

# COURT LEADERSHIP INSTITUTE OF ARIZONA (CLIA)

Judicial Education Center  
541 E Van Buren, Suite B4  
Phoenix, AZ 85004

## Minutes of the November 8, 2007 Conference Call Meeting

### Committee Members Present:

Judge Louraine Arkfeld, Chair	Presiding Judge Tempe Municipal Court
Kent Batty, Vice Chair (via phone)	Court Administrator, Superior Court in Pima County
Mike Baumstark	Deputy Director, Administrative Office of the Courts (AOC)
Frank Corrales (via phone)	Court Administrator, Superior Court in Santa Cruz County
Judge Margaret Downie (via phone)	Associate Presiding Judge, Superior Court in Maricopa County
Don Jacobson (via phone)	Court Administrator, Flagstaff Municipal Court
Judge John Lamb (via phone)	Associate Presiding Judge, Superior Court in Navajo County
Denise Lundin (via phone)	Clerk of the Court, Superior Court in Cochise County
David Sanders (via phone)	Chief Probation Officer, Superior Court in Pima County

### Committee Members Absent:

Carole Boone	Chief Probation Officer/Juvenile Court Center Director, Maricopa County Juvenile Court
Alice Bustillos	Detention Director, Superior Court in Maricopa County
Judge William Sutton	Presiding Judge, Williams Municipal and Williams Justice Courts
Kathy Waters	Division Director, Adult Probation Services, AOC
Professor Bonnie Black	Public Member (resigned)
Philip Urry	Clerk of the Court, Court of Appeals, Division I (resigned)

### CLIA Staff Present:

Deb King, Program Manager  
Gabe Goltz, Program Specialist  
Susie DeLeon, Program Assistant

### Guests Present:

## Call to Order, Administrative Business

Judge Louraine Arkfeld called the meeting to order at 9:05 a.m., at the Judicial Education Center, Phoenix, Arizona.

Judge Arkfeld called for all members to review the September minutes. Judge Arkfeld asked if there were any changes or corrections to be made. Kent Batty noted that the Institute of Court Management (ICM) should read Institute for Court Management, as well as National Association of Court Management should read National Association for Court Management. Mr. Batty indicated that he understood the ICM proposal presented by Dave Byers would be a replacement program for existing ICM, and not a parallel program. By deleting the phrase "parallel or" the corrected sentence would read, "The curriculum will be based on the National Association for Court Management's (NACM) twelve 'core competencies' and would be seen as a replacement program to the existing National Center for State Courts (NCSC) ICM 'Court Management Program' (CMP)." Motion was made and seconded to approve September 24, 2007 meeting with changes noted. Motion passed. **MOTION: CLIA 2007-04**

## Arizona Court Manager (ACM) Capacity Concerns

Upon review of the application process discussed in the previous meeting, concerns were raised on the potential for applications to increase the demand on ICM classes.

Questions raised:

- If the 265 or more current ICM participants applied and pre-registered using the ACM application, wouldn't this fill the courses and prevent anyone else from registering?
- Doesn't the pre-notification option encourage more applications just to ensure receipt of advanced notices?

Responses included:

- A certain number of designated seats can be reserved to allow for open registration of a one-time participant.
- All of the 265 have already taken at least one of the courses, none would need all five.
- Some of the 265 may have been one-time attendees and may not apply for the program, and would no longer receive advanced notices.
- Applications do not require pre-registration so some may stretch out their timeframes for completing the classes.
- Regardless of process used, the demand for these classes will likely remain high and with advance notice and pre-registration, we will at least have a better idea of ongoing need.
- Once the process is started we can evaluate and if necessary consider other models such as a university style where you register but have to pay a portion of a registration fee in advance, minimizing registering to hold spots without the commitment to attend.

### **Tier III Learning Objectives**

Gabe Goltz advised all members that all Tier III documents are complete (with the exception of the qualifying educational experience language) and are posted on the website. Mr. Goltz reviewed options of what could be stated for qualifying educational experience for every Tier III competency group.

Options included:

- a statement that individual programs have not been accredited to meet the learning objects but they can be completed through participation in the ACM program with a link to the web site for more information
- blanks to list additional experiences and instructions to send documentation for review/approval as a qualifying educational experience
- remove the section and not mention how the learning objective may be met
- a statement describing the ACM program, ICM and AZ classes, and then refer them to the web site for more information

Mr. Batty questioned if these education experiences were just examples, or were they specifically tailored for Tier III competencies. Mr. Goltz advised this would be the language for every Tier III competency. Because few of the individual competencies can be met through a single course unique to the competency group, listing a specific ICM course or Arizona course for each could not be done. For example the leadership competency group has no single course that could be taken to fulfill it, but has its leadership competencies met in many of the ICM courses. Mr. Goltz noted that CLIA was moving more towards having to attend the full ACM if you were going to complete Tier III. Mr. Batty asked if CLIA was going in this direction, would someone who has attended a previous ICM course on their own be able to count that class. Judge Arkfeld advised him that as long as it was one of the courses included in the ACM program, it would still be credited as fulfilling the requirement and would not have to be repeated. Mr. Batty then inquired whether someone coming over from another state with leadership training would we have the ability to appeal to have that experience certified, or would we tell them they don't qualify. Judge Arkfeld stated that for this particular tier, they must complete the classes on the application. Ms. King also advised that if a person showed proof of an ICM Phase I or CMP course completed in another state, it could be checked off the application as complete. Mr. Goltz suggested that perhaps the option of required participation in the ACM program for completion of Tier III with a link to the ACM WEB page for details offers the best solution. Members agreed that this would be a better idea as opposed to having them already preprinted with specifics about the ACM program. This would allow some flexibility during implementation of this project to incorporate changes and make updates easier.

### **Arizona ICM Plus**

Arizona ICM Plus program proposal outlined the voting decisions from the previous meeting about which learning objections should be included in the courses. Two half-day sessions were voted on to be included as add-on "plus" sessions to existing ICM classes. One half-day would be added to ICM's Fundamental Issues of Caseflow

Management which is an existing 2.5 day program. The other half-day session would be added to ICM's Managing Human Resources. These half-day sessions would be developed as stand-alone sessions and completed in the afternoon of day three as a separate learning curriculum. All other Phase I courses would remain 2.5 days in duration.

### **Arizona Plus Three-Day Capstone**

The Arizona Plus Capstone reflects 9 learning objectives that CLIA members voted should be in the program.

Judge Arkfeld asked if anyone had any comments about how the days had been set up. Mr. Batty commented that although CLIA needed to discuss further, upon looking at the document, it does appear that some changes could be made as curriculum is developed. The committee then discussed who are the best resources for subject matter experts. Subject matter experts would be used to assist in developing or providing curriculum and could also potentially serve as faculty for that curriculum. The names provided by the committee would be contacted only to participate in assisting with curriculum development at this time, with the decision on who would serve as faculty to be discussed later.

### **Recommended Subject Matter Experts for Arizona Plus Learning Objectives**

The recommended resources for each objective is listed in bold below:

#### **Half-day added to ICM Fundamental Issues of Caseflow Management**

- "Describe case management for probation and other case driven functions" – **Dave Sanders, Kathy Waters, Barbara Broderick**
- "Assess how core management functions impact caseflow management including human resources, budget and finance, information technology, records and facilities" – **Kent Batty, Don Jacobson, Jim Scorza**

#### **Half-day added to ICM Managing Human Resources**

- "Outline strategies to enhance a court environment which embraces diversity" – **Phil Hanley; contact Commission on Minorities for possible person; City of Phoenix may also have resource; Rosa Inchausti, from City of Tempe**
- "Utilize judicial branch education to support succession by identifying the learning needs of judges and staff in leadership positions, and those associated in the supportive roles, through effective use of education, training, and development plans." – **Noreen Sharp is working on Formation Program, AOC staff**

#### **Three-day Arizona Plus Capstone**

- "Understand the sources of judicial authority, including rules of court, statutes, administrative orders, case law, the Code of Judicial Administration and statutes." – **Mike Baumstark, David Withey, Chief Justice (as a speaker)**

- “Understand the scope and limitations of judicial brand independence, including Arizona judicial branch governance and methods of judicial selection.” – **Judge Louraine Arkfeld, Kent Batty**
- “Demonstrate knowledge of the channels of communication with in the community to deliver the court’s message.” Committee discussed that this objective should include how to appropriately deliver information to the media and maintain public trust and confidence. – **Jessica Funkhouser (from Maricopa County), Cari Gerchick**
- “Understand methods to capture, store, retrieve, and purge (as appropriate) court records, including a detailed understanding of relevant public access laws and privacy considerations.” – **Patty Noland, Denise Lundin, Carol Schrieber (from Michael Jeanes office), Jennifer Greene, Cathy Clarich (from Scottsdale Municipal Court)**
- “Demonstrate knowledge of jury management principles and issues.” – **Kathy Brauer, Melinda Hardman, Sherry Newman**
- “Audit and improve court processes through the use of continuous improvement methods.” Members discussed that this topic should be broader than just CourTools which would be a learning objective for Tier II with Amy Woods as a subject matter expert. Prior to developing curriculum, members asked that **Don Jacobson, Deb King, and Noreen Sharp**, work together to draft up an outline as to what might be covered under this broader topic area.
- “Demonstrate knowledge of the continuum of court ordered enforcement, including probation, collections, detention, treatment programs, and innovative alternative sanctioning options which help to facilitate success and which indicate that the efficacy of enforcement is in direct relationship to the power of the court.” **Peggy Lee,(from Flagstaff Municipal Court), Dave Sanders, Rob Lubitz, Denise Lundin**
- “Demonstrate knowledge of the range of civil enforcement mechanisms including child support, garnishments, judgments, writs, and the appropriate role of the court in enforcing and/or supporting civil judgments.” Include family court. **Judge Davis, Judge McNally**
- “Demonstrate knowledge of adjudication alternatives for all case types, and progressive options for resolving disputes in formal and informal ways (including Alternative Dispute Resolution, “problem solving” courts, etc.).” Committee discussed the need to keep this topic broad based. **Judge Dean Fink, Judge Arkfeld, Judge Coker, Paul Julien**

All individuals will be contacted by CLIA staff and informed of CLIA’s proposal. They will be invited participate in developing curriculum. During curriculum development we may also ask them who they think would be the best faculty for this curriculum.

## Tiers II and IV

Committee members discussed and decided the following for Tier II learning objectives. Committee consensus to keep the learning objective as worded and in Tier II are indicated with a checkmark in the column “keep as is.” Learning objectives moved to other tiers as so noted with the new tier number indicated. Items lined-out and with a checkmark in the “delete” column were voted on to delete (either completely or are already included in other Tiers). New wording or new learning objectives are documented in the last column “new language.”

<b>Competency Tier 2 Learning Objectives</b>	<b>Keep As Is</b>	<b>Move to Tier ____</b>	<b>Delete</b>	<b>New Language</b>
<b><i>Purpose / Responsibility</i></b>				
1. <del>Identify local, statewide, and national resources relevant to your profession.</del>			✓	1. Understand and articulate the basic purposes of the courts and why each is important.
2. <del>Network with judicial branch professionals.</del>			✓	2. Explain how those basic administrative functions address those purposes.
3. <del>Learn the ten core competencies identified by the NACM.</del>			✓	
<b><i>Human Resource Management</i></b>				
1. Describe the basic principles of performance management and evaluation.	✓			
2. <del>Identify human resources related laws and policies, including at the national and local levels.</del>			✓	2. Demonstrate an understanding of basic federal law relative to employment.
3. Describe a process for recruiting, selecting, and retaining court employees.	✓			
<b><i>Leadership</i></b>				
1. <del>Recognize court needs.</del>			✓	
2. Recognize the importance of consistency within the scope of leadership actions.	✓			
3. Effectively communicate work assignments.	✓			
4. Recognize and understand the perspective of different (sometimes competing) stakeholders.	✓			
5. Effectively lead teams.	✓			

6. Demonstrate knowledge of continuous improvement methods.			✓	
7. Collect critical data.			✓	
8. Apply ethical standards in supervision. Recognize the uses and abuses of newly-acquired authority.	✓			
9. Understand and apply methods of delegation.			✓	
10. Identify organizational behavior.			✓	
11. Assess your own leadership style and temperament.	✓			
12. Understand the application of appropriate administrative rules, orders, statutes, and governing policies.	✓			
<b>Case Management</b>				
1. Describe case flow principles.	✓			
2. Identify CourTools as Performance Standards.	✓			
3. Describe jury management principles.			✓	
4. Identify elements of records management and retention.	✓			
5. Demonstrate knowledge of the details of different case types and their methods of initiation in multi-jurisdictional levels.	✓			<b>MOVED FROM ESSENTIAL COMPONENTS</b>
<b>Visioning/Strategic Planning</b>				
1. Define the differences among values, vision, mission, goals, and action items.	✓			
2. Discuss the basic steps and differences of the planning process.	✓			
3. Understand the value of strategic planning.	✓			
<b>Public Education/Media</b>				

1. Demonstrate an awareness of and ability to quickly access public information about the court and other related entities, as well as ability to assess the accessibility of this information.	✓			
<del>3. Demonstrate knowledge of the different methods of communication with the public.</del>			✓	
4. Understand the importance of educating the public, legislature, and executive branch about court systems, processes, and programs.	✓			
<del>5. Demonstrate an awareness of plans to handle high profile media events.</del>			✓	
<del>6. Understand the organization's media plan.</del>			✓	
<b>Information Technology</b>				
NO LEARNING OBJECTIVES				
<b>Resources, Finance, Budgeting</b>				
NO LEARNING OBJECTIVES				
<b>Essential Components</b>				
1. Understand the policies and resources relating to the difference between providing legal advice and information and ability to navigate difficult real-world situations where the difference between providing information and providing legal advice may be unclear.	✓			MOVED FROM PUBLIC EDUCATION/MEDIA
2. Understand methods to capture, store, retrieve, and purge (as appropriate) court records.	✓			
<del>3. Demonstrate knowledge of the continuum of court ordered enforcement, including probation, collections, detention, treatment programs, and innovating sanctioning options.</del>			✓	
<del>4. Demonstrate knowledge of the range of civil enforcement mechanisms including child support, garnishments, judgments, and writs.</del>			✓	
5. Demonstrate detailed knowledge of the organization's emergency preparedness plan and continuity of operations plan.	✓			
<del>6. Demonstrate an understanding of the essential importance of effective caseload management to the role of courts; and demonstrating the additional understanding of a manager's/administrator's role in effective caseload management.</del>			✓	
7. Demonstrate an understanding of the relationships between work flows and processes and the organization of work spaces and their adjacencies	✓			

***Education and Training***

1. Identify practices that support and promote judicial education, including ways to motivate employee development. <del>utilizing existing resources effectively and building new resource options.</del>	✓			
2. Describe what motivates court employees and how personal development contributes to motivation, performance, and commitment.	✓			
3. <del>Understand curriculum and program development processes, including alternative delivery methods; and developing programs based on learner and court user needs.</del>			✓	
4. <del>Identifying NACM core competencies and their applicability to education, training, and development.</del>			✓	
5. <del>Assess and evaluate existing training and training resource needs.</del>			✓	

**Call to the Public/Next Meeting Date/Adjourn**

The chair made a call to the public; no new business from public.

The meeting adjourned at 12:00 p.m.