves as an oversight committee for all communications with the membership. Because of the integrated relationship between the newsletter and website committees, and the importance of consistency in our communications, the previously independent committees have been combined as subcommittees of the Communications Committee.

Newsletter

The Newsletter Committee is responsible for creating and disseminating the *Chief Brief* newsletter to the membership at least three times per year. The newsletter aims to inspire, educate, and encourage excellence among Chief Judges by making the membership aware of their colleague's amazing work.

Website

The Website Committee is responsible for developing quality content that meets the needs and expectations of the Council's membership. Periodic analytic surveys and questionnaires may be implemented to facilitate continuous website improvement and usability.

Development

The Development Committee is responsible for raising awareness about the purpose and mission of the Council. In conjunction with the Finance and Annual Conference Committees, it also seeks funds from law-related entities that share the Council's mission to assist in education and training opportunities for Council members and member states.

Education

The Education Committee is responsible for surveying the educational needs and desires of members and developing an Education Plan for consideration by the Annual Conference Committee, which designs the education curriculum for the annual conference. It explores educational opportunities through collaboration with other organizations and creates year-round education programs for members to bridge the gap between annual conferences.

Executive

The Executive Committee shall be the governing body of the Council. It shall consist of the officers of the Council, the immediate Past-President, five members of the Council, who are elected for two year terms (staggered terms such that two are elected one year and three are elected the next year), and one member appointed by the President for a one year term.

Finance

The Finance Committee reviews financial reports and recommends operating and annual conference budgets to the Executive Committee. It is responsible for monitoring the Reserve Fund and investments made by CCJSCA, as well as providing a report and recommendations to the Executive Committee on the disposition of net assets at the end of each fiscal cycle. It reviews membership dues and reports financial issues to the Executive Committee.

Membership

The Membership Committee is responsible for encouraging states to become members of the Council and for recruiting presiding judges within those states to become active participants in the Council's programs, including the annual conference. The Committee strives to maintain the interest of current and former chiefs in Council activities.

Nominating

The Nominating Committee makes recommendations to fill offices and positions on the Council of Chief Judges' Executive Committee.

Scholarship

The Scholarship Committee is responsible for the award of scholarships to attend the CCJSCA Annual Conference from funds allocated for that purpose by the Executive Committee. That responsibility includes the development of application procedures and establishment of criteria for the award.

Strategic Planning and Evaluation (SPEC)

The Strategic Planning and Evaluation Committee, formerly called the Long-Range Planning Committee, is responsible for the ongoing assessment of the Council's effectiveness, identifying areas of improvement, making recommendations regarding the future direction of the Council, and monitoring progress in implementing recommendations.

Technology

The Technology Committee will be comprised of Chiefs, who are either technically knowledgeable or who have an interest in how technical advances can contribute to the mission of the Council. This Committee is responsible for exploring technical opportunities, whether through social media or other avenues, that can assist the Council and its other committees with meeting their needs and responsibilities. As appropriate, this Committee will make recommendations to the Council's Executive Committee.

This page intentionally left blank for back-to-back duplication purposes.



Council of Chief Judges of the State Courts of Appeal
NCSC Key Staff Listing

NCSC KEY STAFF	RESPONSIBILITIES
<p>TONI GRAINER Education Specialist Institute for Court Management National Center for State Courts 300 Newport Avenue Williamsburg, VA 23185 P: 757-259-1586 E: agrainer@ncsc.org</p>	<p>Management of Education Program for Annual Meeting including:</p> <ul style="list-style-type: none"> • Staff liaison to Annual Conference Committee; start-up and ongoing planning of education programs • Speaker communications • Management of education program information, subsequent updates, and transition to official Registration Brochure • Compilation/development of education program materials inclusive of presentation slides, handouts, resources • Onsite implementation of education program
<p>LYNN KUDERKA Association Manager Association Services National Center for State Courts 300 Newport Ave. Williamsburg, VA 23185 P: 757-259-1558 E: lkuderka@ncsc.org</p>	<p>Management of Association matters including:</p> <ul style="list-style-type: none"> • Staff liaison to following committees: Executive, Administration of Justice, Development, Education, Finance, Long-Range Planning, Membership, Newsletter, Nominating, Resolutions & Historian, Scholarship and Website • Develops and oversees annual association and conference budgets and provides monthly finance reports • Collaborates with various committees to bolster awareness of and membership to CCJSCA • Hotel search, contract negotiations and meeting implementation for annual conference and all respective committee meetings • Coordinates all annual conference marketing efforts including host state conference logo, Save-the-Date postcard, education and social registration brochures, and website management • Coordinates all annual conference social and spouse activities with host state and venues

	<ul style="list-style-type: none"> · Manages audio-visual, videography, photography, and transportation service requirements for annual conference · Oversee annual conference registration process · Oversees meeting space requirements with annual conference hotel · Oversees reservations with annual conference hotel · Provides oversight for Conference Day logistics for CCJSCA President and members · Manages reconciliation of yearly and annual conference expenses. · Approves all travel vouchers for members and speakers
<p>SYDNEY ROHNOW Senior Administrative Specialist Association Services National Center for State Courts 300 Newport Ave. Williamsburg, VA 23185 P; 757-259-1815 E: srohnnow@ncsc.org</p>	<p>Provides support services to Association Manager and host state:</p> <ul style="list-style-type: none"> · Coordinates annual conference meeting logistics and reservations with hotel · Prepares conference registration packets · Coordinates annual conference pre- and on-site registration process · Prepares individual conference agendas for each member · Coordinates transportation services · Coordinates website updates with Webmaster · Processes all travel vouchers for members and speakers · Assists with RFP and contract review process

OTHERS:

JENNIFER HAIRE
Director, Association & Conference Services
National Center for State Courts
300 Newport Avenue
Williamsburg, VA 23185
P: 757-259-1806
E: jhaire@ncsc.org

JOHN MEEKS
Vice President, Institute for Court Management
National Center for State Courts
300 Newport Avenue
Williamsburg, VA 23185
P: 757-259-1567
E: jmeeks@ncsc.org

HOT TIPS FOR NEW CHIEFS

Tip #1: Primary Sources Dealing with the Administration of your Court

By Gary Lynch, Judge, Missouri Court of Appeals, Southern District

Identify, read, become familiar with, and acquire a copy for ready reference in the future, all primary sources dealing with the administration of your court. Obvious sources include applicable statutes and court rules. However, you may need to dig a little deeper for applicable internal court operating rules, internal procedure manuals, employment manuals and the like. Staff will be well aware of these later sources and just assume that the Chief is also. You should not make any assumptions. Ask until you are satisfied you have a handle on them all. When an issue arises, consult these sources first. You may be pleasantly surprised to find an answer there.

Tip #2: Decision-making and Communicating with Stakeholders

By Gary Lynch, Judge, Missouri Court of Appeals, Southern District

Even if you have independent decision-making authority, always communicate ideas and concerns with all stakeholders before making a decision. Solicit and then listen to input from stakeholders before making a decision. Once you make a decision, notify all stakeholders before, during and after implementation. If the decision relates to any primary source for administration of your court, make sure that source is properly updated and readily available to all stakeholders.

Tip #3: Court Culture – New Judge Memo

By Josh R. Morriss, III, Chief Justice, Texas Sixth Court of Appeals

Chief Justice Morriss’ “mentor” penned a “court culture” memo, setting out the collection of little things that the court had been doing or trying to do over the years, the things that a new judge would be slow to pick up otherwise or that might be learned by hard experience. It has morphed into the “new judge” memo, updated and shared with each new judge that comes on board. It contains the mindsets, conventions, and the little courtesies we try to observe. This sets the general tone for the court and gets potentially touchy issues out in the open, on paper in black and white.

Among the topics:

- a. Regular calendar features: weekly administrative and motions conferences, expectations of judges’ attendance
- b. Our customs and usual patterns for setting oral arguments.
- c. How we internally assign cases among the judges and how cases get reassigned on occasion. How we handle motions for rehearing.
- d. Our patterns and expectations on “passing” draft opinions. Courtesies such as putting other judges’ opinions ahead of your own and getting to them as soon as possible, not editing their grammar or word choices (personal preferences, etc.), but staying focused on “the law.” Recognizing that it’s his/her opinion...
- e. Our general desire for promptness to keep our cases moving whenever possible.

Tip #4: Collegiality

By Steve Powell, Judge, Ohio Court of Appeals, 12th District

As Chief, you must train new Judges on your court. The first lesson for collegiality should be to teach the new Judge on your Court to “review and sign off on your fellow Judges’ Opinions or Work before doing your own.”

Tip #5: Breaking Bread with the State Legislature

By Mark D. Pfeiffer, Chief Judge, Missouri Court of Appeals, Western District

We all need budget dollars...and that means we are often at the mercy of our respective state legislatures. Our experience has been that there are fewer and fewer lawyers that are in our state legislature as representatives/senators (i.e. to carry the torch of the judicial branch).

And, we have term limits in our state. So... our court has taken it upon ourselves to "educate" the state representatives and state senators in our court's territorial "footprint" by inviting them to an annual BBQ lunch at our courthouse (at the judges' expense) in which we provide a brief background about the work of the court. There's something about "breaking bread" with other people that "humanizes" the relationship...and when state lawmakers have a few faces with names, the "judicial branch" becomes "Mark" and "Karen" and "Tom" and "Cindy" etc... Though we do not have a perfect budget situation, our relationship has grown "warmer" with the legislative branch of government since we have been hosting luncheons for lawmakers at the courthouse each year.

Tip #6: Inclusion

By Melanie May, Judge, Florida Fourth District Court of Appeal

"Inclusion" is key. On becoming the Chief Judge, you must choose your leadership style. The style you choose often dictates your success, and defines the atmosphere and culture of the court. Remember, your colleagues are equally selected, appointed, or elected. Sure, you can make unilateral decisions that affect everyone. Or, you can include your colleagues in those decisions that affect them. "Buy in" avoids resentment. I found that to work for me.

Tip #7: Doing Your Best

By Sandee Bryan Marion, Chief Justice, Texas Fourth Court of Appeals

You must remember no matter how much you try, you can't fix everything. Do the best you can and move on.

Tip #8: Clearly Communicate Your Vision. Be a Listener.

By Susan Peikes Gantman, President Judge, Superior Court of Pennsylvania

It is important to develop effective communication with all of the Judges on the Court. You have two ears and one mouth. Listen more; speak less. Listen to the Judges' concerns, their issues, and their complaints. You learn valuable information or critical reasons as to why things may not happen as envisioned. It is your obligation to set expectations, to ensure that communication is clear.

CCJSCA Website



<http://www.ccjsca.org/>

This page intentionally left blank for back-to-back duplication purposes.



Council of Chief Judges of the State Courts of Appeal

Home

Council of Chief Judges of the State Courts of Appeal

Home About CCJSCA Membership Logout

Welcome, Ms. Toni Grainer!
My Account ID: 159062
MEMBERSHIP ACTIVE

2018 Conference San Diego California
November 13 - 17, 2018
Sheraton San Diego Hotel and Marina

What's New

- Nevada Chief Judge Abbi Silver Wins Seat on Nevada Supreme Court
- Judge Jill Johnson's Husband Dies in Ski Accident

Learning Center

Interactive Modules

President's Message
March 2018
By Melanie May

2018 IS SHAPING UP TO BE A GREAT YEAR!

Hello CCJSCA membership!
A great deal has happened since I last wrote to you. Our committees are off and running with their agendas for the year and great progress has been made in each of them. And, we have exciting news about one of our members.

Chiefs Forum

Professional Discussions

Court in-house counsel	08/07/2017 - 10:30am
CCJSCA Education Survey	08/12/2017 - 2:37pm

Council Business Discussions

Last Call for Nominations to Hall of Fame	07/12/2016 - 7:30pm
Improved Forum Notifications - Hopefully for real this time!	02/29/2015 - 2:47pm

Knowledge Base

The home page of CCJSCA.org provides connections to all CCJSCA online resources including the Chiefs' Forum, the Knowledge Base, the Learning Center, and the Member Directory.



Chiefs' Forum

Chiefs Forum

Professional Discussions

Hall of Fame Nominations	04/17/2018 - 5:34pm
Court in-house counsel	08/07/2017 - 10:30am
Last Call for Nominations to Hall of Fame	07/12/2016 - 7:30pm
Improved Forum Notifications -- Hopefully for real this time!	02/25/2015 - 2:47pm

The Chiefs' Forum is a venue for discussions, polls, questions, and answers on the operations of courts, as well as conversations about the business of the CCJSCA.

Professional Discussions

 [Start a Discussion](#)

Hall of Fame Nominations	04/17/2018 - 5:34pm
Court in-house counsel	08/07/2017 - 10:30am
CCJSCA Education Survey	06/12/2017 - 2:37pm
Nominations to Hall of Fame Due By June 15	06/01/2017 - 6:16pm
Frankie Moore, Chief Judge, Nebraska Court of Appeals	06/01/2017 - 12:32pm
CCJSCA Annual Conference Attendance Survey	05/31/2017 - 11:30am
Hints, thoughts and tips for new Chiefs	05/16/2017 - 10:55am
Social Media Presence	02/28/2017 - 9:25pm
Magazine or Newsletter	02/28/2017 - 9:20pm
Termination of parental right cases	02/27/2017 - 9:54am
Skyping oral arguments	02/27/2017 - 8:46am
Bombs Away: Impending Retirement	10/03/2016 - 10:14am
Bombs Away: Impending Retirement	10/03/2016 - 10:14am
Thoughtful article about how we might be affected by digital briefing and records.	02/15/2016 - 11:58am
Political opponents sitting on same panel: what to do?	10/30/2015 - 9:31am
Common law criminal intent	06/08/2015 - 10:19am
Pro se oral arguments	11/07/2014 - 4:17pm
Wedding Ceremony	06/24/2014 - 1:21pm
How to invite a SCOTUS justice as a speaker	06/19/2014 - 11:35am



Knowledge Base

Knowledge Base

Search the Knowledge Base for topics of interest, speeches, white papers, Forum discussions, and more.

Keyword search

With all of the words

Guided search

Click a term to initiate a search.

White Papers
[White Papers](#)

Archived Discussions
[Archived Discussions & Summaries](#)

Resolutions
[Resolutions](#)

Speech Bank
[General Speeches \(34\)](#) [Ceremonies of the Oath \(4\)](#)
[Occasions of Tribute \(34\)](#) [Memorials \(1\)](#)
[Eulogies \(22\)](#)

Word and Topic Index
[Word and Topic Index](#)

Members are encouraged to submit for possible inclusion in the Knowledge Base any non-copyrighted materials that might be of interest and useful to chief judges in the administration of their courts, including but not limited to articles, guides, studies, and relevant speeches. Such materials may be forwarded c/o Brenda A. Williams, Association Manager, National Center for State Courts, 300 Newport Avenue, Williamsburg, VA 23185; t 757.259.1841; f 757.259.1520; bwilliams@ncsc.org

The knowledge base collects CCJSCA white papers, archived discussions, resolutions, and speeches for all occasions.



Speech Bank

Knowledge Base: General Speeches

Results

Results 1 - 10 of 34

Eulogy Poem- The Dash

Speech Type: General Speeches

KB Tag: Eulogy Eulogic Inspirational Poem I read of a man who stood to speak at the funeral of a friend. He referred to the dates on his tombstone from...

[General Speeches - Eulogy](#)

John Marshall - A Founding Father

Speech Type: General Speeches

KB Tag: History John Marshall SEQ CHAPTER \h \r 1 JOHN MARSHALL - A FOUNDING FATHER If there is a trinity of founding fathers, Washington, as the Father of...

[General Speeches - History - John Marshall](#)

Greeting US Supreme Court Justice Sandra Day O'Connor

Speech Type: General Speeches

KB Tag: Justice Introduction JUDICIAL INDEPENDENCE COMMISSION ~ CONFERENCE ~ SEPTEMBER 19, 2007 THE GOVERNOR'S RESIDENCE - HARRISBURG, PA ~ THE JUST WOMAN IS A WOMAN UNTO HERSELF AND SHE DOES NOT NEED TO SUMMON THE...

[General Speeches - Introduction - Justice](#)

The Evolution of American Law

Speech Type: General Speeches

KB Tag: History Law THE EVOLUTION OF AMERICAN LAW: COLONIAL > CONTEMPORARY ~ Independence National Park Ranger Staff March 17, 2005 Stephen J. McEwen, Jr President Judge Emeritus Superior Court of PA OUTLINE The ARRIVAL of American Law The...

[General Speeches - History - Law](#)

21st Century Role of Intermed. App. Court

Speech Type: General Speeches

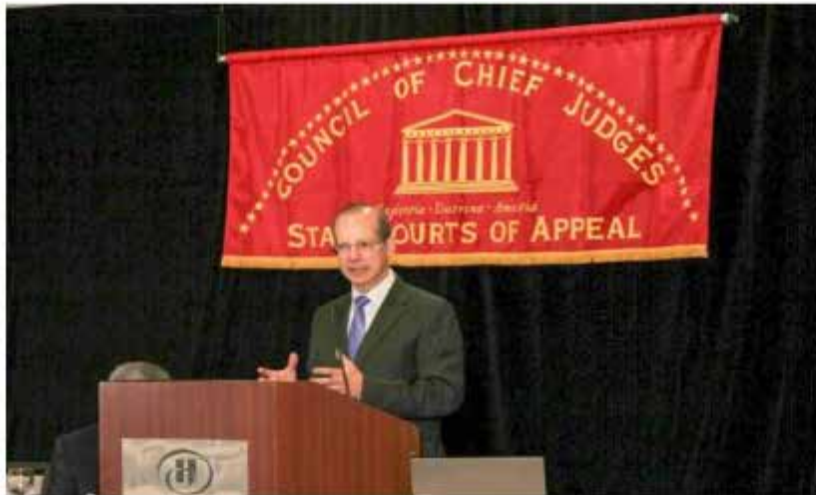
KB Tag: Appellate Judges THE 21st CENTURY ROLE OF AN INTERMEDIATE APPELLATE COURT _____ The word judge inspires in most members of the citizenry the vision of a robed individual high...

[General Speeches - Judges - Appellate](#)



New Chief's Toolbox

A Collection of Specially Chosen Resources For New Chief Judges



Conference Videos & Knowledge Base

[It's Good to be the Chief – Tips on Effective Leadership](#)

[Headlines or Lifelines? Best Practices in Court Administration: Judges in Distress](#)



Interactive Modules

[Governance & Leadership for Chief Judges of the State Courts of Appeal](#)



Chiefs Forum

[Ask a Question!](#)

[Make a Comment!](#)

The New Chiefs Toolbox is a collection of resources for new chief judges, including conference videos from years past, a connection to the Chiefs' Forum, and CCJSCA's Interactive Learning Modules.



Learning Center

The learning center provides links to helpful resources, including the interactive learning modules, and material and videos from past conferences.

Learning Center

Interactive Leadership Modules

Governance & Leadership for Chief Judges of the State Courts of Appeal

BEGIN COURSE >>

Governance & Leadership for Chief Judges of the State Courts of Appeal

Conference Videos

2017 2016 2015

← We the People → Leading the Court of the Future CCJSCA NORTH CAROLINA 2016 → BUILDING BRIDGES

Conference Day-By-Day

Day 1 Day 2 Day 3 Day 4

Sessions

Registration and Opening Reception

Conference Materials

CCJSCA NORTH CAROLINA 2016



Interactive Learning Modules

Interactive Learning Modules
Governance & Leadership for Chief Judges of the State Courts of Appeal

This interactive online education program was developed by the Council of Chief Judges of the State Courts of Appeal and the National Center for State Courts under a grant from the State Justice Institute. This course was created because your colleagues in the Council of Chief Judges of the State Courts of Appeal learn from each other about how to deal with the challenges of being a chief judge and they wanted to give you the benefit of their experience. A list has been created of topics chief judges talk about when they get together and it has been organized under headings taken from organizational leadership literature.

1. [The Challenge of Leadership in Appellate Courts](#)
2. [Leadership: The Importance of Legitimacy](#)
3. [Process: Protecting and Guiding](#)
4. [Fairness: Collaborative Decision Making](#)
5. [Communication: Tools for the Chief Judge](#)

CCJSCA.org’s Interactive Learning Modules help a new chief judge learn to address the challenges of being a chief judge in a new and interactive way.

Conference Videos

Sessions




Education Session: The Making of the Constitution



Education Session: The Latest and Greatest on the



Education Session: Disruptive Technologies



Education Session: The Making of the Constitution

Conference Year: 2017
Date of Presentation: 10/17/2017 - 9:00am
Conference Day: Day 1
Presenter Speaker(s):
Michael J. Klarman
Kirkland & Ellis Professor of Law, Harvard Law School

Today, Chief Judges must be prepared to work not only within our branch, but with the executive and legislative branches of government. In today's era of populist politics, Professor Klarman's discussion of the Framers' aversion to populism and their efforts to impede it through the Constitution is particularly timely. Professor Klarman will discuss the drafting and ratification of the U.S. Constitution. He will consider how and why the Framers in the Philadelphia convention wrote a constitution that was far more nationalizing and democracy-constraining than most Americans anticipated or desired. He will also discuss how they managed to convince the country, through a reasonably democratic process, to ratify a constitution that went far toward constraining popular influence on the national government.





News Updates



Kansas Chief Judge Honored with Distinguished Alumni Award
04/03/2018

Chief Judge Karen Arnold-Burger of the Kansas Court of Appeals will be honored during a private dinner April 7 in Lawrence and presented with the University of Kansas School of Law's 2018 Distinguished Alumni Award. The Distinguished Alumni Award celebrates graduates for their professional achievements, contributions to the legal field and service to their communities and the university. Judge Arnold-Burger began her judicial career in 1991 as a municipal judge for the city of Overland Park after serving as a prosecutor and assistant United States attorney for the District of Kansas. Thereafter, Governor Mark Parkinson appointed her to the Kansas Court of Appeals in 2011. Chief Justice Lawton Nuss named her chief judge in 2017. She received the Kansas Bar Association's Distinguished Service Award in 2016. Arnold-Burger earned a bachelor's degree in political science, psychology and personnel administration in 1978 and a law degree in 1982, both from the University of Kansas.



Nevada Chief Judge Abbi Silver Wins Seat on Nevada Supreme Court
03/08/2018

Nevada Court of Appeals Chief Judge Abbi Silver has won one of two open seats on the Nevada Supreme Court after no one filed against her. The remaining seat drew five candidates, requiring a primary election to whittle them down to two and then a November general election. When asked why would one nonpartisan seat draw only one person and the other five, Silver said: "I'm a hard worker, end of story," Judge Silver has a history of scaring off opponents with her relentless fundraising ability and her strong campaign skills. She will step into retiring Justice Michael Douglas' seat without enduring the anxiety and fundraising efforts of a campaign. Silver's lack of opponents went unnoticed by the news media when filing ended Jan. 12, and she said she's reluctant to broadcast it beyond friends because "until it's in the newspaper, it doesn't seem real." Judge Silver received her Bachelor of Arts degree in Political Science from the University of Nevada, Las Vegas. In 1989, she received her Juris Doctor degree from Southwestern University School of Law in Los Angeles, California. From 1994 until 2003, Judge Silver was assigned to the Special Victim's Unit of the District Attorney's Office. In 2003 She was elected to the Las Vegas Municipal Court; in 2006, to the Las Vegas Justice Court; and in 2009 to the District Court. In 2015, following her nomination by the Nevada Judicial Selection Committee, Nevada Governor Brian Sandoval appointed Silver to the Inaugural Court of Appeals of Nevada where she currently sits.



Member List

Last Name	State	Zip	Country	
<input type="text"/>	<Any> ▼	<input type="text"/>	<input type="text"/>	<input type="button" value="Apply"/>
Hon. A. John Pelander	Arizona		USA	85007-3231
Hon. A. Gail Prudenti	New York		USA	11549
Hon. Alan M. Loeb	Colorado		USA	80203
Hon. Alex M. Sanders	South Carolina		USA	29401-2725
Hon. Alexandra D. DiPentima	Connecticut		USA	06106
Hon. Alfred D. Lerner	New York		USA	10103
Hon. Alma L. Lopez	Texas		USA	78059
Hon. Alok Ahuja	Missouri		USA	64106
Hon. Angela Turner Quigless	Missouri		USA	63101
Hon. Ann Crawford McClure	Texas		USA	79901
Hon. Ann Schindler	Washington		USA	98101-1176
Hon. Ann A. Scott Timmer	Arizona		USA	85007
Hon. Anthony M. Wilhoit	Kentucky		USA	40601-9230
Hon. Antoinette L. Dupont	Connecticut		USA	06106
Hon. Ariel A. Rodriguez	New Jersey		USA	07446
Hon. Arlene Singer	Ohio		USA	43624-1681
Hon. Arthur G. Scotland	California		USA	95814
Hon. Austin McCloud	Texas		USA	76448
Hon. Beth Whitmore	Ohio		USA	44308-1602
Hon. Betty Weinberg Ellerin	New York		USA	10016
Hon. Bob Abbott	Kansas		USA	67205
Hon. Bob Seerden	Texas		USA	78403
Hon. Bonnie Brigance Leadbetter	Pennsylvania		USA	19422
Hon. Booker T. Shaw	Missouri		USA	63101
Hon. Brad R. Hill	California		USA	93721
Hon. Brian Blanchard	Wisconsin		USA	53703-3397
Hon. Brian Quinn	Texas		USA	79101-2449

Located at the bottom of every page, in the Member Menu, is a directory of the CCJSCA's members, including contact information.



Appellate Court Innovations

Appellate Court Innovations

NCSC, in conjunction with the Conference of Chief Justices (CCJ), the Council of Chief Judges of the State Courts of Appeal (CCJSCA), the Conference of State Court Administrators (COSCA) and the National Conference of Appellate Court Clerks (NCACC), has developed an e-catalog of innovative practices, technological applications and good ideas to help appellate courts operate more efficiently and reduce the time to disposition. Much of the information presented was provided by CCJSCA members through a survey of appellate courts in late 2015. This e-catalog is an easily accessible and valuable resource to appellate courts as they seek to improve timeliness and learn from the experiences of their colleagues across the country.

The e-catalog is divided into sections pertaining to:

- Summary of Survey Results
- Widespread Technology Innovations
- Technology Innovations on the Horizon
- Preparing the Record
- Briefing Stage • Case Assignment/Scheduling
- Preparing the Opinion/Decision
- Other Innovations

Visit the Appellate Court Innovations website:

<http://ncsc.org/Topics/Appellate/Appellate-catalog>

Finally, a link to the Appellate Innovations e-Catalog, hosted by National Center for State Courts, provides access to a wealth of state court information and resources.

This page intentionally left blank for back-to-back duplication purposes.



Valuable Resources

This page intentionally left blank for back-to-back duplication purposes.

Slide 1

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Governance & Leadership for Chief Judges of the State Courts of Appeal

COURTHOUSE

MAIN MENU RESOURCES BEGIN COURSE >>

This slide features a gold header with the course title and a logo. The main content area has a blue background with a white illustration of a classical courthouse with the word 'COURTHOUSE' above its entrance. Below the illustration is a green lawn. At the bottom, a dark red navigation bar contains three buttons: 'MAIN MENU' with a cross icon, 'RESOURCES' with a folder icon, and 'BEGIN COURSE' with a double arrow icon.

Slide 2

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Before we begin...

Audio Check

This module contains audio voiceovers. Please use the test audio button below to ensure that your audio is on and that the volume is adjusted properly before proceeding.

If you heard the sample audio when you pressed the button, then click the button below to continue.

If you did not hear the sample audio, please check your speaker settings and volume controls, then click the test audio button again.

We recommend that you use headphones or earbuds while taking this training.

TEST AUDIO CONTINUE

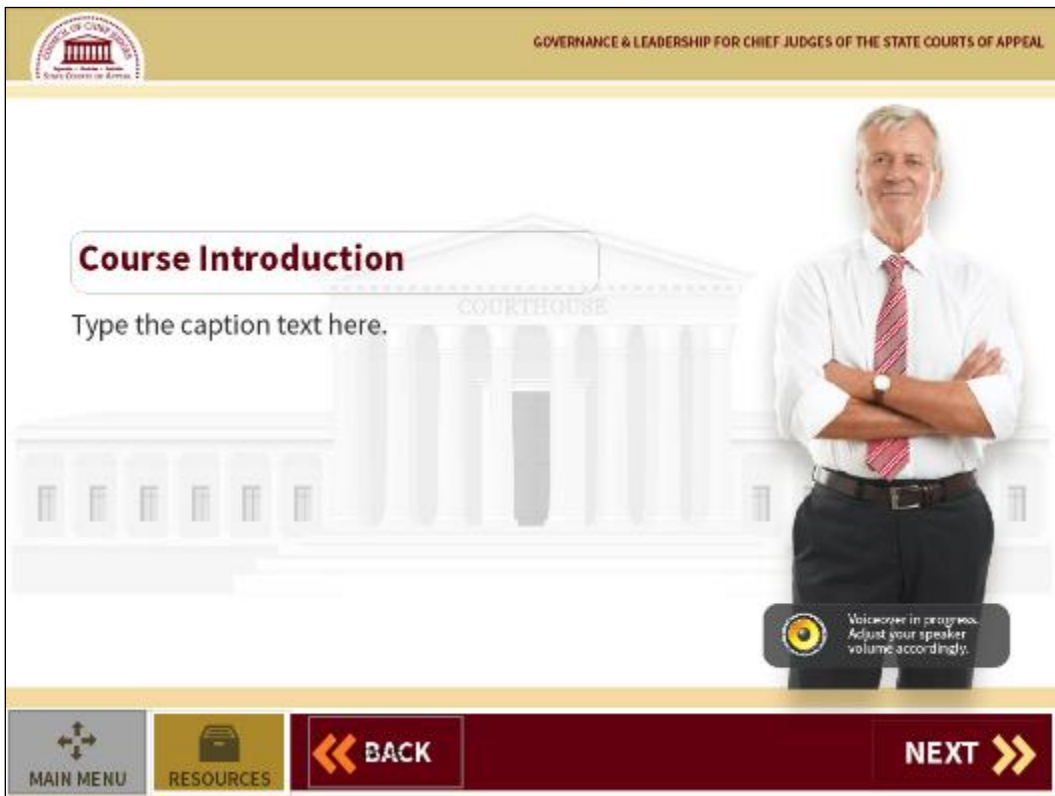
MAIN MENU RESOURCES NEXT >>

This slide features a gold header with the course title and a logo. The main content area has a white background with a faint, light gray illustration of the courthouse from Slide 1. It contains an 'Audio Check' section with a speaker icon, instructions on how to use the audio, and two buttons: 'TEST AUDIO' and 'CONTINUE'. A dark red navigation bar at the bottom contains three buttons: 'MAIN MENU' with a cross icon, 'RESOURCES' with a folder icon, and 'NEXT' with a double arrow icon.

Slide 3



Slide 4



Slide 5

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Course Outline

- The Challenge of Leadership in Appellate Courts
- Leadership: The Importance of Legitimacy
- Process: Protecting and Guiding
- Fairness: Collaborative Decision Making
- Communication: The Importance of the Inner Branch

Voiceover in progress. Adjust your speaker volume accordingly.

MAIN MENU RESOURCES BACK NEXT

Slide 6

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

LEARNING OBJECTIVES

Click on each of the cards below to reveal more about each objective for this module.

You will be able to identify common responsibilities for a chief appellate court judge	You will be able to describe the leadership challenges of a chief judge
You will be able to identify the characteristics of a closely coupled organization	You will be able to list the governance mechanisms that should be used by leaders in the appellate courts

Voiceover in progress. Adjust your speaker volume accordingly.

MAIN MENU RESOURCES BACK NEXT

Slide 7

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

How Does A Chief Appellate Judge Learn the Job?

RATE THE FOLLOWING STATEMENTS:

	Strongly Disagree 1	Disagree 2	Neutral 3	Agree 4	Strongly Agree 5
1. By watching the previous chief judge	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. From education or a manual or other guidance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. From court rules or statutes describing the duties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. From chief judges from other appellate courts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

[Submit](#)

Voiceover in progress. Adjust your speaker volume accordingly.

[MAIN MENU](#)
[RESOURCES](#)
[BACK](#)
[NEXT](#)

Slide 8

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

How Does A Chief Appellate Judge Learn the Job?

You said:

[\\$cpQuizAssessEthics1\\$\\$](#)

By watching the previous chief judge

[\\$cpQuizAssessEthics2\\$\\$](#)

From education or a manual or other guidance

[\\$cpQuizAssessEthics3\\$\\$](#)

From court rules or statutes describing the duties

[\\$cpQuizAssessEthics4\\$\\$](#)

From chief judges from other appellate courts

Our Response

A new chief judge's answer to these questions will depend on that chief's circumstances. Many chief judges are limited as a practical matter by their court's "culture," the practices of previous chief judges, and assumptions about the role of the chief vis a vis the court clerk, the court administrator, and other staff.

Chief judges should consider attending the annual meetings of the Council of Chief Judges of the State Courts of Appeal, where they can learn how appellate courts operate in very different ways around the United States, despite having the same goal of rendering decisions in a fair and efficient manner.

Modules 2 through 5 of this course include summaries of advice from experienced chief judges and offer a variety of perspectives on the role a chief judge can play in maintaining and improving judicial administration.

[MAIN MENU](#)
[RESOURCES](#)
[BACK](#)
[NEXT](#)

Slide 11

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL




What Does a Chief Appellate Court Judge Do?

- Most appellate judges have little familiarity with the administrative responsibilities of a chief judge until one becomes a chief judge
- Judges assume a chief judge only presides over judges' meetings and makes decisions about law-related matters
- In reality many chief judges are also responsible for policies, procedures, and decisions about human resources, facilities, security, budgets, and more

MAIN MENU
RESOURCES
◀ BACK
NEXT ▶


Slide 12

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL




Statutes and Court Rules

Click each rule below to learn more.



COURTHOUSE

You MUST click on and read each set of rules before you can move to the rest of the module.




Voicover in progress. Adjust your speaker volume accordingly.

MAIN MENU
RESOURCES
◀ BACK


Slide 13

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL




Statutes and Court Rules


Click each rule below to learn more.




Kansas General and Administrative Rules
(Adopted by the Supreme Court)



Michigan Court Rules





You MUST click on and read each set of rules before you can move to the rest of the module.

MAIN MENU
RESOURCES
◀ BACK
NEXT ▶

Slide 14

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Kansas General and Administrative Rules *(Adopted by the Supreme Court)*

Rule 1.02
CHIEF JUDGE OF THE COURT OF APPEALS

(a) Designation. The Supreme Court will designate a chief judge of the Court of Appeals.

(b) Chief Judge's Administrative Powers. The chief judge of the Court of Appeals has the following administrative powers:


- (1) to designate and number hearing panels, assign judges to the panels, and designate the presiding judge of each panel of which the chief judge is not a member;
- (2) to assign cases for hearing and determination to panels designated under paragraph (1);
- (3) to designate the time and place for the hearing of each case — at any place within the state as provided in K.S.A. 20-3013 — taking into consideration where the case arose and the relative convenience and expense of the parties, court, and counsel;

◀ BACK
NEXT ▶

MAIN MENU
RESOURCES

Slide 15

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Kansas General and Administrative Rules, cont.



(3) to designate the time and place for the hearing of each case — at any place within the state as provided in K.S.A. 20-3013 — taking into consideration where the case arose and the relative convenience and expense of the parties, court, and counsel;



(4) to designate a judge to conduct a prehearing conference when the court has ordered one to be held before a single judge under Rule 1.04;

(5) **to establish — after consultation with the other members of the court — internal operating procedures for the orderly handling of the court's business and the fair distribution of work among its members***; and

(6) to perform any other necessary administrative duty* not otherwise provided for by statute or supreme court rule.


* Emphasis added





Slide 16

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



CLOSE 


Kansas Rule



The Kansas rule includes the following language-

(5) **to establish — after consultation with the other members of the court — internal operating procedures for the orderly handling of the court's business and the fair distribution of work among its members***; and

(6) to perform any other necessary administrative duty* not otherwise provided for by statute or supreme court rule.

The requirement of consultation with other members of the court and the "other duties as necessary" language are common causes of challenges and opportunities for chief appellate court judges and they will be examined later in the course.



Slide 17

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Michigan Court Rules

Rule 7.201 Organization and Operation of Court of Appeals

(A) Chief Judge and Chief Judge Pro Tempore.

(1) The Supreme Court shall select a judge of the Court of Appeals to serve as chief judge. No later than October 1 of each odd numbered year, the Court of Appeals may submit the names of no fewer than two judges whom the judges of that court recommend for selection as chief judge.

(2) The chief judge shall select a chief judge pro tempore, who shall fulfill such functions as the chief judge assigns.

(3) The chief judge and chief judge pro tempore shall serve a two-year term beginning on January 1 of each even numbered year, provided that the chief judge serves at the pleasure of the Supreme Court and the chief pro tempore serves at the pleasure of the chief judge.

Slide 18

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Michigan Court Rules, cont.

Rule 8.110 Chief Judge Rule

(C) Duties and Powers of Chief Judge.

(1) A chief judge shall act in conformity with the Michigan Court Rules, administrative orders of the Supreme Court, and local court rules, and should freely solicit the advice and suggestions of the other judges of his or her bench and geographic jurisdiction. If a local court management council has adopted the by-laws described in AO 1998-5 the chief judge shall exercise the authority and responsibilities under this rule in conformity with the provisions of AO 1998-5.

(2) As the presiding officer of the court, a chief judge shall:

(a) call and preside over meetings of the court;

(b) appoint committees of the court;

(c) initiate policies concerning the court's internal operations and its position on external

Slide 19

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Michigan Court Rules, cont.

- (d) meet regularly with all chief judges whose courts are wholly or partially within the same county;
- (e) represent the court in its relations with the Supreme Court, other courts, other agencies of government, the bar, the general public, and the news media, and in ceremonial functions;
- (f) counsel and assist other judges in the performance of their responsibilities; and
- (g) cooperate with all investigations conducted by the Judicial Tenure Commission.

(3) As director of the administration of the court, a chief judge shall have administrative superintending power and control over the judges of the court and all court personnel with authority and responsibility to:

- (a) supervise caseload management and monitor disposition of the judicial work of the court;
- (b) direct the apportionment and assignment of the business of the court, subject to the provisions of MCR 8.111;

◀ BACK
NEXT ▶

MAIN MENU
RESOURCES

Slide 20

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Michigan Court Rules, cont.

provisions of MCR 8.111;

- (c) determine the hours of the court and the judges; coordinate and determine the number of judges and court personnel required to be present at any one time to perform necessary judicial administrative work of the court, and require their presence to perform that work;
- (d) supervise the performance of all court personnel, with authority to hire, discipline, or discharge such personnel, with the exception of a judge's secretary and law clerk, if any;
- (e) coordinate judicial and personnel vacations and absences, subject to the provisions of subrule (D);
- (f) supervise court finances, including financial planning, the preparation and presentation of budgets, and financial reporting;
- (g) request assignments of visiting judges and direct the assignment of matters to the visiting judges;
- (h) effect compliance by the court with all applicable court rules and provisions of the law;

◀ BACK
NEXT ▶

MAIN MENU
RESOURCES

Slide 21

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Michigan Court Rules, cont. CLOSE X

(i) perform any act or duty or enter any order necessarily incidental to carrying out the purposes of this rule.

(4) If a judge does not timely dispose of his or her assigned judicial work or fails or refuses to comply with an order or directive from the chief judge made under this rule, the chief judge shall report the facts to the state court administrator who will, under the Supreme Court's direction, initiate whatever corrective action is necessary.

(6) A chief judge may delegate administrative duties to a trial court administrator or others.

(7) Where a court rule or statute does not already require it, the chief judge may, by administrative order, direct the clerk of the court to provide litigants and attorneys with copies of forms approved by the state court administrator. In addition, except when a court rule or statute specifies that the court or clerk of the court must provide certain forms without charge, the administrative order may allow the clerk to provide the forms at the cost of reproduction to the clerk.

← BACK
NEXT →

MAIN MENU
RESOURCES

Slide 22

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Chief Judge Responsibilities


- Most chief judges continue to have some of their own cases in addition to their responsibilities as chief judge
- Chief judges typically have administrative responsibility for managing the court's legal work.
- Chief judges usually are also responsible for administrative matters not directly related to administering cases

Speaker icon Voiceover in progress. Adjust your speaker volume accordingly.

MAIN MENU
RESOURCES
← BACK
NEXT →


Slide 23



GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL





Chief Judge Responsibilities

- Some administrative responsibilities seem mundane and do not require creative leadership skills, such as handling complaints from associate judges about heating or air conditioning, reviewing contracts for lawn service, or considering new court supply purchases.
- Even the most mundane administrative decisions can have an impact on the morale of staff or the collegiality of the court, and consequently on the ability of the court to operate effectively and to be a place where people want to come to work every day.



Voiceover in progress. Adjust your speaker volume accordingly.

 MAIN MENU
 RESOURCES

 BACK
 NEXT

Slide 24

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Personnel Scenario

A law clerk complains to you, the Chief Judge, about another judge's assistant consistently arriving at work at 10 am and leaving by 3 pm.

What do you do?



Nothing
Click Box


Tell the clerk not to be concerned about it
Click Box

Write or talk to the other judge
Click Box

Talk directly to the judge's assistant
Click Box


SUBMIT

 MAIN MENU
 RESOURCES

 BACK

Slide 25

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL




Personnel Scenario

Nothing	It is possible that the absence of the judge's assistant is creating work flow problems for the court. The situation may also negatively affect staff morale. Doing nothing may perpetuate a real problem.
Tell the clerk not to be concerned about it	This alternative may be appropriate if you believe the clerk would like to report on staff "misbehavior" to you at every opportunity. By itself this response does nothing to identify or address potential problems.
Write or talk to the other judge	The chief judge should address the situation with the assistant's judge if: <ol style="list-style-type: none"> 1. The assistant's conduct violates an HR policy or rule; 2. The assistant's conduct does not violate a policy or rule, but is adversely affecting the work of the court.
Talk directly to the judge's assistant	This should only be done if the assistant is part of a pool and is not considered to be the judge's staff or if doing so would be seen as a commonly accepted practice.

MAIN MENU
RESOURCES
◀ BACK
NEXT ▶

Slide 26

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Personnel Scenario

General Guidance: If you decide that addressing this kind of issue is within your responsibility as chief judge, the first step is to consult with your court's HR director or to look at the court HR manual to determine if there is a rule that applies to judges' staff. For example, is there a statute or rule that prescribes the legal status of the judge's staff members, such as serving as an at will employee of the judge? If there is a written, applicable rule it should be followed. If there is not a written rule, most chiefs would recommend communicating directly with the other judge regarding conduct of a judge's personal staff.

MAIN MENU
RESOURCES
◀ BACK
NEXT ▶

Slide 27

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Personnel Scenario: Follow up

Does your court have a telework policy?
 YES NO DON'T KNOW

If so, do you know to whom it applies?
 YES NO DON'T KNOW

Does your court have separate policies for staff who report directly to a judge and for those who do not?
 YES NO DON'T KNOW

[SUBMIT](#)

MAIN MENU
RESOURCES
← BACK

Slide 28

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Personnel Scenario: Follow up


Guidance: The chief judge should know if there are HR policies about typical HR issues. If there is no applicable policy the chief should decide if the employee's behavior is a) affecting the efficient work of the court or b) having a negative impact on staff morale. If either of these situations are present the chief should consider speaking with the employee's judge. The chief may also ask his or her colleagues to adopt a policy that will apply to all judges' staff.

This scenario relates specifically to another judge's personal staff. If a general member of the court's staff was the focus of the scenario a different approach would be appropriate. In that case, the matter could be delegated to the human resources office or to the employee's supervisor.


MAIN MENU
RESOURCES
← BACK
NEXT →

Slide 29

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Personnel Scenario: Conclusion




Voicover in progress. Adjust your speaker volume accordingly.

MAIN MENU RESOURCES **BACK** NEXT

Slide 30

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Facilities Scenario

The air conditioning stops working in your court building in the summer. The head of maintenance tells you expensive parts need to be replaced and it will take two work days to restore air conditioning.

Will you review or approve the contractor selected to do the work and approve the cost of the repair? YES NO

Do you know who on your court staff has the expertise to be sure the AC is repaired in a professional and cost-effective manner? YES NO


If your court shares building space, do you know the protocol for resolving maintenance problems and paying for them? YES NO

Do you know the procedures to be followed if the court building is to be closed for any period of time. YES NO

MAIN MENU RESOURCES **BACK**

Slide 31

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Facilities Scenario




Voicover in progress. Adjust your speaker volume accordingly.

MAIN MENU RESOURCES BACK NEXT

Slide 32

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Facilities Scenario

How will you decide if staff should be required to come to work the next two days?

The court clerk/administrator will use a Continuity of Operations Plan (COOP) to determine the appropriate action.

You will convene a meeting of the other judges and the court administrator/clerk of court to make a decision.


You will individually make a decision based on the information you have.

If the building needs to be closed how will staff be informed and what will the communication tell them as far as whether they should work from home, take personal leave, etc? You may type a response below.

SUBMIT

MAIN MENU RESOURCES BACK

Slide 33






 GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Facilities Scenario


Guidance: The practices of each appellate court will vary, but the chief judge should know how similar problems have been resolved in the past and if there are any written court procedures that apply.

Remember that when there are facilities issues, such as repairs, construction, or anything that could affect employees, every member of the staff will want to receive information about what decisions are being made. If the court has a public information officer that person can be recruited to inform any lawyers, litigants, or others who may be affected.

Should anything occur that could impact the continuity of court operations, the chief judge must address these matters as a priority and have a plan and process for communicating with the other judges, staff, and external stake-holders.

 MAIN MENU  RESOURCES  BACK  NEXT 



Slide 34






 GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Chief Judge Responsibilities

As we wrap up this section on chief judge responsibilities, ask yourself:

- What are your responsibilities as chief judge?
- Are they clearly defined?
- Is there a clear allocation of responsibility between you and the clerk or the administrative director of the court?
- Would the associate judges and key court staff be able to describe your responsibilities as chief?

 NEXT 

 MAIN MENU  RESOURCES  BACK  NEXT 

Slide 35

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Why are Courts Hard to Manage?

VOICEOVER IN PROGRESS. ADJUST YOUR SPEAKER VOLUME ACCORDINGLY.

MAIN MENU RESOURCES BACK NEXT

Slide 36

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Why are Courts Hard to Manage?

The introduction to the monograph, "Governance: The Final Frontier," frames the issue this way: Harvard Law School Dean Roscoe Pound's famous 1906 speech, "The Causes of Popular Dissatisfaction with the Administration of Justice," launched an era in which court leaders and academic supporters sought to find a form of court organization that would produce public satisfaction as a matter of routine. Now, more than a century later, after countless examinations, re-examinations, development of various standards for court organization, and application of innovative private sector business practices, no agreed-upon model for effectively leading state courts has emerged even as judges and court administrators continue to explore the frontier of court governance.

"Governance: The Final Frontier," Pg. 1, Mary Campbell McQueen, June 2013
(The "Governance" monograph is available for reading at the resources link below.)

MAIN MENU RESOURCES BACK NEXT

Slide 37


GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Why are Courts Hard to Manage?

Courts have often tried to run themselves like a business, but courts are different from private businesses; the organizational models for the two are incompatible. Instead, court leaders should “consider a ‘loosely coupled organization’ model and look to the processes and mechanisms that the leaders of those organizations use to achieve effective governance.”

“Governance: The Final Frontier,” Pg. 1


 MAIN MENU

 RESOURCES

 BACK

 NEXT

Slide 38


GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Analogous Leadership Positions?


Which of the following positions do you believe is most analogous to the job of state appellate court chief judge?


Military General


Chief Executive Officer


College Dean

SUBMIT


Voiceover in progress. Adjust your speaker volume accordingly.


 MAIN MENU

 RESOURCES

 BACK

Slide 39

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL







Analogous Leadership Positions?

Military General:
Most chief judges do not have the authority or the degree of control over subordinates that a general has.

Chief Executive Officer:
While it is true that courts are generally required to be more accountable for their budgets and business practices than they used to be, a chief judge does not have the authority to re-allocate resources and set strategic direction in the way a CEO does.

College Dean:
Chief judges and college deans are both “superiors among equals” with responsibilities for administrative matters, including rules and procedures that promote consistency and standards.

Slide 40

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Characteristics of Loosely Coupled Organizations

Loosely coupled organizations have traits that are often associated with public universities and medical institutions. Those traits include the following...










Slide 41

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Characteristics of Loosely Coupled Organizations

- Complex and specialized decision-making
- Highly trained professionals with individual autonomy
- Tension between institutional commitment and personal autonomy

Consider how professors in universities, doctors in hospitals, and judges in courts all retain a high level of autonomy within their organization. That autonomy results in diminished formal authority for the organization's leadership. "Legitimate authority in a loosely coupled organization is derived as much from colleagues as from a formal source, such as a statute, bylaw, or constitution." "Governance: The Final Frontier," Pg. 2

MAIN MENU RESOURCES BACK NEXT

Slide 42

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Characteristics of Loosely Coupled Organizations

- External funding
- Changing public expectations

-- These two characteristics apply to universities, hospitals, and courts. While each of them generates some revenue, the bulk of their revenue comes from sources they do not control. Likewise, public expectations are important, they change rapidly and often, and public expectations are not controlled by the institution.

MAIN MENU RESOURCES BACK NEXT

Slide 43

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Characteristics of Loosely Coupled Organizations

Now we will look more closely at some of the features of loosely coupled organizations that make them a challenge to manage.

- Federated structure
- Accountability v. autonomy
- Unpredictable connections
- Complex and knowledge intensive

MAIN MENU
RESOURCES
◀ BACK
NEXT ▶

Slide 44

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Characteristics of Loosely Coupled Organizations

Federated Structure

- Consistent with their high level of autonomy, “trained professionals in public service, [such as appellate judges,] may create their own governance norms and feel unreasonably constrained by a central authority’s demand for administrative accountability.”
- Individually based legitimacy contributes to the federated nature of the organization and perpetuates an “us versus them” perception of governing.

“Governance: The Final Frontier,” Pg. 2

MAIN MENU
RESOURCES
◀ BACK
NEXT ▶

Slide 45

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Characteristics of Loosely Coupled Organizations

Accountability v. Autonomy

- “Accountability and autonomy are competing values in loosely coupled organizations and, as such, potential sources of tension.”
- “Increasing competition for public funds, coupled with increasing demands for court efficiency and productivity, have elevated the tensions between judicial accountability and individual autonomy.”

“Governance: The Final Frontier,” Pg. 3-4






Slide 46

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Characteristics of Loosely Coupled Organizations

Unpredictable Connections

- “The connections and alliances that exist between the individual... [e.g. associate judges] and the centralized executive... [e.g. the chief judge and administrator] are unpredictable in loosely held organizations, especially compared with a tightly coupled hierarchical agency....Lines of authority may be unclear, misunderstood, or unrecognized, and the distribution of power may appear uneven.”

“Governance: The Final Frontier,” Pg. 4-5






Slide 47

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Characteristics of Loosely Coupled Organizations

Complex and Knowledge Intensive

- Professionals in loosely coupled systems arrive in their positions having personally attained a high level of academic achievement applying complex concepts. Whether in medicine, academia, or the law, continued personal achievement is valued and rewarded. This individually based system of recognition and reward perpetuates the loosely coupled nature of the organization.
- The pressure to make the right decision in the first instance contributes to a sense of individual rather than institutional responsibility, a consequence distinctive to the courts as a loosely coupled system.

“Governance: The Final Frontier,” Pg. 5






Slide 48

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

Guidance for Leaders in Loosely Coupled Organizations

The Mechanisms

- Leadership: The Importance of Legitimacy
- Process: Protecting and Guiding
- Fairness: Collaborative Decision Making
- Communication: The Importance of the Inner Branch
 - Each of these four “mechanisms” contain recommended strategies for leaders in loosely coupled organizations. They are fully addressed in the other modules.


 Voiceover in progress. Adjust your speaker volume accordingly.







Slide 50

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL



Summary



Voicover in progress. Adjust your speaker volume accordingly.

MAIN MENU RESOURCES **BACK** **END OF MODULE 1**

Slide 51

GOVERNANCE & LEADERSHIP FOR CHIEF JUDGES OF THE STATE COURTS OF APPEAL

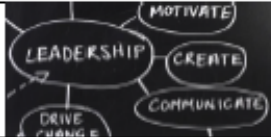









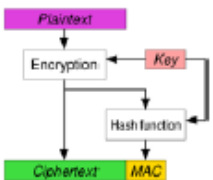






Resources

I. Governance: The Final Frontier

MAIN MENU **BACK**

Quick Start Guide to CyberSecurity Recommendations and Tips

	<p>Be the leader when it comes to CyberSecurity. Make it a priority and hold everyone accountable.</p>
	<p>Identify those responsible and determine capabilities, timelines, job descriptions, and funding. Look to other government agencies/private contractors to augment existing resources.</p>
	<p>Communicate often regarding the need to remain vigilant in an ever changing CyberSecurity landscape. Establish and/or annually review data security policies and procedures.</p>
	<p>Establish a yearly judge/employee training program regarding CyberSecurity.</p>
	<p>Prepare a CyberSecurity action plan. Test at least yearly. The plan at a minimum should have a chain of command, recommended action steps, a communication component, and other government (vendors) identified with contact information.</p>
	<p>Ensure that system firewall settings are configured and adapted to keep your systems secure. Review email security settings filtering malicious emails/attachments.</p>
	<p>Have a software patch schedule for servers, storage, software, desktops, and hardware. Backup systems on a very frequent basis and have an off-site storage process.</p>
	<p>Enhance password complexity and length (recommendation is 15 characters with complexity), recommend changing every six (6) months. Recommend screen lockouts at 15-30 minutes.</p>

	<p>Encrypt mobile devices. Encryption is the only way to ensure (as best as possible) that a stolen mobile device is not a risk to the court.</p>
	<p>Run anti-virus scans on all desktop, laptops, and servers. Ensure that anti-virus software is updated on a regular basis.</p>
	<p>Plan an external system penetration test. Yearly is recommended. Prepare an action plan once the results of the penetration test are known.</p>
	<p>Secure your wireless network. Do you offer “free or guest” Wi-Fi? If so, ensure that the “free or guest” Wi-Fi is segregated from your production systems and/or at a minimum capped at a certain speed to prevent production disruptions.</p>
	<p>Be prepared to invest time and resources in technology staff training (on-site, video, and off-site) to keep up with CyberSecurity trends and preventative actions that can be taken.</p>
	<p>CyberSecurity will slow you down a bit – plan on it. Ransomware, successful malicious email attacks, and systems that are compromised are generally preventable.</p>