

**The Development of Mid-Level
Court Managers in North Dakota**

**Institute for Court Management
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Abstract

In August of 2004, the North Dakota Supreme Court adopted Administrative Rule 6.1, which, in part, empowered the Trial Court Administrator for each unit to become more active in the management of the courts. It also established their supervisory authority over mid-level management positions which, for the purposes of this paper, includes Clerks of District Court and Directors of Juvenile Court.

Historically, the court has struggled to attract senior managers when positions open. Often, mid-level managers who should be potential candidates to fill these positions were unprepared to do so. It became apparent this segment of staff could benefit from additional training and mentoring as mid-level managers in the judiciary. The question that arose was “What is the best way to develop our mid-level managers?”

Research included an analysis of a curriculum under development, a statewide survey of managers, an analysis of NACM’s Core Competency Guidelines for Leadership and Human Resources Curriculums, and a questionnaire completed by the judiciary’s Director of Education regarding training opportunities that already exist within the judiciary.

Findings show that mid-level managers in North Dakota have a high level of participation in professional organizations and identify preferred methods of learning. Recommendations include support and encouragement for mid-level managers who wish to be involved in professional organizations and taking advantage of out-of-state educational opportunities when available. It is also recommended the judiciary’s senior management staff meet with the State Court Administrator to develop a prioritized list of training needs to be worked into regular training sessions, and that in-house program currently being developed in Administrative Unit II be considered for implementation in all units.

I. INTRODUCTION

How many of us spent our college days studying to be court managers? From conversations with many colleagues on this subject, it is apparent the majority of people in the field of court management today did not set out with this career goal in mind. With that in mind, the question becomes, are our current mid-level managers ready to step up to the next level? If not, what are we doing to ensure the success of the next generation of court managers?

The Court Structure in North Dakota

North Dakota's current court structure is simple. It consists of the Supreme Court, with five justices, under which there are seven judicial districts served by a total of 42 district court judges and 75 municipal court judges.¹

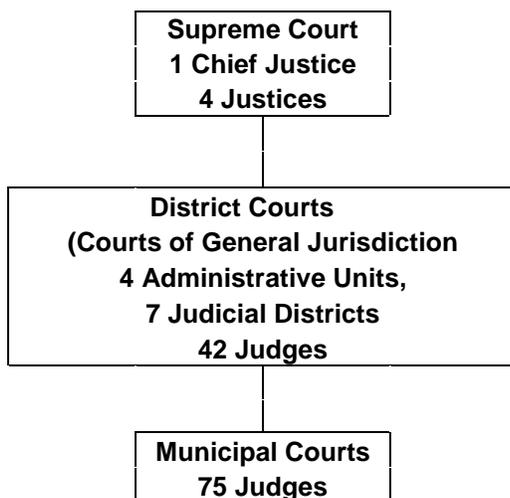


Figure 1 – North Dakota Court Structure

¹ *North Dakota Courts Annual Report 2005*, located at <http://www.ndcourts.com/court/news/AnnualReport2005/Structure.html>

Many of today's court systems are multi-tiered with multiple levels of managers. In order to understand the role of managers in the North Dakota Judicial System it is important to define them, at least by title. In addition, it is important to understand several key terms relating to geographical regions. As indicated above, the State of North Dakota is comprised of seven multi-county judicial districts. Judges who run for election run in and serve one judicial district.

Administrative Rule 6.1

In August of 2004, the administrative structure of the North Dakota judiciary underwent a transformation when its Supreme Court adopted Administrative Rule 6.1. This rule combined the state's seven districts into four administrative units. Administrative Units I, II, and III are comprised of two judicial districts each while Unit IV consists of a single judicial district. In addition to providing for administrative units, Rule 6.1 hoped to "provide consistent, effective, and efficient administrative support services to the district courts."²

In order to accomplish this objective, Trial Court Administrators were tasked with the responsibility of the hiring and supervision of all state-employed clerks of court, juvenile court personnel, and calendar control clerks.³

With the exception of Unit IV, the senior management team for each unit is comprised of a Trial Court Administrator and a Trial Court Managers. Unit IV does not employ a Trial Court Manager. These positions fall under the direction of the State Court Administrator, who has statewide jurisdiction over all divisions of the court. Trial Court Administrators and

² N.D. Sup. Ct. Admin. R. 6.1

³ **Loc. Cit.**

Trial Court Managers, where employed, have unit-wide jurisdiction over all divisions of the Court.⁴ Figure 2 is a map of the state showing the districts and units.

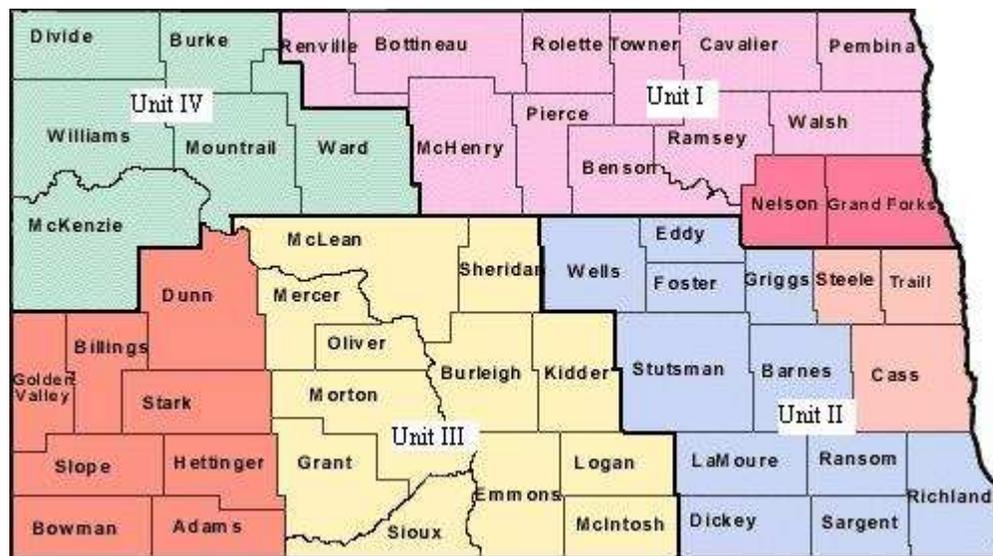


Figure 2 - Map of North Dakota Judicial Districts and Administrative Units

Mid-level managers are Clerks of Court with single-county jurisdiction and Directors of Juvenile Court who have unit-wide jurisdiction. Front-line managers are those classified as a Deputy Clerk of Court III or Juvenile Court Officer III and have direct supervisory authority over line workers in their specific geographic area. See **Appendix A** for an organizational chart showing these relationships.

Mid-Level Manager Recruitment

Traditionally, the judiciary in North Dakota has had trouble attracting professional court administration candidates at the trial court level. This includes those in mid-level managerial positions and often leads to the internal promotion of staff that, although having a

⁴ Loc. Cit.

good work history, is often inexperienced in the role of manager. Compounding this is the fact that educational requirements, specifically for the Clerk of Court, do not go beyond a high school diploma. Educational requirements for the Director of Juvenile Court are a bachelor's degree in social work, psychology, sociology, counseling or a related area. While there is a higher educational requirement for Directors of Juvenile Court, their education does not necessarily prepare them to be court managers. See **Appendices B, C and D** for complete classification descriptions for these positions.

With the stated educational requirements for these mid-level managerial positions, once promoted, staff frequently requires a basic education on management theory. In addition, they often need to acquire the skills necessary to accomplish the day-to-day tasks of effective management and to act as leaders within their respective offices or departments.

In-House Training Sessions

The senior-level managers in Unit II have attempted to address this problem by holding structured meetings with the Trial Court Administrator, the Trial Court Manager, state-employed Clerks of Court, and the Director of Juvenile Court in attendance. Mr. Rod Olson is the Trial Court Administrator for the unit and has supervisory authority over these positions. He has an extensive background with the court system in multiple states; first serving as a Clerk of Court in Minnesota for nineteen years and then being hired as a Trial Court Administrator in North Dakota in August of 2005.⁵

In late 2006, Mr. Olson and his Trial Court Manager began planning in-house training sessions focusing on leadership and management. These topics were chosen because, in his observation, Mr. Olson believed the mid-level managers in his unit lacked a belief that they

⁵ Olson, Rod. Personal Interview. 11 September, 2007.

were true managers; they were simply good workers promoted to leadership positions who lacked the training to be effective in their new roles. As he states, “They need to *be* the Clerk of Court or Director of Juvenile Court Services, not just have the title.”⁶ See **Appendix F** for the curriculum and articles used during training sessions to date.

In his capacity as a clerk and administrator, Mr. Olson relates he has attended “many classes on leadership and management where a well-known expert was brought in to teach.” In his opinion, these instructors were “strong on theory and weak on practical application.” He felt attendees were not able to put into practice the theories they were learning.⁷

Without building these skills in today’s mid-level managers, many will find it difficult to move into a senior management position.

The Profession of Court Management

Compared to other professions such as doctors, lawyers and teachers, which require specific education and training, the profession of court management is relatively new. Thus, the formal educational opportunities for developing professional court managers are rather limited in comparison. However, there is a very real need for managers and leaders throughout the various levels of courts worldwide. Since there is limited formal training available, the focus of this paper will be to answer the question: “How does the North Dakota Judiciary assist their mid-level managers in becoming more effective managers in their local courts as well as state-wide and enhance their leadership potential with regard to the profession of court management?”

⁶ **Loc. Cit.**

⁷ **Loc. Cit.**

The field of court management is complex and requires a thorough understanding of the judiciary's past, present and future. This paper will strive to present a brief history of the court and court management, review the content and format of training provided to managers in the past, and make recommendations regarding what we need to do to ensure the mid-level managers of today are the capable court managers of tomorrow.

II. LITERATURE REVIEW

A Brief History of Court Management

When settlers came to America in the early Seventeenth Century to form the colonies most of the colonial charters provided their laws should conform to the policy and forms of the laws in England. Because of this, the colonial governments lacked distinction between legislative, executive, and judicial functions.⁸ It was only after the American Revolution that the prevailing idea of a system of checks and balances led to a separation of the judicial branch from the legislative and executive branches. The great change in the relationship of states to the national government came about after the constitutional convention of 1787 where the adoption of the United States Constitution became final.⁹

As subsequent states joined the Union, they often modeled their judicial systems after those of the thirteen colonies, which perpetuated the many tiered court structure we often see today. There was often no centralized administration and each court was an independent entity.¹⁰

There was little thought regarding the administration of the courts until Roscoe Pound, Dean of the University of Nebraska Law School, frequently referred to as the father of Court Administration, addressed the American Bar Association in 1906. He indicated that, among other things, our court system was archaic; procedures were behind times; there was a waste of judicial power; and putting courts into politics had almost destroyed the traditional respect for the courts.¹¹

⁸ Fannie J. Klein, **A Brief Summary of the Development of the Federal-State Court Systems, The Improvement of the Administration of Justice**, Judicial Administration Division, American Bar Association, 1981, page 1.

⁹ **Ibid**, page 2.

¹⁰ **Loc. Cit.**

¹¹ Roscoe Pound, "The Causes of Popular Dissatisfaction with the Administration of Justice", 1906, no page.

Prior to the last half of the twentieth century, the traditional managers of court operations were clerks of court. The creation of ‘administrator’ positions responsible for managing the affairs of courts is a more recent development with its roots in the first half of the twentieth century, and the establishment of a body of professional court administrators is largely a phenomenon of the last three decades of the twentieth century.¹² Harry O. Lawson and Dennis E. Howard, in a 1991 article on the development of the profession of court management, suggest, “The development of professional court managers closely parallels the evolution of courts and judicial systems into complex enterprises.”¹³

In their response to the Lawson and Howard article, Geoff Gallas and Edward C. Gallas proposed that the development of the profession of court management resulted from many factors related to the actual performance of courts, including:¹⁴

- uneven trial court performance within and across states
- under funding of trial courts by funding entities
- weak and/or corrupt local court management
- a worsening backlog of cases including time to disposition and waiting time
- interference in trial court functions by local executive and legislative agencies and personnel, whom were often primary litigants

It is believed the prototype of the court manager of today emerged in 1924 when the Boston Superior Court created the position of executive clerk to the chief judge.¹⁵ However, until the beginning of the 1960s, only a handful of professional managers served at the trial court and state administrative levels. With no literature to draw on, these early leaders

¹² R. Dale Lefever, David C. Steelman, Harvey Solomon, Blan L. Teagle and Maureen E. Conner, **Developing a Court Leadership and Management Curriculum**, JERITT Monograph Thirteen (2002); page12.

¹³ Harry O. Lawson and Dennis E. Howard, *Development of the Profession of Court Management: A History with Commentary*, 15 **The Justice System Journal** 2, 1991, page 581.

¹⁴ Geoff Gallas and Edward C. Gallas, *Court Management Past, Present, and Future: A Comment on Lawson and Howard*, 15 **The Justice System Journal** 2, 1991, page 609.

¹⁵ **Ibid**, page 583.

received the time-honored form of education known as on-the-job training where they and their staff learned by doing and consequently the field of court management began to develop.¹⁶

Still, court administration was not readily recognized as a profession until the 1970's when there began a growth in the development of formalized education for court administrative positions with regard to management training. In 1971, the first book on court management was published. The subsequent development of materials and education was stimulated by a growing recognition on the part of the judiciary, the legal profession, and the public that efficient court management was vitally important due to the complexity of the courts and the justice system.

At the urging of Chief Justice Warren E. Burger, during his 1969 address to the American Bar Association, two new major national organizations were formed with the purpose of explicitly training court workers for careers as court managers. Since that time, there have been significant strides made toward the development of professional court administrators. These organizations—the Institute for Court Management (ICM) and the Nation Center for State Courts (NCSC)—created systems for training, research, technical assistance, and the exchange of information and ideas that had not existed before.¹⁷

However, given the diversity of American courts and court systems, it should not be surprising to find that it has been difficult to reach consensus regarding what court administration is and what court managers do. Regardless, there is broad agreement that no matter who performs the functions there are some critical common elements in all systems of

¹⁶ Harvey E. Solomon, *Court Management Training*, 5 **Court Manager** 2, 1990, page 1.

¹⁷ Barry Mahoney and Harvey E. Solomon, **Court Administration, The Improvement of the Administration of Justice**, Judicial Administration Division, American Bar Association, 1981, page 35.

court administration. These elements are commonly referred to as the Core Competencies and are listed below:

1. Purposes and Responsibilities and Courts;
2. Caseload Management;
3. Leadership;
4. Visioning and Strategic Planning;
5. Essential Components;
6. Court Community Communication;
7. Resources, Budget, and Finance;
8. Human Resources Management;
9. Education, Training, and Development; and
10. Information Technology Management¹⁸

Of the two organizations created at the prompting of Chief Justice Burger, the ICM program provides “in-service” training designed primarily for those already employed in a court or justice system agency.” Simply by its existence, the ICM program stimulated a solid demand for court management training by those currently involved in the field of court administration.¹⁹

In 1972, the Institute for Court Management broadened its focus by offering workshops regarding the operational aspects of court administration. Enrollment in ICM’s Court Executive Development Program (CEDP) was not required in order to attend these workshops. Other organizations, most notably the National Judicial College and the National Center for State Courts, also began offering court management courses in the 1970s. Other training opportunities have become available as well. For example, according to data collected by the Judicial Education Reference, Information and Technical Transfer Project (JERITT), the number of court administration and related topics included in educational programs more than doubled in the decade of the 1990’s. Without this growing body of

¹⁸ http://www.nacmnet.org/CCCG/cccg_homepage.htm

¹⁹ See Note 12 *supra*, page 5.

knowledge, it is likely that the profession court management would not have been established.²⁰

ICM offers courses at both the national and state level. Although the growth of in-state educational programs has been slower than on the national level, there is clearly a trend toward more in-state training. In-state programs are described as best suited for entry-level personnel and those concerned primarily with the operational aspects of court management. It is often beneficial, however, for mid- and top-level managers in a system, to receive some exposure to national programs for their professional development, which requires a broadening of horizons, and interaction with others doing similar work in different environments.²¹

ICM has also expanded its offerings to include a two-phased certification program called the Court Management Program (CMP). This more cost-effective training program is currently available through partnerships or national courses and provides an alternative to ICM's more extensive Court Executive Development Program (CEDP). The CMP target audience is mid-level managers from all levels of the court environment with a curriculum designed to assist courts in the integration of the National Association for Court Management's Core Competencies.²²

The last half of the twentieth century saw increased opportunities for continuing judicial education for judges and judicial staffs in the United States and around the world. This was due, in part, to the formation of numerous state, national, and international organizations.²³ The same cannot be said when considering key support personnel such as court administrators

²⁰ See Note 12 *supra*, page 23.

²¹ See Note 16 *supra*, page 6.

²² See Note 18 *supra*.

²³ Charles E. Ericksen, *Trends in Judicial Education*, **Future Trends in State Courts**, 2006, page 2.

and managers, clerks of court, and probation officers. According to the Judicial Education Reference, Information and Technical Transfer Project (JERITT), “only about 25 percent of court support personnel have access to a given continuing education program in a given year.”²⁴

One of the factors leading to the more limited educational opportunities may be due, in part, to the philosophical view of judges about court management, as well as the extent to which judges are willing to delegate authority to a court manager. The judiciary has often been slow to accept trial court administrators as responsible managers of the court system, often causing them to assume a passive role in the court process, serving largely as office managers.²⁵

In 2003, forty court employees in the States of North Dakota and South Dakota were given the opportunity to participate in a joint CMP program through a partnership with the National Center. The Honorable Gerald VandeWalle, Chief Justice of the Supreme Court of North Dakota, is a supporter of ICM programs as evidenced by his remarks at this group’s graduation ceremony in 2005. He stated, “ICM provides courts with administrators who are well grounded in the historical, theoretical, and practical aspects of their profession, and the National Center provides ICM with the support and tools to accomplish this task.”²⁶ Due to the success of the initial program, it has since been repeated with the next class scheduled to graduate in the spring of 2008. In addition, the judiciary encourages employees to participate

²⁴ **Ibid**, page 4.

²⁵ Steven Hays and Larry Berkson, **The New Court Managers: Court Administrators**, Berkson, Hays, and Carbon (eds.), *Managing the State Courts*, page 192 cited in R. Dale Lefever, David C. Steelman, Harvey Solomon, Blan L. Teagle and Maureen E. Conner, **Developing a Court Leadership and Management Curriculum**, JERITT Monograph Thirteen (2002); page 127.

²⁶ <http://www.ndcourts.com/court/news/courtmanage05/speech.htm>.

in professional organizations by authorizing one paid membership per year. Included in the list of approved organizations is the National Association for Court Management (NACM).²⁷

NACM, an organization of court management professionals dedicated to the improvement of courts and the development of court managers, has been a leader in advancing the profession. One good example of their leadership would be formation of the NACM Professional Development Advisory Committee (NACM/PDAC) in 1992.²⁸ Drawing on a 1990 Delphi survey, the committee began working toward “improved NACM educational programming by reaching consensus on the core areas of court management skill and responsibility.” This multi-year project was based on NACM’s belief that “continuing professional and personal development is the essence of professionalism.”²⁹ The committee’s body of work eventually formed the ‘Core Competency Curriculum and Guidelines’ (Guidelines) which the committee agreed were grounded by the purposes and responsibilities of the courts. The stated purpose of the Guidelines is “self-assessment and self-improvement.” Through the dissemination of the Guidelines, many courts, organizations and educators have been able to “assess their learning needs and to improve their performance and the performance of their courts. This honors NACM’s belief that continuing professional and personal development is the essence of professionalism.”³⁰ The target audience of the Guidelines is comprised of “court leaders including elected and appointed court managers, senior staff and aspiring juniors with both technical and administrative responsibilities, and judges who are in and aspire to leadership positions.”³¹

²⁷ Policy 201, North Dakota Unified Judicial System, 28 August, 2002.

²⁸ <http://www.nacmnet.org>.

²⁹ National Association for Court Management, **Core Competency Curriculum Guidelines: What Court Leaders Need to Know and Be Able To Do**, pages 2 & 3.

³⁰ http://www.nacmnet.org/CCCG/cccg_SelfAssessment.html, 6/27/07; page 1.

³¹ See Note 28 *supra*, page 4.

In a 2006 issue of the *Court Communique*, NACM's publication for Court Managers, NACM officers and board announced a National Agenda on the Court Management Profession 2005-2010. Through presentations, workshops, and surveys, six priorities were defined to promote the enhancement of court management as a profession. These include Professional Court Management Education, which encompasses education on the ten NACM Core Competencies, as well as college-level educational programs. Another identified priority is listed as Court System and Trial Court Governance, which is defined as "Organizing, leading, and governing the judicial branch to achieve effectiveness through a team environment and smooth, respectful, healthy operations" and includes Trial Court Leadership Teams. Work on this NACM project will culminate at the fourth National Symposium on Court Management at the 2010 NACM Annual Conference.³²

Other avenues for education include state initiatives such as the Michigan Judicial Institute (MJI), established in 1987 by the Michigan Supreme Court, to provide continuing professional education for court personnel throughout the courts of the state as well as Michigan judges.³³

Also, as indicated by Bob Wessels in his 1989 article for the *Court Manager*,

"One of the values of having a state association of trial court administrators is the opportunity it provides for its members to develop the skills necessary to manage and lead in an age of increased complexity and change; to learn from the experiences of others who face similar challenges. State associations must accept as one of their responsibilities the development of educational opportunities for the administrators and managers they serve."³⁴

³² National Association for Court Management, *NACM National Agenda on the Court Management Profession 2005-2010*, Vol. 7, No. 1, 2006, page 3.

³³ Judith K. Cunningham, *Staff Development in the Oakland County Circuit Court*, 4 **Court Manager** 2, 1989, page 5.

³⁴ Bob Wessels, *Education of the Court Manager—Sharing the Wealth*, 4 **Court Manager** 4, 1989, page 30.

It would only follow that similar associations of mid-level managers should provide those same opportunities.

Management

During a 1991 Advanced Management Seminar, E.J. Cattabiani and Randall P. White shared their thoughts on the four basic skills, which seem to be indispensable to success as a manager. These included intelligence, intellectual curiosity, the ability to solve problems, and being a hard worker. While these skills were identified as essential, they also believe good managers must have something else—“an interest and ability to work through people to get the job done.”³⁵

In order to accomplish the task of working through people to ‘get the job done’ the teaching aspect of the manager’s job becomes essential. Managers must learn to employ techniques that demand a balance between authority and helpfulness. Cattabiani and White state that lower level managers will work best for the organization when they understand the larger goals of the organization, make a personal contribution to reach those goals, and are recognized for their contributions.³⁶

As part of the Center for Creative Leadership’s Research Sponsor Program, successful managers were asked to comment on their best teachers. In most cases, this turned out to be a former boss. The following were the most frequently mentioned characteristics of these managers-as-teachers:

1. They counseled by giving younger managers constructive advice and feedback and used younger managers as sounding boards.

³⁵ E.J. Cattabiani and Randall P. White, **Participative Management**, *Issues & Observations*, Center for Creative Leadership, August 1983, page 46. (from Advanced Management Seminar: Leadership Challenge in the Courts, August 7-9, 1991; Sheraton Monterey, Monterey, California; Institute for Court Management of the National Center for State Courts.)

³⁶ **Ibid**, page 45.

2. They excelled in some aspect of their business.
3. They gave young managers exposure by making sure their work and accomplishments were seen.
4. They provided young managers the freedom to try and the courage to fail, not only in routine tasks but in important ones as well.
5. They were tough taskmasters by frequently challenging young managers and demanding excellence.³⁷

In order to develop managers, administrators need to know what management is. They also need to know how to be a good manager, possess the skill and knowledge needed to manage, foster, and support new ideas, and recognize and grow those who exhibit the potential for leadership. They need to understand that if a leader emerges from their staff, they need not feel threatened. They should encourage that person as an ally and mentor them as a possible successor.³⁸

In 1994, Ronald Stupak, professor of public administration at Mount Vernon College, characterized a transformation he observed in styles of management and leadership in terms of three styles that dominated the post-World War II era in the United States—‘grinders,’ ‘minders,’ and ‘finders’. In the plentiful decades following WWII, grinders found success. They worked hard, put in long hours, and “ground out” the work. During the 1970’s and 80’s, affluence and increasing bureaucracy brought complacency and simply “minding the store” was good enough. In the 1990’s, grinding and minding are no longer sufficient. We must “find the future”. Managers who once administered and maintained are being asked to master the art of leadership and lead rather than simply manage.³⁹

³⁷ **Ibid**, page 46.

³⁸ Alexander B. Aikman, *The Need for Leaders in Court Administration*, 22 **Court Manager** 1, 2007, page 15.

³⁹ Ingo Keilitz, **The Development of Tomorrow’s Leaders in Judicial Administration**, 17 **The Justice System Journal** 3, 1995, page 324.

Leadership

According to Alexander Aikman, formerly with the NCSC, NACM explains leadership, in part, by comparing it to management. They state, very simply, that management deals with complexity while leadership deals with change and growth. Managers are responsible for maintaining predictability and ensuring coordination, follow-through, and accountability. Leaders are responsible for thinking about, creating, and inspiring others to act upon dreams, missions, and purpose. They believe courts have a need for both management and leadership”⁴⁰

In 1991, Mark A. Zaffarano stated, “Judicial branch leaders must catch up with their colleagues in business and other public organizations who have invested significant time toward studying the phenomenon of leadership development from an organizational perspective.”⁴¹ He goes on to state, “it becomes critical for courts to consider designing some practical leadership training programs for judges, court managers, and all supervisory court personnel.”⁴²

In 1995, the National Center for State Courts published a special issue of the Justice System Journal, which was dedicated to the subject of leadership. In the introduction, Editor Paul B. Wice notes,

“If there are any common threads running through this collection of articles, it is first that viable reform is possible within the justice system and effective leadership is at the core of those efforts. Second, leadership is much more than mere management, especially as it relates to innovation and change within the various legal institutions.”⁴³

Throughout the years, society’s view of what leadership is and who can exercise it has changed considerably. While leadership competencies have remained constant, our

⁴⁰ See Note 38 *supra*, page 12.

⁴¹ Mark A. Zaffarano, *A Call to Leadership*, 15 **The Justice System Journal** 2, 1991, page 628.

⁴² **Loc. Cit.**

⁴³ Paul B. Wice, 17 **The Justice System Journal** 3, 1995, page v.

understanding of what it is, how it works, and the ways in which people learn to apply it has shifted. For example, at one time the common belief was that people were simply born with leadership skills. This has been replaced by the idea that great events can make otherwise ordinary people into leaders.⁴⁴ Many of the most significant shapers of history were shaped gradually, not ready to make an impact on the world until the effects time and real-life experience had made their mark. Thus the argument that leadership can, and often must, be learned by those who would hope to practice it.⁴⁵

Warren Bennis and Burt Nanus, the authors of several books on leadership, state, “The new leader is one who commits people to action, who converts followers into leaders, and who may convert leaders into agents of change.”⁴⁶ The ultimate task of a leader is to define purpose and direction—a sense of alignment behind a common purpose that has relevance and resonance with the followers.⁴⁷

Bennis and Nanus have identified four major areas of competency or people skills that leaders embody:

- Attention through vision
- Meaning through communication
- Trust through positioning
- Development of self
 - (1) through positive self-regard; in other words, knowledge of one’s strengths, the capacity to nurture and develop those strengths, and the ability to discern the fit between one’s strengths and weaknesses and the organization’s needs
 - (2) The Wallenda factor which, simply put, recognizes that leaders put all their energies into their task; they don’t think or even use the word ‘failure’.⁴⁸

⁴⁴ Warren Bennis and Burt Nanus, **Leaders: Strategies for Taking Charge**, Harper Business, 1997, page 5.

⁴⁵ Sharon Daloz Parks, **Leadership Can Be Taught: A Bold Approach for a Complex World**, Harvard Business School Press, 2005, page ix.

⁴⁶ See Note 43 **supra**, page 3.

⁴⁷ See Note 43 **supra**, page xi.

⁴⁸ See Note 43 **supra**, pages 25 - 64.

Ingo Keilitz, a former Vice President at the National Center for State Courts, echoes these beliefs in a 1995 article for the Justice System Journal in which he states he believes there are four dimensions that define leadership: (1) Personal Characteristics, (2) Vision, (3) Communication, and (4) Creating Favorable Leadership. He explains that the dimension of personal characteristics stems from the belief that effective leaders are first effective people. Their attributes include good health, principles, strength, motivation, discipline, sensitivity to others and attention to continuous personal growth and awareness. He goes on to outline the leadership attributes related to the dimension of visioning and setting the direction of an organization as additional personal characteristics of courage, conviction, and a natural curiosity; characteristics that develop and grow throughout our lifetimes rather than being taught. Keilitz states outstanding leaders must convey their vision and direction to their followers. Effective leaders communicate by setting good examples; they not only talk the talk, they walk the walk. They deserve their followers' trust. Outstanding leaders in the court system understand why the Third Branch is of critical importance in the governance of this country and have a feel for the history of our court system and government in general so they are able to provide context for new developments. Nevertheless, it is not enough to simply create and convey a vision—effective leaders must do more than see and speak clearly—they have to bring people together and create conditions in which they can accomplish their work.⁴⁹

Still, there is often confusion as to the difference between the terms 'management' and 'leadership'. Bennis and Nanus summarize their thoughts in the following statements:

“To manage means to bring about, to accomplish, to have charge of or responsibility for, to conduct. Leading is influencing, guiding in direction, court, action, opinion.

⁴⁹ See Note 26 *supra*, pages 326 & 327.

The difference may be summarized as activities of vision and judgment – *effectiveness*—versus activities of mastering routines--*efficiency*.”⁵⁰

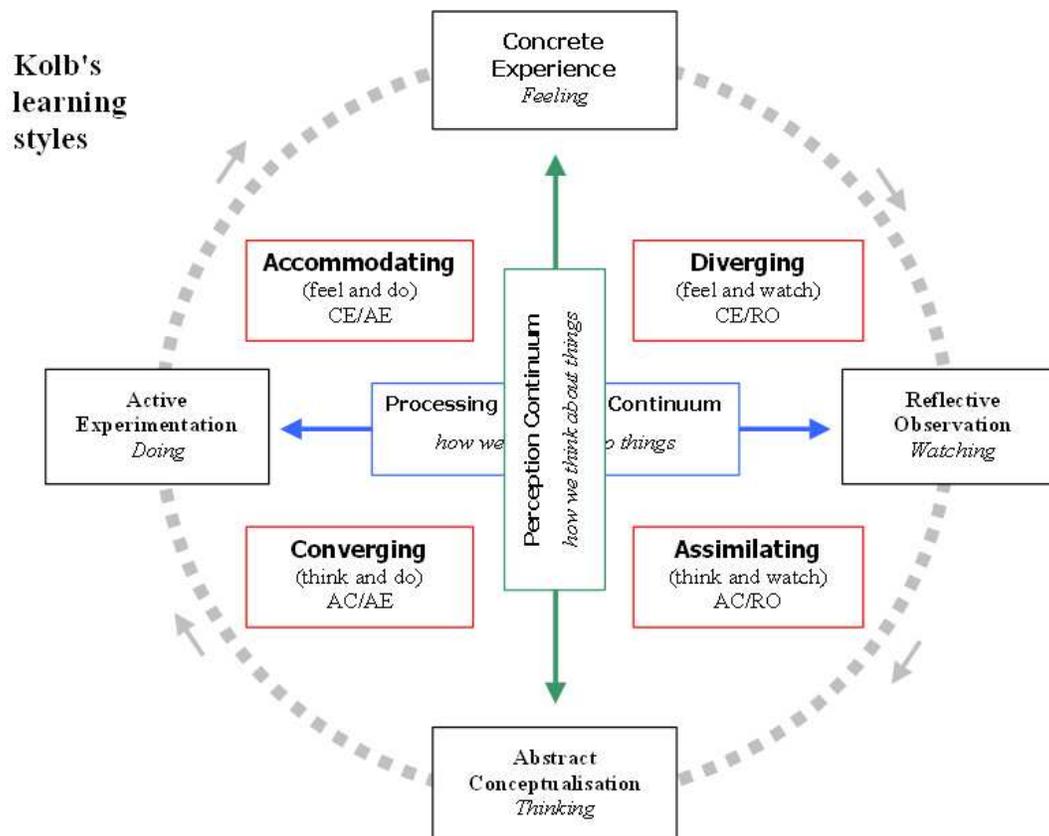
Adult Learning Styles

During the 1990’s, most judicial management education consisted of faculty selecting the information they wanted to teach and then lecturing on the topic. However, simply taking in the information is not the same as learning. Education for development differs significantly and relies on the ‘Learning Circle’ adapted from the work of David Kolb. “The Learning Circle suggests a dual-knowledge view in which taking in experiences directly or through abstractions is equally important. It also requires the teacher to engage the learners in processing what they have taken in, reflecting upon the experience, and applying what they have learned.”⁵¹

Kolb's theory on learning sets out four distinct learning styles, which are based on a four-stage learning cycle. Kolb's model offers both a way to understand individual people's different learning styles, and an explanation of a cycle of experiential learning that applies to everyone. This 'cycle of learning' is a central principle in his experiential learning theory, where real-life experiences provide a basis for observation and reflection. These observations and reflections form abstract concepts, which, in turn can produce new action to be tested, creating new experiences. The following diagram represents this process:

⁵⁰ See Note 44 *supra*, page 20.

⁵¹ Charles S. Claxton and Patricia H. Murrell, **Education for Development: Principles and Practices in Judicial Education**, JERITT Monograph Three (1992); pages 7 and 8.



© concept david kolb, adaptation and design alan chapman 2005-06, based on Kolb's learning styles, 1984
 Not to be sold or published. More free online training resources are at www.businessballs.com. Sole risk with user.

Figure 3 - Kolb's Learning Styles

Kolb says that ideally this process represents a learning cycle or spiral where the learner has the opportunity to complete each step of experiencing, reflecting, thinking, and acting.

Understanding which learning style people prefer enables teachers to orient their teaching styles to best suit the needs of their students. However, everyone responds to and benefits from all types of learning styles to one extent or another - it is a matter of emphasizing that which fits best with the given situation and a person's learning style preferences.

The following are brief descriptions of the four Kolb learning styles:

- **Diverging (feeling and watching)** - These people prefer to watch rather than do, tending to gather information and use imagination to solve problems. They are best at viewing concrete situations from several different viewpoints. Kolb called this style 'Diverging' because these people are better in situations that require the generation of ideas. People with the Diverging style prefer to work in groups, to listen with an open mind and to receive personal feedback.
- **Assimilating (watching and thinking)** – These people prefer learning with a concise, logical approach. Ideas and concepts are more important than people are. They require good clear explanation rather than practical opportunity. They excel at understanding wide-ranging information and organizing it a clear logical format. People with this learning style prefer readings, lectures, exploring analytical models, and having time to think things through.
- **Converging (doing and thinking)** - People with a Converging learning style can solve problems and will use their learning to find solutions to practical issues. People with a Converging style like to experiment with new ideas, to simulate, and to work with practical applications.
- **Accommodating (doing and feeling)** - The Accommodating learning style is 'hands-on', and relies on intuition rather than logic. These people use other people's analysis, and prefer to take a practical, experiential approach. People with an Accommodating learning style prefer to work in teams to complete tasks.⁵²

The educational sessions being conducted in North Dakota's Administrative Unit II follow Kolb's guidelines. These typically involve directed readings, posting answers specifically related to the readings prior to the meeting, followed by group discussions and sharing experiential learning moments with the group during the meeting. It allows participants an opportunity to share personal experiences, get feedback or suggestions from the group, and work toward strengthening a support system for mid-level managers.⁵³ It also provides a mentoring relationship between senior and mid-level managers.

⁵² <http://www.businessballs.com/kolblearningstyles.htm>; 8/15/2007; pages 1 – 3.

⁵³ See Note 5 *supra*.

Developing Today's Managers

Recognized court leaders believe that excellent leadership and management depends on the preparedness of current leaders and managers who must shoulder the responsibility of taking time to nurture the next generation of leaders and managers.⁵⁴

It is said that every journey begins with a single step. In developing today's mid-level managers, deciding that people are worth developing is the first step.⁵⁵ Identifying them is not always easy but it is critical. Author John Maxwell, in his book, *Equipping 101*, suggests:

“To find leaders to equip, you first need to know what they look like. Here are ten leadership qualities to see in anyone you hire: (1) character; (2) influence; (3) positive attitude; (4) excellent people skills; (5) evident gifts; (6) proven track record; (7) confidence; (8) self-discipline; (9) effective communication skills; and (10) discontent with the status quo.”⁵⁶

In their book, *Court Administration, The Improvement of the Administration of Justice*, Barry Mahoney and Harvey E. Solomon state their belief that continuing training and education is desirable for judges and other personnel in the court system. They also believe one of the principal responsibilities of court administrators, at all levels, is to “arrange for appropriate in-service training designed to increase skills and knowledge.”⁵⁷

Supreme Court Justice Sandra Day O'Connor, speaking to the Second National Conference on Court Management in Phoenix, Arizona, spoke to the issue of “how to prepare ourselves—and our courts—for the future.” She feels that not only must the courts as organizations change, but that the people within them must change as well.⁵⁸

JERITT Monograph Thirteen discusses the development of a court leadership and management curriculum. It surmises that the “complicated nature and dynamics of the courts

⁵⁴ See Note 12 *supra*, page 45.

⁵⁵ John C. Maxwell, *Equipping 101*, Thomas Nelson Publishers, 2003, page 17.

⁵⁶ *Ibid.*, pages 40-54.

⁵⁷ See Note 17 *supra*, pages 42-43.

⁵⁸ See Note 51 *supra*, page 1.

and the temptation of individuals in the courts to use power inappropriately or ineffectively” has an impact on hiring and retaining exemplary court leaders and managers. It also states that the courts have not thoroughly considered the impact of retiring baby boomers. With those retirements over the next several years, much of the institutional memory of the courts as well as decades of experience will be lost. It suggests a comprehensive education and training approach with four interrelated components be used to ensure continuity in court leadership and management—workplace learner groups, mentoring, succession planning and management, and education and training.⁵⁹ The following illustration provides an example of this approach:

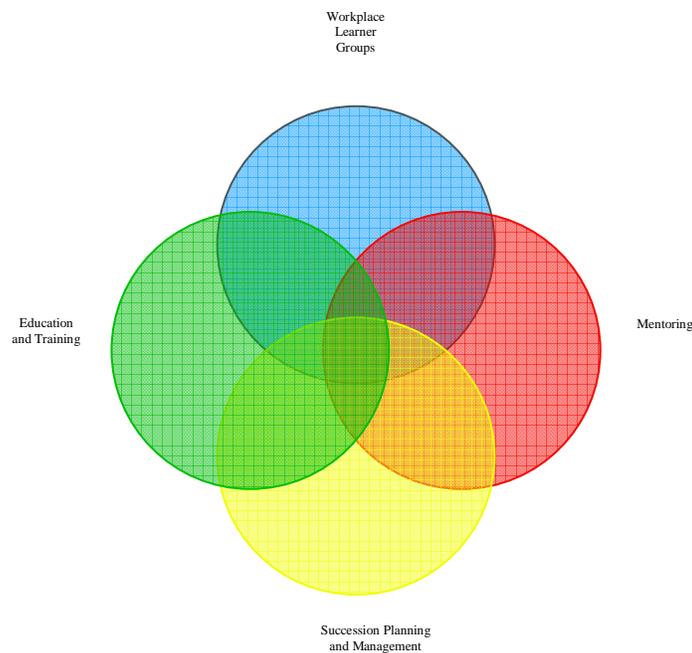


Figure 4 - Four Interrelated Components

⁵⁹ See Note 25 *supra*, page 43.

However, there are conflicting opinions on whether leadership is one of the skills that can be taught. Alexander Aikman stated in his recent article regarding the need for leaders in court administration that:

“Leadership is a personal quality gained over time by people who possess qualities that make them open to life’s lessons and who relate in a particular way to others, neither of which can be captured in a lesson plan.”⁶⁰

He agrees that NACM is right in their discussion of the leadership competency that courts need leaders. He disagrees with the idea that leadership can be learned implying classroom or on-the-job training, stating,

“We need to nurture and train those with leadership capacity in technical skills and in a broad range of work and life experiences so their leadership qualities can grow and meld with technical skills. We cannot take someone without leadership qualities and train them to be leaders. Nor should we take good, even outstanding managers and expect them to be leaders.”⁶¹

He goes on to state, “NACM is correct that courts need both leaders and managers, but they need good managers more than leaders. To the extent that it suggests that courts need administrators who can and will fill the leadership role, it probably suggests too much.”⁶²

Ronald A. Heifetz, Director of the Leadership Education Project and Founding Director of the Center for Public Leadership, believes that leadership can be taught. His method of ‘case-in-point’ teaching, draws on several well-established learning traditions and methods including seminar, simulation, presentation of ideas and perspectives, discussion, dialogue, clinical-therapeutic practice, coaching, writing as a form of disciplined reflection, and the case study method.”⁶³

⁶⁰ See Note 38 *supra*, page 15.

⁶¹ **Loc. Cit.**

⁶² **Ibid**, page 14.

⁶³ See Note 45 *supra*, page 6.

This coincides with the concept of ability-based learning described in JERITT Monograph Thirteen in which the emphasis is placed on focusing on the “individual professional’s ongoing development and self assessment of performance.” The authors state that the abilities of an effective professional are a combination of motivations, dispositions, attitudes, values, knowledge of concepts and of procedure, strategies, and behaviors. These combinations are both interactive and fluctuating, and can be acquired and developed both through education and experience.” Ability-based learning provides learners with opportunities to practice techniques, receive instructor and peer feedback, and assess their own performance with regard to their own expectations.⁶⁴

The concept of ability-based learning stresses those techniques discussed in JERITT Monograph Three that state education for development is different from traditional educational practices, therefore activities must be provided so people can use their personal experiences and beliefs about the role of the judiciary in society.⁶⁵

Not to be forgotten in the development of managers is the creation of an awareness of ethical issues and the development of a good understanding in how to appropriately deal with those issues. In October 2007 a new Model Code of Conduct for Court Professionals was adopted by the National Association for Court Management (NACM) and was endorsed by the Conference of State Court Administrators soon after. This 2007 version replaced NACM's original Model Code of Conduct, which was adopted around 1989.⁶⁶

If we can agree that managers of today need some form of continuing education, the next question becomes, how can knowing about the four learning styles be useful to

⁶⁴ Marcia Mentkowski, Georgine Loacker and Kathleen O’Brien, **Ability-Based Learning and Judicial Education**, JERITT Monograph Eight (1998); pages 1 - 3.

⁶⁵ See Note 51 *supra*, pages 51&52.

⁶⁶ <http://sio.midco.net/hthoennes/Ethics%20Codes%20USA.htm>

curriculum planners, course developers, and instructional designers? First, this knowledge helps us understand why learning activities may work well with one group and not with another. Second, it reminds us that teachers too have their own learning styles. It only makes sense that a teacher's learning style will influence how they teach. Finally, it underlines the importance of using a variety of teaching methods and learning activities so that all participants can be successful.⁶⁷

JERITT Monograph Three, authored by Charles S. Claxton and Patricia H. Murrell, discusses Kolb's theories as applied to judicial education. They believe one of the most important tasks of the adult years is to build increasingly adequate structures of thought, progressing through the following stages:

Stage 1: Dualistic Thinking—where either something is right or wrong, black or white, etc.

Stage 2: Contextual Thinking—where there is not always a clear and straightforward answer to every problem or issue and there is the ability to see issues and problems in their own context.

Stage 3: Integrated Thinking—where there is ability beyond those of earlier stages and opposites can be integrated with both the voice of reason and the voice of intuition are listened to, and there is a keen awareness of the thought process.⁶⁸

Heifetz's case-in-point teaching engages people on the edge of their own learning because it requires a high level of active participation. It combines the current level of people's abilities and then bridges the distance between the assumptions about leadership that most students hold and the actual practice of leadership."⁶⁹

⁶⁷ See Note 51 *supra*, page 23.

⁶⁸ *Ibid*, pages 39-44.

⁶⁹ See Note 45 *supra*, page 71.

In her book assessing the success of Heifetz’s teaching methods, author Sharon Daloz Parks states, “There is now clear and strong evidence that others can and do teach using the essence of this approach—the framework of ideas and the case-in-point methodology.”⁷⁰

In addition to opportunities presented through formal educational settings, Alexander Aikman suggests state associations begin education efforts by building on the experience of their members. Additionally, he believes it would be beneficial to develop a multi-week curriculum for the training and development of new court administrators or for those who lack the resources to attend national programs so that others might share what they have learned.⁷¹

The questions remain. What should be nurtured, grown, and developed by self-reflection, discussion, and retreat? What should be taught by knowledge building and skill training?⁷² Ultimately, perhaps the best tool to use when determining what today’s managers need in order to equip them for tomorrow’s issues is the Core Competency self-assessment tool, which is available on the NACM website. In addition, senior-level managers must decide which Core Competencies; Guidelines; and Knowledge, Skills, and Abilities (KSA’s) are most in need of development. By using these assessment tools, educators will be able to assess and plan education, training, and development programs.⁷³

⁷⁰ **Ibid**, page 170.

⁷¹ See Note 38 **supra**, page 31.

⁷² See Note 39 **supra**, page 325.

⁷³ See Note 28 **supra**, page 4.

III. METHODOLOGY

As a starting point, a personal interview was conducted with the Trial Court Administrator in Administrative Unit II. The purpose of this interview was to provide a clearer focus for this project. The information gained from this interview was used to help formulate survey questions and finalize which areas of the Core Competencies to address. The majority of data was collected using these surveys and guideline assessments which were distributed to both senior and mid-level managers. In addition, the Director of Education/Special Projects Coordinator with the State Court Administrator's Office completed a questionnaire.

Survey Instruments

Two delivery methods were considered for the distribution of the surveys—mail and electronic. The Writing Studio,⁷⁴ which discusses strengths and weaknesses of various types of surveys, indicates that one of the strengths of mail surveys is convenience; through the mail-in process, participants are able to work on the surveys at their leisure. The two weakness listed were a low response rate (typically just over 20%) and the possible inability of respondents to answer the survey. Strengths of electronic surveys include cost-savings, faster transmission and response times, a higher response rate, and an ease of data analysis. Weaknesses of electronic surveys included potential limited access to computers and an online network, lower levels of confidentiality, the need for additional instructions, and potential problems with computer hardware or software.

In her 2007 CEDP project, Susan Sisk, Director of Finance for the North Dakota Judiciary, cited several issues that arose during her electronic survey. These included the

⁷⁴ The Writing Studio, Colorado State University, <<http://writing.colostate.edu>>

return of blank surveys and a failure to report or inaccurate reporting of some pieces of demographic information.⁷⁵

Since the target audience of the surveys included all senior and mid-level managers in the judiciary, the survey for senior managers was pre-tested by three County department heads. The survey for mid-level managers was pre-tested by two juvenile court staff and three deputy clerks of court. There were no problems or issues identified.

After consideration of the above factors, and due to the relatively small survey population, it was determined that mailing surveys would be the best choice for this project. The surveys were color coded so they could easily be separated by management level, administrative unit, or department. Surveys were mailed to all five senior level managers and to all fifty-six mid-level managers in the North Dakota Judiciary. A cover letter explaining the purpose of the surveys and requesting a response within 10 days was included in the mailing. The cover letters and survey instruments can be found at **Appendices G – J**.

The surveys essentially consisted of two parts. Part I dealt with memberships in job-related organizations, past training opportunities regarding management and leadership, and the effectiveness of the methods used during training. The goal of this portion of the survey was to gain a better understanding of what levels of training were currently being provided to mid-level managers and in what format that information was provided. In addition, this portion of the survey sought to gather the opinions of which training formats managers believed to be the most effective.

Part II consisted of NACM's self-assessment tools for the Core Competencies *Leadership* and *Human Resources Management*. Senior-level managers were asked to rank,

⁷⁵ Susan Sisk, Assessing Employee Satisfaction and the Administrative Reorganization of the North Dakota Court System, National Center for State Courts, May, 2007, pgs 25-27.

in order of importance, the curriculum guidelines they would like to see developed in mid-level managers. Mid-level managers were asked to rank, in order of importance, the curriculum guidelines they felt were of personal need and importance, as well as the importance of each guideline to the court as an organization. The goal of this portion of the survey was to gain an understanding of where managers think more training is needed and which areas to focus on first.

On the date of the deadline for returning surveys, the return rate was checked. Overall, return rates were lower for the clerks of court and a reminder was sent to all clerks of court indicating survey responses would be accepted for an additional week. See **Appendix K** for a copy of this email.

After the deadline for the return of surveys, information regarding the number of surveys distributed and returned was entered into Excel for further analysis. Of the sixty-one surveys distributed, thirty-five were returned for an overall response rate of 57.38%. While some respondents failed to indicate their administrative unit, response rates could be calculated due to the color-coding of the surveys.

Information from Part I of the survey regarding memberships, past training opportunities, and the effectiveness of the methods used during training was entered into an Access database to aid in sorting data and the creation of different reports. Some respondents failed to answer the first question, “Do you belong to a professional organization that is specifically related to your job?” However, if an organization membership was indicated it was considered a positive response to the first question.

Excel was also used to analyze the results of Part II of the survey, which dealt with NACM’s self-assessment tools for the Core Competencies *Leadership* and *Human Resources*

Management. Nineteen of the thirty-five respondents completed this portion of the survey as instructed. One respondent only partially completed Part II of the survey, leaving out the assessment regarding importance to the court. Twelve of the respondents completed Part II of the survey by rating each individual curriculum guideline rather than ranking them within the group. Of these, two respondents did not complete both the Leadership and Human Resources Management sessions. Three respondents did not complete Part II of the survey.

Director of Judicial Education Questionnaire

In mid-October of 2007, an electronic questionnaire was sent to Ms. Lee Ann Barnhardt, Director of Education and Special Projects for the North Dakota Supreme Court. The purpose of this questionnaire was to collect information on training cycles for managers, the judiciary's training budget, and any identified priorities for future training sessions. For a complete copy of the questionnaire and answers provided, please see **Attachment L**.

IV. FINDINGS

This area of the report is broken into five sections:

- Section I: Survey – Overall Return Rates
- Section II: Survey - Educational Opportunities
- Section III: Survey - Human Resources Curriculum Guideline Rankings
- Section IV: Survey - Leadership Curriculum Guideline Rankings
- Section V: Director of Education and Special Projects Questionnaire

Section I reports the overall return rates of surveys sent to both mid-level and senior-level managers. Section II reviews the findings from Part I of those surveys. Sections III and IV will discuss senior and mid-level managers' rankings of the Core Competency Guidelines for Human Resources and Leadership. Section V reviews information from the questionnaire completed by Ms. Barnhardt.

Section I. Overall Return Rates

Response rates by administrative units are as follows:

Response Rate by Administrative Unit			
	Total Employees	Responses	Response Rate
Unit I	16	9	56.25%
Unit II	16	10	62.50%
Unit III	22	12	54.55%
Unit IV	7	4	57.14%
Total	61	35	57.38%

Table 1- Response Rate by Administrative Unit

Response rates by management level and job function were as follows:

Response Rate by Division			
	Total Employees	Responses	Response Rate
Senior Managers	5	4	80%
Clerks of Court	53	28	52.83%
Juvenile Directors	3	3	100%
Total	61	35	57.38%

Table 2 - Response Rate by Division

Of the total respondents, the breakdown by administrative unit is as follows:

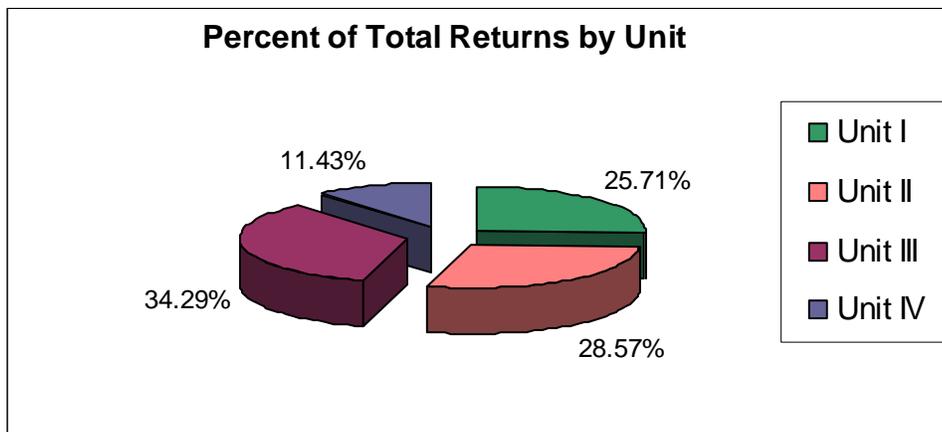


Figure 5 - Overall Response by Administrative Unit

Section II. Educational Opportunities – Part I

The first question on the surveys sent to senior managers asked their opinion on the importance of mid-level managers belonging to professional organizations. Of the four responses received, 75% believed it was important for mid-level managers to belong to a professional organization.

When asked to rank the importance of belonging to either a local, state, or national organization, senior level managers indicated it was most important for mid-level managers to

belong to a statewide organization, followed by membership in a national organization. Belonging to a local organization was ranked as being least important.

The first question on the surveys sent to mid-level managers asked if they belonged to a professional organization and, if so, if that membership was local, in a statewide organization, or a national level organization. Of the Clerks of Court who responded to the survey, twenty-five, or 89%, indicated they belonged to a professional organization. These memberships are shown in the figure below. It should be noted that several clerks indicated they belonged to more than one organization.

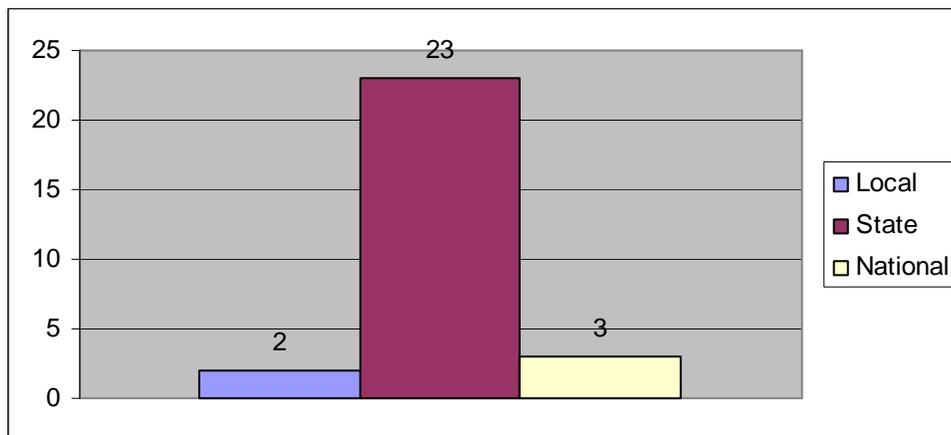


Figure 6 - Clerks of Court Professional Organization Memberships

Of the Directors of Juvenile Court who responded to the survey, 100% indicated they belonged to a professional organization. While none of the Directors reported belonging to a local organization, all three belong to both statewide and national organizations.

Section II. Educational Opportunities – Part II

The second question on the surveys sent to mid-level managers asked for information regarding their participation in organizations where they may have a membership. As shown

in the figure below, Clerks of Court are most active in their statewide organization in all forms of participation. Overall, attendance at conferences shows the highest level of participation. It should also be noted that membership in an organization does not appear to preclude clerks from participating in events or receiving information from that organization as several of the numbers below are higher than the number of reported memberships in the previous section.

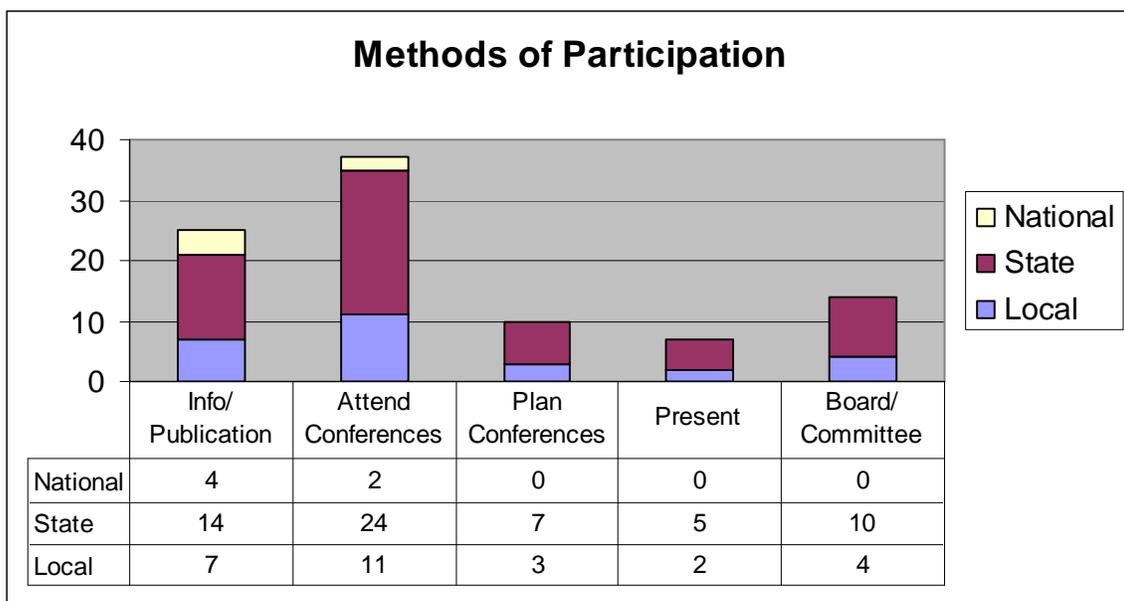


Figure 7 - Clerks of Court Participation in Organizations

As shown in the following figure, Directors of Juvenile Court are also most active in their statewide organization in all forms of participation. Overall, they participate at the highest level through receipt of information from the organization or through organizational publications. Again, it should also be noted that membership in an organization does not appear to preclude directors from participating in events or receiving information as no local memberships were reported yet local participation is indicated in all areas.

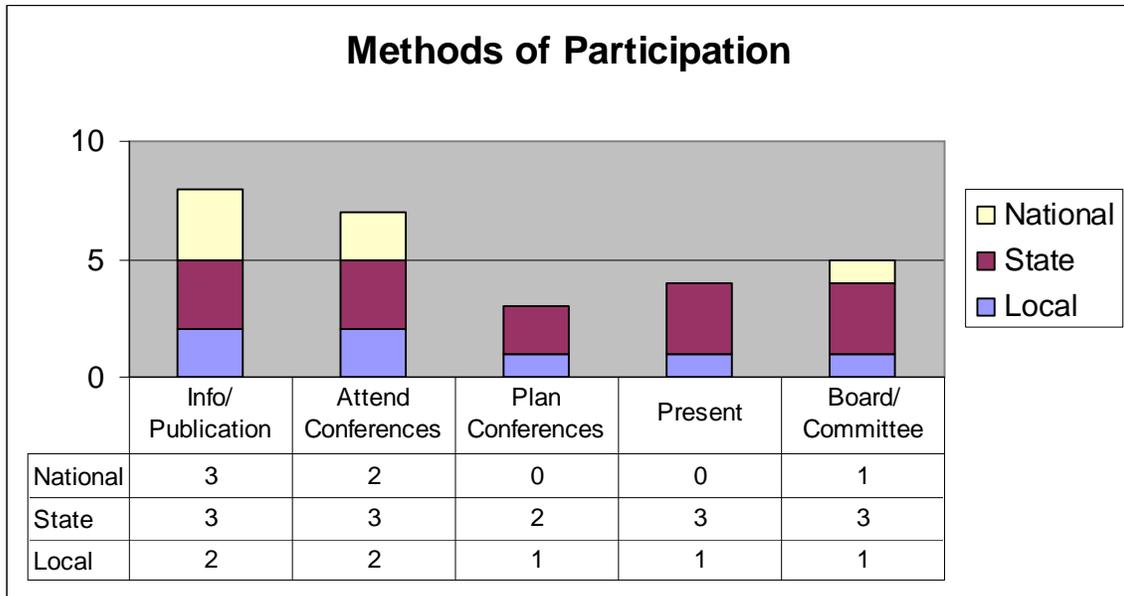


Figure 8 - Directors of Juvenile Court Participation in Organizations

Section II. Educational Opportunities – Part III

The next section of surveys sent to both senior level and mid-level managers dealt with management related training. Senior level managers were asked, “Have you asked mid-level managers to attend training in the past regarding management skills and/or techniques?” In addition, if their mid-level managers had attended training, senior level managers were asked to rate the effectiveness of the format of the training. All four senior managers responding to the survey indicated they had asked mid-level managers to attend some form of management training.

The following chart represents two elements of data. The bars represent the number of senior managers who asked mid-level managers to attend each training format. The lines represent the average ranking of each format, on a scale of one to four, with one being least effective and four being most effective. From the data, it would appear that a combination of formats is both most highly attended and the most effective. Interactive participation is also high in both attendance and effectiveness ratings.

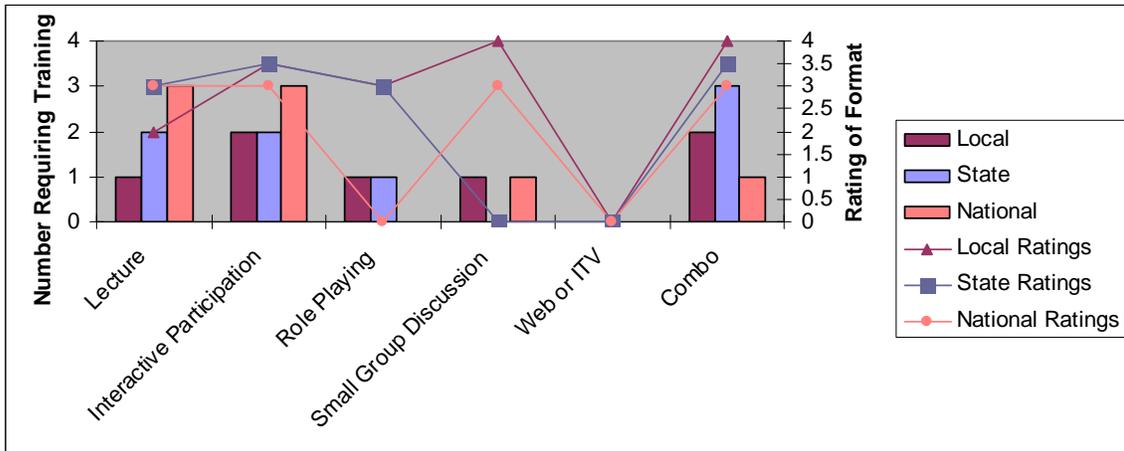


Figure 9 - Senior Managers - Management Training

Twenty-two of the twenty-eight Clerks of Court completing the survey indicated they had attended some type of management related training. Their response to the question of what format of training they had attended and their perceived effectiveness of each indicated a high level of participation in small group discussions, which also received the highest combined effectiveness rating. Interactive participation with the instructor also received high ratings.

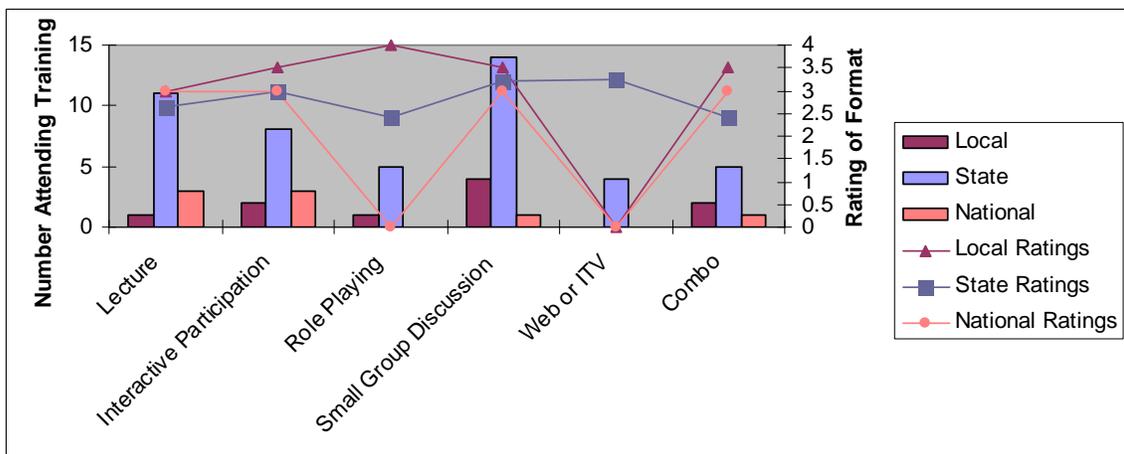


Figure 10 - Clerks of Court - Management Training

The three Directors of Juvenile Court, responding to the same question, indicated each had attended some form of management related training. Their responses showed high levels of participation in many formats including small group discussions, interactive participation with the instructor and lecture. The Directors also indicated high level of effectiveness in interactive participation with small group discussions and a combination of formats coming a close second.

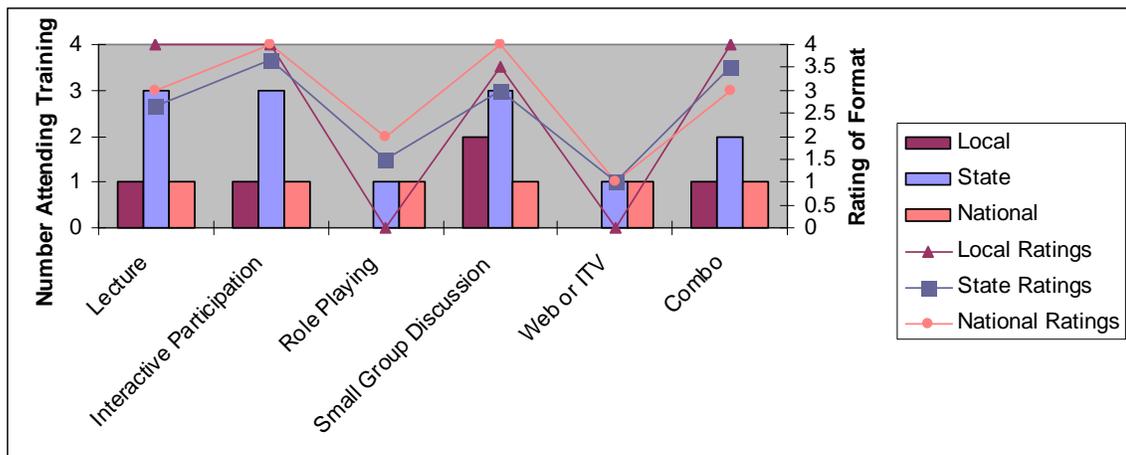


Figure 11 - Directors of Juvenile Court - Management Training

Next, senior level managers were asked, “Have you asked mid-level managers to attend training in the past regarding leadership skills and/or techniques?” As above, if their mid-level managers had attended training, senior level managers were asked to rate the effectiveness of the format of the training. Only fifty percent or two of the four senior managers responding to the survey indicated they had asked mid-level managers to attend some form of leadership training.

While attendance at leadership training has been minimal, a combination of formats received the highest effectiveness rating by senior managers.

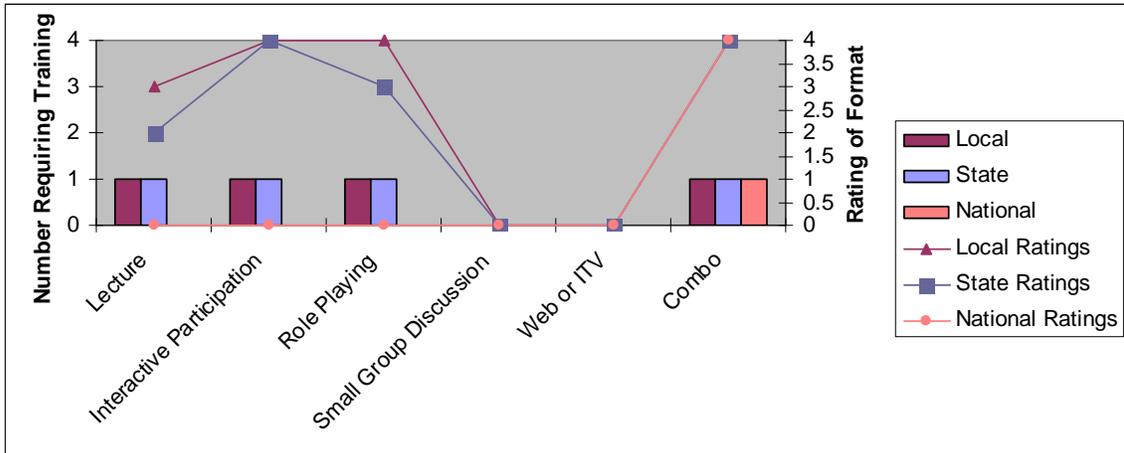


Figure 12 - Senior Managers - Leadership Training

Twenty-two of the twenty-eight Clerks of Court completing the survey indicated they had attended some type of leadership related training. Their response to the question regarding what format of training they had attended and their perceived effectiveness of each again indicated a high level of participation in small group discussions, which also received the highest combined effectiveness rating. Interactive participation with the instructor also received high ratings.

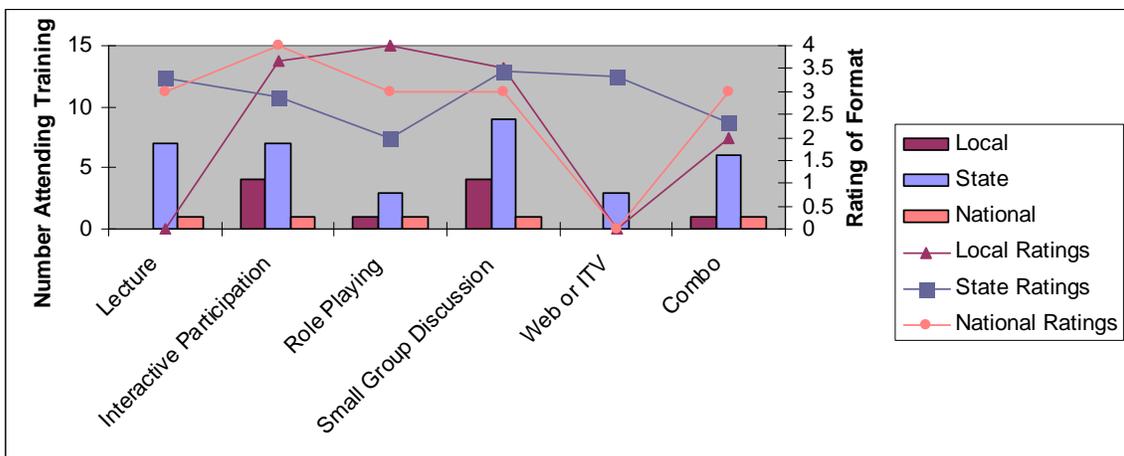


Figure 13 - Clerks of Court - Leadership Training

The three Directors of Juvenile Court, responding to the same question, again indicated each had attended some form of leadership related training. Their responses showed the high levels of participation in the lecture format. This format received the second highest level of effectiveness ratings with small group discussions receiving the highest overall effectiveness rating.

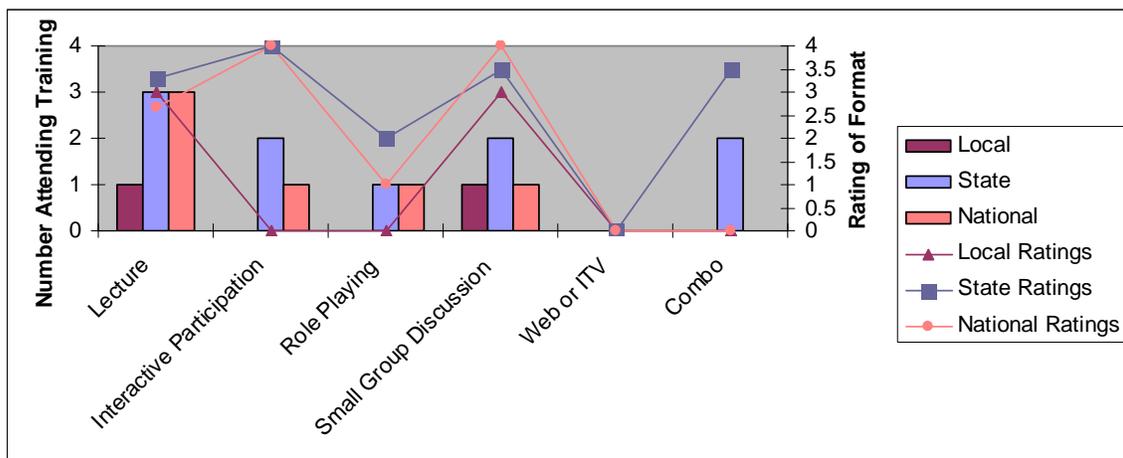


Figure 14 - Directors of Juvenile Court - Leadership Training

Section II. Educational Opportunities – Part IV

The final two questions in Part I of the survey inquire about training related specifically to issues faced by the judiciary. When asked if the trainings they had asked mid-level managers to attend were specific to the judiciary, 75% of senior level managers indicated yes. All senior level managers (4) responded that trainings specifically related to issues faced by the judiciary would be beneficial.

Clerks of Court indicated 50% of their trainings were specific to issues faced by the judiciary with 93% of respondents indicating they believed such trainings would be beneficial.

Directors of Juvenile Court had a 100% response rate to both questions indicating they were already receiving trainings specific to the judiciary and that they found them beneficial.

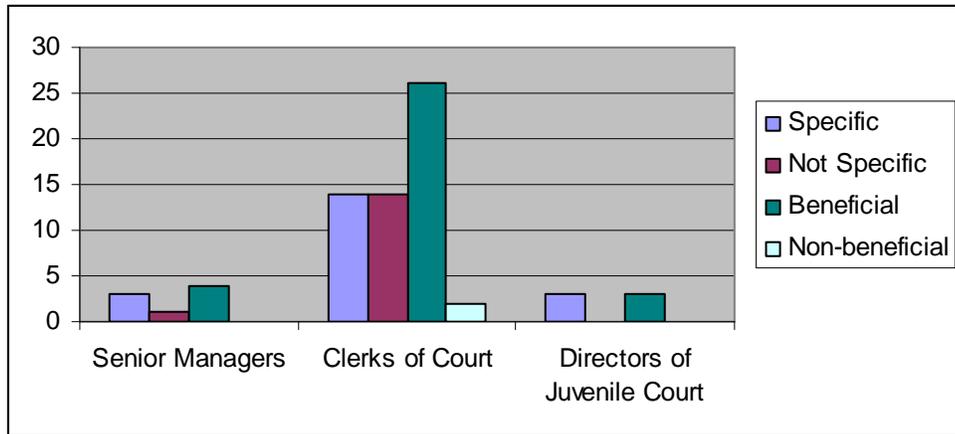


Figure 15 - Judiciary Specific Trainings

Summaries of Part I of the educational opportunity survey results for senior managers, as well as Juvenile Directors and Clerks of Court both statewide and by administrative unit, can be found in **Appendices M through W**.

Section III: Human Resources Curriculum Guideline Rankings

Section II of the survey asked respondents to rank the four Human Resources

Management Curriculum Guidelines:

1. Vision and Purpose
2. Human Resource Fundamentals
3. Context and Fairness
4. Management and Supervision

Senior managers were asked to rank these guidelines according to the importance of development in mid-level managers. Mid-level managers were asked to rank the guidelines both with regard to personal interest and according to importance to the court. Rankings ranged from one to four, with one being the highest.

Senior managers tied in their highest ranking with both vision and purpose and management and supervision receiving an average ranking of 1.40.

Mid-level managers, as a whole, ranked human resource fundamentals as being of most interest personally with vision and purpose being most important to the court as an organization. The Clerks of Court echoed these rankings while Juvenile Directors felt management and supervision should be addressed first, both personally and within the court system. The averages from Part II of the survey are represented in the table below.

Management Group	Vision/ Purpose	HR Fundamentals	Context/ Fairness	Management/ Supervision
Senior Managers	1.40	2.20	3.00	1.40
Mid-Level Managers (All) Personal Interest	2.63	2.13	3.00	2.25
Mid-Level Managers (All) Court Need	1.67	2.87	3.07	2.40
Mid-Level Managers (Clerks) Personal Interest	2.57	2.07	3.00	2.36
Mid-Level Managers (Clerks) Court Need	1.62	2.77	3.08	2.54
Mid-Level Managers (Juvenile) Personal Interest	3.00	2.50	3.00	1.50
Mid-Level Managers (Juvenile) Court Need	2.00	3.50	3.00	1.50

Table 3 - Rankings for Human Resource Guidelines

Appendix X breaks the above information into rankings by individual management groups.

As mentioned previously, not all respondents provided a ranking in Part II of the survey; rather, twelve rated each guideline individually on a scale of one to four. The

instructions indicated one would be the highest score. While these results were not captured in the above table, their rating could have value, particularly given the relatively small number of available participants.

It is interesting to note that only in the juvenile court areas do first place rankings match between the two tables. In addition to considering the ranking of each area, it is interesting to note that the majority of the rankings are 2.0 or higher (represented by a lower number) which would indicate a relatively high level of need or interest in these areas.

Management Group	Vision/Purpose	HR Fundamentals	Context/Fairness	Management/Supervision
Mid-Level Managers (All) Personal Interest	1.90	1.90	1.70	1.80
Mid-Level Managers (All) Court Need	2.10	2.30	2.00	1.70
Mid-Level Managers (Clerks) Personal Interest	1.90	2.00	1.60	1.90
Mid-Level Managers (Clerks) Court Need	2.10	2.20	1.80	1.80
Mid-Level Managers (Juvenile) Personal Interest	2.00	1.00	3.00	1.00
Mid-Level Managers (Juvenile) Court Need	2.00	3.00	4.00	1.00

Table 4 - Human Resource Guidelines (Alternate Rating Method)

Section IV: Leadership Curriculum Guideline Rankings

Section III of the survey asked respondents to rank the five Leadership Curriculum

Guidelines:

1. Be Credible in Action
2. Create Focus Through Vision and Purpose

3. Manage Interdependencies: Work Beyond the Boundaries
4. Create a High Performance Work Environment
5. Do Skillful and Continual Diagnosis

Senior managers were asked to rank these guidelines according to the importance of development in mid-level managers. Mid-level managers were asked to rank the guidelines both with regard to personal interest and according to importance to the court. Rankings ranged from one to four, with one being the highest.

Senior managers were unanimous with their ranking of the creation of a high performance work environment as the top skill to develop in mid-level managers with a 'perfect' score of 1.00.

Mid-level managers, as a whole, also ranked the creation of a high performance work environment as most important to their own interests. They ranked focus through vision as the most important skill to develop for the good of the court.

Clerks of Court echoed the rankings of senior managers selecting the development of a high performance work environment as having the greatest personal interest. With regard to importance to the court system, they ranked it equal with focus through vision.

Juvenile Directors agreed the development of a high performance work environment was of most interest personally but ranked credibility in action as being most important to the court system. The averages from Part III of the survey are represented in the following table:

Management Group	Credible in Action	Focus Through Vision	Manage Inter-dependencies	High Performance Environment	Diagnosis
Senior Managers	2.40	2.00	3.60	1.00	3.00
Mid-Level Managers (All) Personal Interest	2.56	2.81	4.25	1.63	3.75
Mid-Level Managers (All) Court Need	2.47	2.20	3.93	2.27	4.13
Mid-Level Managers (Clerks) Personal Interest	2.57	2.86	4.21	1.64	3.71
Mid-Level Managers (Clerks) Court Need	2.62	2.23	3.85	2.23	4.08
Mid-Level Managers (Juvenile) Personal Interest	2.50	2.50	4.50	1.50	4.00
Mid-Level Managers (Juvenile) Court Need	1.50	2.00	4.50	4.50	2.50

Table 5- Rankings for Leadership Guidelines

Appendix Y breaks the above information into rankings by individual management groups.

The scores of the twelve survey respondents who rated each guideline individually are shown in the table below. While there is not a great deal of correlation to the above rankings, scores do match in the areas of interest to mid-level managers as a whole, clerks of court with regard to importance to the court, and to juvenile directors as an area of personal interest in the development of a high performance work environment. In addition to considering the ranking of each area, it is interesting to note that the majority of the rankings are between 2.0 and 3.0, which, although slightly lower than those in the management section, would indicate some level of need or interest in these areas as well.

Management Group	Credible in Action	Focus Through Vision	Manage Inter-dependencies	High Performance Environment	Diagnosis
Mid-Level Managers (All) Personal Interest	2.50	2.30	2.30	2.20	2.40
Mid-Level Managers (All) Court Need	2.60	2.40	2.40	2.20	2.40
Mid-Level Managers (Clerks) Personal Interest	2.50	2.20	2.30	2.30	2.50
Mid-Level Managers (Clerks) Court Need	2.50	2.30	2.40	2.20	2.50
Mid-Level Managers (Juvenile) Personal Interest	3.00	3.00	2.00	1.00	1.00
Mid-Level Managers (Juvenile) Court Need	4.00	3.00	2.00	2.00	1.00

Table 6 - Leadership Guidelines (Alternate Rating Method)

Section V: Director of Education and Special Projects Questionnaire

Through a questionnaire completed by Ms. Lee Ann Barnhardt, the judiciary's Director of Education and Special Projects, it was established that regular, statewide training is provided to the states' mid-level managers. Clerks of Court receive training annually and training is scheduled for other supervisors on an as-needed basis. Ms. Barnhardt notes the judiciary does have funds budgeted for training and several mid-level managers are currently participating in the Court Management Program through the National Center for State Courts.⁷⁶

⁷⁶ Barnhardt, Lee Ann. Questionnaire, October, 2007.

Training specifically related to management skills is provided as needed and is usually included in regular conference sessions. It has been provided in several different formats including lecture, interactive participation with the instructor, and small group discussions and presentations.⁷⁷

Training specifically related to leadership skills is not provided consistently but has been offered through a faculty development program. It has been provided using a wide variety of formats.⁷⁸

Ms. Barnhardt indicates evaluation forms are collected after training sessions. In addition, there has been follow-up connected with the faculty development program to determine if participants have implemented new skills acquired during training. This information could be made available to assist in the development of future training sessions.⁷⁹

When asked about priorities for upcoming training sessions, Ms. Barnhardt states, “There is no stated priority for mid-level managers as a group. Within the conferences, we are emphasizing diversity training and leadership skills.”⁸⁰

⁷⁷ **Loc. Cit.**

⁷⁸ **Loc. Cit.**

⁷⁹ **Loc. Cit.**

⁸⁰ **Loc. Cit.**

V. CONCLUSIONS AND RECOMMENDATIONS

The surveys used to solicit input from both senior and mid-level managers in North Dakota had a response rate better than published standards for a mail survey. While there is no conclusive evidence, one possible explanation would be managers' high level of interest in the topic.

The North Dakota Judiciary appears to be on the right track in certain areas related to the development of its managers. For example, there are established statewide organizations for both Directors of Juvenile Court and Clerks of Court. The Judiciary sponsors employee memberships in professional organizations and there are high levels of membership in professional organizations. In addition, opportunities already exist to provide training and education to the Judiciary's mid-level court managers. The state's Director of Education works with the Juvenile Court Association and the Clerk of Court Association to plan and coordinate regular training for employees. Finally, the state's budgetary guidelines allow each mid-level manager to participate in one out-of-state educational opportunity once every other biennium. For some, this has meant an opportunity to participate in ICM's Court Management Program. Experts in the field of court management identify all of these factors as being important to the development of the court's managers.

Equally important is the relatively recent adoption of North Dakota's Administrative Rule 6.1, which sets higher expectations of the judiciary's senior level managers. These managers have been placed in a position of authority over mid-level managers and are expected to be knowledgeable in their profession.

The surveys completed by mid-level managers verify one of the main concepts expressed throughout the Literature Review; trainings including a combination of formats are most

effective to reach adult learners. Survey respondents also indicate a preference for small group discussions and interactive participation with the instructor, thus appearing to be receptive to instruction based on Heifetz's theories on experiential leadership.

Survey results indicate mid-level managers have a desire for training issues specific to the judiciary. Interpretation of the alternate method results for ranking the curriculum guidelines of the Core Competencies reveals mid-level managers do have an interest in developing their skills with regard to leadership and management. This is a good sign as it reflects positively on Bennis and Nanus' statement, as well as Keilitz' belief, that one of the skills possessed by leaders is the development of self. In addition, it echoes JERITT Monograph Thirteen which states professionals benefit from ongoing development and self-assessment of performance.

While not formally evaluated, the management sessions being conducted in Administrative Unit II deserve some mention. When asked if he perceives these sessions as being successful, Mr. Rod Olson (Trial Court Administrator of Unit II) states there have been several indicators of success. These include:

- Each session is an improvement over the last with participants seemingly more free to share opinions, suggestions, and solutions. A definite cohesiveness has developed within the group.
- Mid-level managers have exhibited more willingness and comfort in taking control of their offices, making decisions, participating in meetings and taking on leadership roles in statewide organizations.
- Development of improved relationships between senior and mid-level managers as well as between the mid-level managers and those they supervise.
- Inquiries from other senior managers across the state who have expressed an interest in implementing similar sessions in their own administrative units.
- A request to present a mini-version of the sessions as a featured training at an upcoming statewide Clerk of Court conference.

The following recommendations are made in order to take full advantage of the judiciary's support of organizational membership and associated out-of-state educational opportunities:

Recommendation #1: North Dakota's mid-level managers already have a high rate of membership in professional organizations. For those who are state-employed, the judiciary pays membership in one organization. Membership in professional organizations at all levels should be maintained and an even higher rate of membership encouraged by senior managers.

Recommendation #2: The judiciary's senior managers should meet with their mid-level managers to review out-of-state educational opportunities. Efforts should be coordinated so budgetary allotments are used as appropriated. Careful attention should be given to the content of any sessions to ensure they fall within areas of need. Consideration should be given to statewide planning so that more than one mid-level manager attends each session. This would provide an opportunity to increase the comfort level for those who are somewhat reluctant to travel on their own. It would also allow the attendees to better discuss new concepts, develop a method of sharing the information with other managers and employees, or plan for implementation of new learnings or programs.

An opportunity also exists to present information at regular statewide trainings. The following recommendations are made to accomplish this goal:

Recommendation #3: The judiciary's senior managers should arrange a time to meet with the State Court Administrator to develop a prioritized list of training needed by its mid-level managers. They should utilize NACM's ten core competencies, initially focusing on the areas of Leadership and Human Resources. Results from the survey regarding curriculum guidelines for these two areas should be used as a starting point.

Recommendation #4: Once a list of training needs has been established, senior managers should meet with the Judiciary's Director of Education. The purpose of this meeting would be to work with the Director of Education to facilitate the incorporation of the identified training needs into future statewide meetings.

Recommendation #5: Once the list has been reviewed with the Director of Education, meetings with the Education Planning Committees for the Clerks of Court Association and the Juvenile Court Association should be arranged. Since each association utilizes the Director of Education to assist in planning their annual conferences, this would provide a forum for sharing training ideas with them. Evaluations from past training sessions attended by each group should be reviewed for relevant comments. A senior manager should also be included in these meetings. It is important to give committee members the opportunity to provide input regarding their training sessions and what is needed to meet their needs to perform the day-to-day duties required of them. However, senior managers should provide overall direction for areas they perceive need to be addressed with mid-level managers.

In addition to the content of any proposed training, consideration should be given to the format of the training. The findings of this report show high effectiveness ratings in the areas of interactive participation and small group discussions. This would also reflect Kolb's theories, which require a high level of participation by adult learners.

Recommendation #6: It should be noted that while the Clerks of Court Association is comprised of only managers, the Juvenile Court Association is made up of Juvenile Court Directors and all Juvenile Court Officers statewide. If it is not feasible to separate their conference into different 'tracks' at some point, consideration may have to be given to

resuming statewide Supervisors Training, which has been held in the past but has fallen by the wayside in recent years.

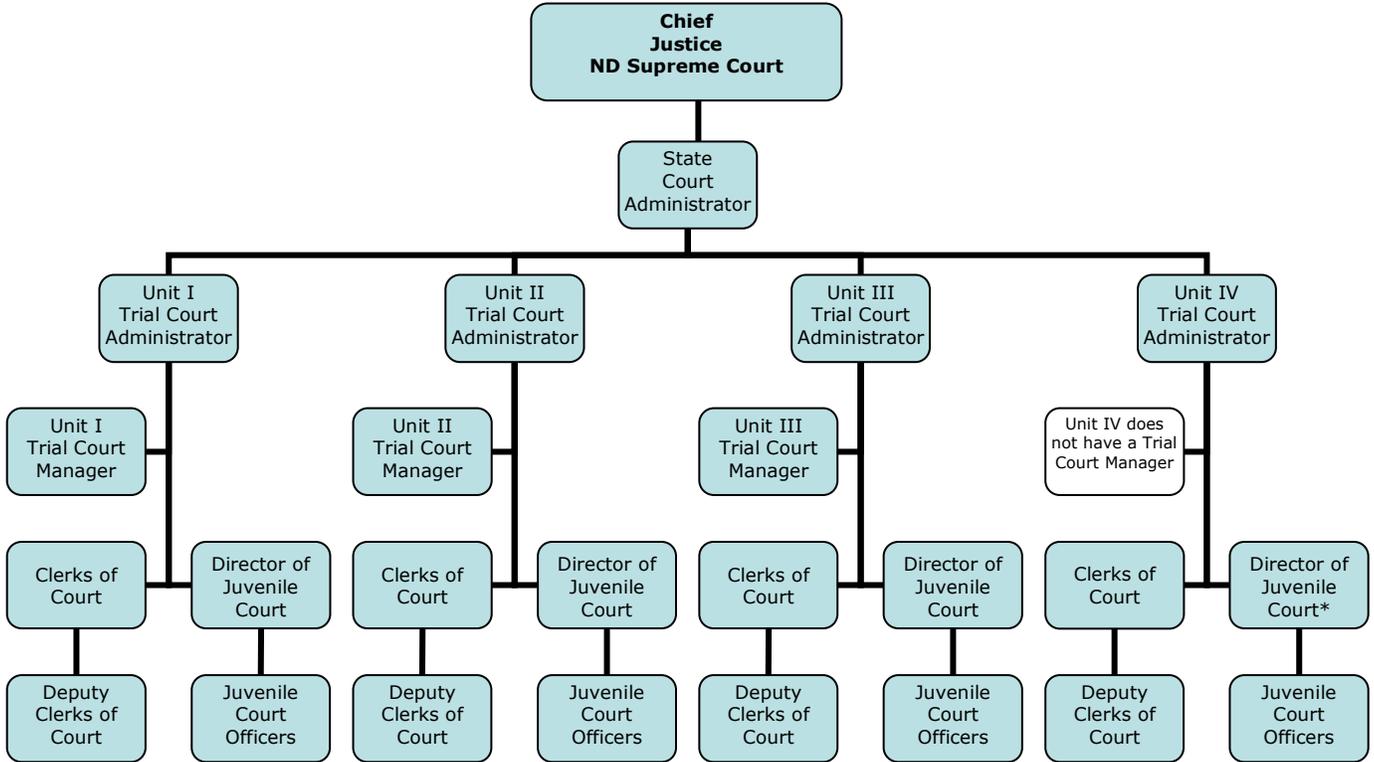
Recommendation #7: The curriculum from Unit II's management sessions as well as the process should be discussed with other senior managers and the judiciary's Director of Education for possible statewide implementation. This would also provide the benefit of mid-level managers receiving mentoring from senior managers within their individual administrative unit. Doing so would ensure the four interrelated components outlined in JERITT Monograph Thirteen are encompassed.

Recommendation #8: Finally, some consideration should be given to the continuing education of the judiciary's senior managers. As they are tasked with educating and mentoring mid-level managers to hopefully develop them into our next generation of senior managers, it is imperative that this group gain and maintain the skills they need in providing leadership and mentoring.

The impetus to develop mid-level managers into future leaders and successful managers has been placed with senior managers. While some senior managers have embraced this task, others are still coming up to speed. They need to understand one of their objectives as leaders within the judiciary is to recognize emerging leaders from within the ranks of mid-level managers and, instead of perhaps feeling threatened by those individuals, to define their purpose and direction as well as provide mentorship for those individuals.

Appendix A

Organizational Chart of North Dakota Judiciary Managers



*Note, the Director of Juvenile Court in Unit IV is a new position, which had not yet been filled at the time surveys were completed.

Appendix B

Classification Description – Clerk of District Court I NORTH DAKOTA UNIFIED JUDICIAL SYSTEM CLASSIFICATION DESCRIPTION

TITLE: Clerk Of District Court I

<u>Title of Immediate Supervisor:</u> Court Administrator	<u>Department:</u> District Court	<u>FLSA Status:</u> Exempt
<u>Accountable For (Job Titles):</u> District Court Deputy Clerks	<u>Division:</u>	<u>Pay Grade Assignment:</u> 17

<p><u>General Summary or Purpose:</u></p> <p>The Clerk of District Court I is responsible for planning, directing, organizing and supervising all personnel assigned to the Office of the Clerk of District Court. This classification is responsible for developing office operational procedures associated with all district court cases involving criminal, civil restricted, traffic or other cases filed with district court.</p> <p>The Clerk of District Court I differs from the Clerk of District Court II in that the later classification supervises a larger staff (i.e. nine or more staff) and needs to devote a greater portion of their job to planning, procedural development and coordination of staff due to the increase in cases, staff requirements and the complexities of supervising a larger function.</p>

<u>Duty</u>	<u>Major Responsibilities & Essential Functions:</u>
1.	Plans, organizes and supervises the administration, processes and operations of the Clerk of District Court Office.
2.	Supervises the daily activities, functions and workflow of the office and its personnel. Monitors and supervises the daily functions and activities of court case management, records management and court administration involving cases of a civil, criminal, restricted, traffic or other cases from the initial filing of cases to final disposition.
3.	Develops and coordinates the implementation of internal operating procedures and policies in the Clerk of District Court Office.
4.	Carries out the duties of the office set by statute, rules, policies and established procedures of the Court.
5.	Assists in the development and monitors the Clerk of District Court budget.

NORTH DAKOTA UNIFIED JUDICIAL SYSTEM
CLASSIFICATION DESCRIPTION

TITLE: Clerk Of District Court I

Duty	Major Responsibilities & Essential Functions:
6.	Perform other duties of a comparable level or type.

Minimum Qualifications: (necessary qualifications to gain entry into the job not preferred or desirable qualifications)

Requires a high school diploma and a minimum of three years of specific district court experience that includes a combination of some supervisory related experience and progressive administrative experience in a court or legal setting.

Certification or Licensing Requirements (prior to job entry):

None.

Knowledge Requirements:

- Extensive knowledge of the laws, rules, policies, and procedures that pertain to the North Dakota Judicial System.
- Comprehensive knowledge of appropriate legal terminology.
- Extensive knowledge of the purpose and content of documents required and used within the court unit.
- Extensive knowledge of the methods and techniques used to maintain accurate, complete and timely court records.
- Understanding and knowledge of county, state and district court administrative and office procedures.
- Knowledge of the equipment and use of computers, office software and applications, and general office equipment.

Skill Requirements:

- Skilled in providing technical direction and supervision over assigned district court personnel assigned.
- Leadership skills including, consensus-building and facilitation skills.
- Planning, prioritization and organization skills to effectively supervise a department.
- Planning and implementing new court operating procedures and methods.
- Skilled in planning, organizing and efficiently maintaining court records and files.
- Skilled in interpreting judicial policies, rules, guidelines and procedures.
- Strong written and oral communication skills that will allow the individual to produce and present written and oral reports and serve as a liaison for the judicial district.

NORTH DAKOTA UNIFIED JUDICIAL SYSTEM
CLASSIFICATION DESCRIPTION

TITLE: Clerk Of District Court I

Skill Requirements:

- Skilled in the use of word processing, electronic spreadsheet, database and specialized court/case management software.
- Math skills relevant to budgeting.

Physical Requirements:

The essential functions of the job typically require: sitting, stooping, crouching, kneeling, standing, walking, talking, hearing, seeing, feeling, reaching, and fingering requirements.

Employee may be subject to some limited travel in the performance of the job. Employee does have control over travel schedule and can adjust schedules due to adverse weather or travel conditions.

Physical requirements can typically be characterized as **Light:** Work involves exerting up to 20 lbs. of force occasionally, and/or up to 10 lbs. frequently, and/or a negligible amount of force constantly to move objects.

Job Classification History:

Clerk of District Court I was last reviewed and updated 7/2000 by North Dakota Unified Judicial System.

Classification description revised and updated 4/1/01 by BCC.

Changes recommended by the Personnel Policy Board were approved by the Supreme Court on 5/30/07.

**Counties included in pay grade 17 are those who have eight or less employees including the Clerk of District Court.

Appendix C

Classification Description – Clerk of District Court II

NORTH DAKOTA UNIFIED JUDICIAL SYSTEM CLASSIFICATION DESCRIPTION

TITLE: Clerk Of District Court II

<u>Title of Immediate Supervisor:</u> Court Administrator	<u>Department:</u> District Court	<u>FLSA Status:</u> Exempt
<u>Accountable For (Job Titles):</u> District Court Deputy Clerks	<u>Division:</u>	<u>Pay Grade Assignment:</u> 18

<p><u>General Summary or Purpose:</u></p> <p>The Clerk of District Court II is responsible for planning, directing, organizing and supervising all personnel assigned to the Office of the Clerk of District Court. This position is responsible for developing office operational procedures associated with all district court cases involving criminal, civil restricted, traffic or other cases filed with district court.</p> <p>The Clerk of District Court II differs from the Clerk of District Court I in that the Clerk of District Court II supervises a larger staff (i.e. nine or more staff) and needs to devote a greater portion of their job to planning, procedural development and coordination of staff due to the increase in cases, staff requirements and the complexities of supervising a larger function.</p>
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<u>Duty</u>	<u>Major Responsibilities & Essential Functions:</u>
1.	Plans, organizes and supervises the administration, processes and operations of the Clerk of District Court Office.
2.	Supervises the daily activities, functions and workflow of the office and its personnel. Monitors and supervises the daily functions and activities of court case management, records management and court administration involving cases of a civil, criminal, restricted, traffic or other cases from the initial filing of cases to final disposition.
3.	Develops and coordinates the implementation of internal operating procedures and policies in the Clerk of District Court Office.
4.	Carries out the duties of the office set by statute, rules, policies and established procedures of the Court.
5.	Assists in the development and monitors the Clerk of District Court budget.

NORTH DAKOTA UNIFIED JUDICIAL SYSTEM
CLASSIFICATION DESCRIPTION

TITLE: Clerk Of District Court II

Duty	Major Responsibilities & Essential Functions:
6.	Perform other duties of a comparable level or type.

Minimum Qualifications: (necessary qualifications to gain entry into the job not preferred or desirable qualifications)

Requires a high school diploma and a minimum of four years of specific district court experience that includes a combination of some supervisory related experience and progressive administrative experience in a court or legal setting.

Certification or Licensing Requirements (prior to job entry):

None.

Knowledge Requirements:

- Extensive knowledge of the laws, rules, policies, and procedures that pertain to the North Dakota Judicial System.
- Comprehensive knowledge of appropriate legal terminology.
- Extensive knowledge of the purpose and content of documents required and used within the court unit.
- Extensive knowledge of the methods and techniques used to maintain accurate, complete and timely court records.
- Understanding and knowledge of county, state and district court administrative and office procedures.
- Knowledge of the equipment and use of computers, office software and applications, and general office equipment.

Skill Requirements:

- Skilled in providing technical direction and supervision over assigned district court personnel assigned.
- Leadership skills including, consensus-building and facilitation skills.
- Planning, prioritization and organization skills to effectively supervise a department.
- Planning and implementing new court operating procedures and methods.
- Skilled in planning, organizing and efficiently maintaining court records and files.
- Skilled in interpreting judicial policies, rules, guidelines and procedures.
- Strong written and oral communication skills that will allow the individual to produce and present written and oral reports and serve as a liaison for the judicial district.

NORTH DAKOTA UNIFIED JUDICIAL SYSTEM
CLASSIFICATION DESCRIPTION

TITLE: Clerk Of District Court II

Skill Requirements:

- Skilled in the use of word processing, electronic spreadsheet, database and specialized court/case management software.
- Math skills relevant to budgeting.

Physical Requirements:

The essential functions of the job typically require: sitting, stooping, crouching, kneeling, standing, walking, talking, hearing, seeing, feeling, reaching, and fingering requirements.

Employee may be subject to some limited travel in the performance of the job. Employee does have control over travel schedule and can adjust schedules due to adverse weather or travel conditions.

Physical requirements can typically be characterized as **Light:** Work involves exerting up to 20 lbs. of force occasionally, and/or up to 10 lbs. frequently, and/or a negligible amount of force constantly to move objects.

Job Classification History:

Clerk of District Court I was last reviewed and updated 7/2000 by North Dakota Unified Judicial System.

Classification description revised and updated 4/1/01 by BCC.

Changes recommended by the Personnel Policy Board were approved by the Supreme Court on 5/30/07.

**Counties included in pay grade 18 are those who have over eight employees including the Clerk of District Court.

Appendix D

Classification Description – Director of Juvenile Court

NORTH DAKOTA UNIFIED JUDICIAL SYSTEM CLASSIFICATION DESCRIPTION

TITLE: Director of Juvenile Court Services

<u>Title of Immediate Supervisor:</u> Court Administrator	<u>Department:</u> Juvenile Court	<u>FLSA Status:</u> Exempt
<u>Accountable For (Job Titles):</u> Juvenile Court Officers Secretary	<u>Division:</u>	<u>Pay Grade Assignment:</u> 20

General Summary or Purpose:

The Director of Juvenile Court Services is responsible for planning and directing all juvenile court services in the judicial district. Supervises a large professional and clerical staff (eight or more staff) engaged in providing juvenile court services and programs. Provides leadership in fostering the development of community wide programs.

Positions assigned to this classification provide leadership in fostering the development of community wide programs. The Director of Juvenile Court Services differs from the Juvenile Court Officer III in that the former classification manages a large Juvenile Court Services Unit and thus needs to devote a greater proportion of the job to management, fiscal monitoring, staff supervision, and case management activities, and the latter assists the Director of Juvenile Court Services in carrying out the director's functions and may supervise a small Juvenile Court Services Unit (seven or less staff).

Duty	Major Responsibilities & Essential Functions:
1.	Plans, organizes, and directs programs to provide juvenile services in accordance with court rules, local ordinances, federal and state laws, administrative rules and policies. Applies caseflow management principles to assure timely disposition of referrals. Oversees and monitors case management activities, records, and information relevant on the juvenile court information system.
2.	Supervises, delegates, and monitors the work of a large juvenile court staff including responsibility for: <ul style="list-style-type: none"> ▪ Recruiting ▪ Interviewing ▪ Selecting and orienting new employees ▪ Training staff ▪ Assigning caseloads and monitoring work performance

NORTH DAKOTA UNIFIED JUDICIAL SYSTEM
CLASSIFICATION DESCRIPTION

TITLE: Director of Juvenile Court Services

Duty	Major Responsibilities & Essential Functions:
3.	Conducts informal adjustment proceedings and determines conditions of conduct; issues temporary custody orders, authorizes secure/non-secure detention, release of, or shelter care of juveniles.
4.	Develops procedures and implements programs and policies relating to juvenile court services consistent with directives established by the Juvenile Policy Board and the Supreme Court; and assesses and evaluates the impact of new and changing situations and recommends methods to address changing situations.
5.	Promotes cooperative relationships with state and local social service agencies, institutions, law enforcement agencies, and the community. Represents the juvenile court in task forces, forums, and committees within the district on issues related to children.
6.	Assists in the preparation of the biennial budget for the juvenile court. Reviews and approves expense vouchers, purchase requisitions, and monitors contract service billings and compliance of contract services.
7.	Performs other duties of a comparable level or type.

Minimum Qualifications: (necessary qualifications to gain entry into the job not preferred or desirable qualifications)

Requires a bachelor's degree in social work, psychology, sociology, counseling or a related area and six years of experience as a court officer, three years of which must have been in a juvenile court system.

Certification or Licensing Requirements (prior to job entry):

Valid driver's license or evidence of equivalent mobility.

NORTH DAKOTA UNIFIED JUDICIAL SYSTEM
CLASSIFICATION DESCRIPTION

TITLE: Director of Juvenile Court Services

Knowledge Requirements:

- Extensive knowledge of the principles and practice of juvenile supervision, probation work, and relevant laws, rules or administrative guidelines pertaining to juvenile probation.
- Considerable knowledge of court procedures.
- Considerable knowledge of caseflow management principles and procedures.
- Considerable knowledge of individual and group behavior.
- Knowledge of the principles of management and supervision.
- Knowledge of word processing, electronic spreadsheet, database and specialized court/case management software.
- Extensive knowledge of community resources.
- Knowledge of national trends, techniques, and new approaches to juvenile rehabilitation, treatment, and juvenile court services.

Skill Requirements:

Skilled in:

- Supervising, directing, delegating, and maintaining the work of a juvenile court services unit and staff.
- Interpersonal and collaborative skills to work constructively within an agency in the community setting and effectively utilize available resources and services in connection with rehabilitation plan.
- Planning, organizing, and prioritizing unit functions and services to effectively manage a department and direct district-wide programs.
- Developing and implementing comprehensive services or programs for juveniles.
- Applying analytical skills to review operating issues, making recommendations, making fair and impartial informal adjustments.
- Developing a rapport with clients, counseling, interviewing, assessing, and evaluating client needs.
- Preparing and presenting information and facts to the public, clients or community groups and preparing relevant written and oral reports required.
- Monitoring fiscal operations, contracted services and the utilization of unit fiscal resources.

NORTH DAKOTA UNIFIED JUDICIAL SYSTEM
CLASSIFICATION DESCRIPTION

TITLE: **Director of Juvenile Court Services**

Physical Requirements:

The essential functions of the job typically require: sitting, standing, walking, talking, hearing, seeing, feeling, reaching, and fingering requirements.

Employee may be subject to some limited travel in the performance of the job. Employee does have control over travel schedule and can adjust schedules due to adverse weather or travel conditions. Employee is exposed to biological hazard in the performance of drug testing.

Physical requirements can typically be characterized as **Light:** Work involves exerting up to 20 lbs. of force occasionally, and/or up to 10 lbs. frequently, and/or a negligible amount of force constantly to move objects.

Job Classification History:

Director of Juvenile Court Services was last reviewed and updated 1/31/01 by North Dakota Unified Judicial System.

Classification description revised and updated 3/1/01 by BCC. Updated 1/2/02 by BCC on dept. comments. Revised by the Supreme Court 4/04.

Changes recommended by the Personnel Policy Board were approved by the Supreme Court on 8/23/07.

Appendix E

Questions for Interview with Unit II Trial Court Administrator

Interview conducted 9/11/07

Mr. Rod Olson

Trial Court Administrator for Administrative Unit II

1. What is your background with the Court System?

I worked as a court administrator for the State of Minnesota for nineteen years. (In Minnesota, the clerk of court in each county has the title of court administrator.) I supervised a total of nine deputy clerks in two counties in addition to supervising the Guardians ad Litem. While I was in Minnesota, I served on several statewide committees including Forms and Procedures, Personnel, the Financial Accounting Group, and the Jury Workgroup, which I chaired. I also served on district-wide committees related to caseflow and personnel. During my time in Minnesota, I also served as President of the Probate/Registrar's Association.

I have worked as the Trial Court Administrator for Administrative Unit II in North Dakota for over two years. I supervise approximately 70 people including clerk of court staff, juvenile court staff, and judges' support staff. I serve as a member of the statewide Personnel Policy Board, statewide Caseflow Committee and am currently the chair of a statewide Jury Workgroup. I am also a member of our Administrative Unit's Caseflow Committees.

During my work in the court system, I have attended many classes on leadership and management where a well-known expert was brought in to teach us. I found they were strong on theory and weak on practical application. We weren't able to put into practice what we were learning.

2. What do you see as the biggest challenge for your mid-level managers who want to advance within the system?

- 1) Many mid-level managers have not thought ahead to what they might want to do in the future. Often they do not have the education required as a qualification to move into other positions.
- 2) Some mid-level managers lack the belief that they have the ability to move into other positions.
- 3) I believe there has been an overall lack of training. Even if a mid-level manager does meet the minimum qualifications to move into a higher position, there does not appear to be a wealth of training to help them be successful in their new position.

3. What made you decide to conduct sessions with your mid-level managers?

It started because I noticed they shared a lack of belief, they didn't see themselves as managers or leaders. It became evident that this belief needed to be built up—to help them see that they were true managers and to help them develop the skills they needed to do their job.

4. How did you decide who should be involved?

We have some clerks who are state employed and some who are county employees and their counties contract with the state for services. I started with the state employed clerks of court and the Director of Juvenile Court Services. I chose these people for two reasons; 1) I thought it would be best to start with a small group and 2) I have the authority to give this group direction since they fall under my supervision.

I consider this the first step. I would like to expand this idea to line supervisors. My Trial Court Manager and I would work with supervisors to develop the curriculum but they need to lead their own sessions with their people. I would also like to include the contract clerks in the future.

5. What have your main topics been?

We started with leadership and covered what leadership is, how they saw themselves as leaders, where they could make changes in their interaction with employees so they were looked on as leaders within their offices, and how to be seen as leaders statewide. We also covered my expectations of them as leaders.

This evolved into our current discussion on management tools; what is management, how does it differ from leadership, how are they managing their offices.

6. Why did you choose those topics?

It goes back to those employees not seeing themselves as leaders and managers but more as lead workers. They needed to *be* the Clerk of Court or Director of Juvenile Court Services, not just have the title.

7. What is the role of your Trial Court Manager in these sessions?

I think trainings work best when you use the team approach. Not only does my Trial Court Manager help me find articles and information, she helps me organize it and we discuss points we would like to bring out in each session. This also was beneficial because we could act as a sounding board for each other before the actual training. By working together during the sessions, mid-level managers have the opportunity to observe how well we work together and communicate. I hope they can also take that back to their offices and work on developing similar relationships with their line supervisors.

8. Please describe the format of your sessions.

About three weeks before our next session, we post articles that correspond to the topics we will be discussing. We ask participants to read them and post their comments to several questions regarding the article. They may also be asked to briefly describe how they have implemented a discussion point from a previous session or describe how

they handled a related situation in their office. I believe it is important for participants to have this ‘homework’ before each session to ensure everyone is prepared.

We hold a discussion on each article and points participants made in their postings. It is a chance to share personal experiences with what is working and what isn’t working, to get feedback from others in the group, to increase the levels of communication, and to build a support system for those mid-level managers. It also allows them to gain a better understanding of our expectations for them.

From the outset, we have tried very hard to ensure that these sessions are viewed as informal discussions with the goal of learning from and about each other. Participants are encouraged to share their opinions openly and honestly without fear of repercussion. They are encouraged to disagree with each other and with us. In the end, we are usually able to meld our opinions into one agreed way on how to handle specific situations we may have been discussing.

I firmly believe these sessions are better if senior managers conduct them within individual administrative units. Leadership and Management are subjects where we need to follow up. You can’t just send people to training for a couple of days a year and expect them to ‘get it’. It needs to be ongoing, six to eight months with sessions at least once a month. Meeting each month keeps it on the front burner—there is an expectation to share experiences and learnings so those situations stay fresh in their minds.

9. Where do you find the material for your sessions?

The judiciary’s Director of Education has suggested some of our material, we have found some on the internet, and we have used articles from NACM publications such as the Court Communiqué.

I think it’s important to note that, on occasion, we purposely use articles we have disagreed with. I think it’s important to discuss not only what we agree with and think is good but to discuss what we disagree with and why.

10. Has there been anything that stands out in your mind as unique or that was especially well received?

We have tried to vary our sessions occasionally to keep things fresh. For instance, for one session, I arranged for mid-level managers to attend a presentation on John Miller’s book QBQ (The Question Behind the Question) which deals with personal accountability and asking yourself, “What can I do to make this better?” After the presentation, we held a

group discussion about the message and how to develop personal accountability in our offices.

After our leadership segment, we watched an installment of the movie *Band of Brothers*. We asked mid-level managers to make observations about the leadership qualities of certain characters, their strengths and weaknesses, and what they may have done in certain situations. It was gratifying to see that they recognized the same traits in the characters and picked out the same scenarios where I had concerns. This was a signal to me that we had communicated well during our previous sessions on leadership and were ready to move on to a new topic.

11. Overall, do you think the sessions have been successful? Why?

I do think the sessions have been very successful for several reasons. With regard to the sessions themselves, each one has been better than the previous. Participants seem freer to speak and share their opinion. They share their problems and solutions and offer each other advice and support. There is a definite cohesiveness now.

With regard to the growth of my staff, I have observed them to be more willing and comfortable in taking control of their offices. They are making decisions they were not making before. I see them expressing their points of view at other meetings where they had not done so in the past. They are starting to develop their own solutions to every day problems they face. They are starting to take leadership roles in their statewide organization. I also feel a better relationship has developed not only between the mid-level managers, the Trial Court Manager and me but also between mid-level managers and those that they supervise.

I have gotten informal feedback from the mid-level managers themselves. During our sessions they have indicated which components they have liked and which they have disliked. Some mid-level managers have also spoken to me outside our sessions and indicated they feel more comfortable in their role as managers since beginning the sessions. We do plan to conduct a formal evaluation of the sessions in the future.

Other senior managers around the state have also contacted me. They have heard what we are doing, asked questions about it, and are interested in implementing something in their units. Obviously, we would be willing to share our curriculum if they would like to use it to facilitate their own sessions. In addition, my Trial Court Manager and I have been asked to present a mini-version of our Leadership sessions at the annual Clerk of Court Conference. We hope this will spark an interest around the state for people to start their own sessions.

12. How long do you plan to continue holding the sessions?

We started these sessions approximately one year ago and have tried to hold sessions on a monthly basis. I anticipate the sessions themselves will continue a few more months but I will continue to hold meetings as a group. If we come across a particularly compelling or timely article or book, we will certainly share those for discussion. It is important to continue to build the leadership and management skills and to reinforce what has already been built. Education should never cease.

Appendix F

Administrative Unit II – Equipping Curriculum

Equipping Potential Leaders Curriculum for Unit II

Session I (3 hours)

1. Goals and Objectives

- a. Training –vs– Equipping
- b. What's Said Here – Stays Here
- c. Disagreeing is OK, it brings out discussion points
- d. Make responses and discussions work-related
- e. Binders – bring previous materials

2. Introductions (3 minutes about YOU)

3. Leadership Quotes Discussion

Read the article Leadership Quotations. Circle two you like and be ready to explain why you like them. Circle two you dislike and be ready to explain why you dislike them. If you'd like, bring your own quotation to share.

4. Leadership Check-Up Discussion

Read the article Leadership Check and answer the follow-up questions in the article to help formulate your answers. (Answers should be work-related.)

- a. How and where do I have influence?
- b. Where can I improve my people skills?
- c. Do I have a positive outlook?
- d. Do I see evidence of growth in self-discipline?
- e. Do I have a proven track record of success in my field?
- f. How are my problem-solving skills?
- g. Do I refuse to accept the status quo?
- h. Do I have a big-picture mindset?

5. Walk the Talk Discussion

Read the article Walk the Talk and write a short paragraph answering the following questions:

- a. What did you agree with in this article? Why?
- b. What did you disagree with in this article? Why?
- c. Name some positives and negatives about sharing decision making.
- d. What have you done in your office to make sure your expectations are clear to your employees?

6. Wrap Up

Session II (3 hours)

1. Get to know you question—What are your goals (position related)?

2. Writing Assignment

Please write a half page summary regarding one thing you learned from the last class and have implemented or used in dealing with a problem or situation. (Please remember to keep your answer work-related.) This assignment doesn't have to be posted, just bring it with you to class.

3. Discussion—Where/how have you influenced someone since our last meeting?

4. Why Leaders Fail Discussion

Read the article *Why Leaders Fail* and answer the following questions:

- a. What is your primary focus right now?
- b. In problem solving, which is more important to you: the attempt or the outcome?
- c. Why did you initially seek a position of leadership?

5. Leaders as Problem Solvers Discussion

Read the article *Leaders as Problem Solvers* and complete the following assignment. (Please remember to keep answers work-related.)

Briefly explain a current personnel or procedural problem you are experiencing in your office. Using the steps outlined in this article, identify possible solutions, choose one solution for implementation and explain why you believe that was the best solution.

6. Understanding Your Conflict Styles Discussion

Read the article *Understanding Your Conflict Style* and write a short paragraph answering the following questions.

- a. Where do you see yourself and why?
- b. How do you think your employees view you?
- c. Give an example of a conflict you have experienced. What style did you use to try to resolve the conflict? Was it effective or do you think a different style would have been more effective?

7. Wrap Up

Session III (2 hours)

This session is held immediately following a presentation on QBQ (The Question Behind the Question) by author John Miller. QBQ focus on how we can be proactive in searching for solutions rather than simply reporting problems.

Participants had previously read the book and participated in a small discussion group within their administrative unit.

1. QBQ Discussion

- a. What are your general thoughts on the QBQ presentation?
- b. Do you look at QBQ differently now that you have seen the presentation first hand?
- c. How can we reinforce QBQ in our offices?
- d. Are we recognizing people who “ask the right questions”?

2. Wrap Up

Session IV (3 hours)

1. Discussion—“Assessing Employee Satisfaction and the Administrative Reorganization of the North Dakota Court System”.

Look through the report and read the information pertaining to Unit II. Be prepared to discuss the following questions:

- a. Overall, what are the weaknesses of the survey?
- b. Overall, what are the strengths of the survey?
- c. Comparing our scores with scores from other units, are there areas where you think we can improve?
- d. How do we improve (or at least maintain) our scores?

2. Review of Terry Curry Presentation from ICM session on HR

3. Wrap Up

Session V (3 hours)

Management Training Session

Watch the selected segment of the movie Band of Brothers. Be prepared to discuss the following:

- a. What type of leadership did Capt. Sobel display? How did it affect the men? Give examples of any good leadership qualities and some examples of where he may have been lacking in his leadership.
- b. Discuss Lt. Winters leadership. Did the men like him? What was strong about his leadership? Did you see any weaknesses?
- c. Who did Capt. Sobel blame for his problems?
- d. What did you notice about Sgt. Lipton?

Session VI (3 hours)

1. Ten Commandments for Managing People Discussion

Read the article *Ten Commandments for Managing People* and answer the following questions. (Please remember to make your answers work-related.)

- a. What are some of the points you agreed with in the article?
- b. What are some of the points you disagreed with in the article?
- c. Briefly describe a situation you recently dealt with that incorporates points from this article.

2. Performance Workshop Discussion

Read the article *Performance Workshop* and answer the following questions:

- a. What are some of the points you agreed with in the article?
- b. What are some of the points you disagreed with in the article?
- c. Briefly describe a situation you recently dealt with that incorporates points from this article.

3. When Your Supervisors Micromanage Discussion

Read the article *Supervising Employees: When Your Supervisors Micromanage* and answer the following questions:

- a. What are some of the points you agreed with in the article?
- b. What are some of the points you disagreed with in the article?
- c. Briefly describe a situation you recently dealt with that incorporates points from this article.

4. Six Keys to Resolving Conflict Discussion

Read the article *Six Keys to Resolving Conflict* and answer the following questions:

- a. What are some of the points you agreed with in the article?
- b. What are some of the points you disagreed with in the article?
- c. Briefly describe a situation you recently dealt with that incorporates points from this article.

5. Develop questions for Mike Sandal, Director of HR, for next meeting

6. Wrap Up

Session VII (3 hours)

Question and Answer Session with Mr. Mike Sandal, Director of HR

Leave

1. Please discuss 'Family Leave' briefly.
2. How should suspected abuse of sick leave be addressed?
3. Please discuss Doctor's notes—excuses and ability to return to work.
4. Please discuss leave donation briefly.

FMLA

1. In what types of situations can FMLA be used?
2. What is the maximum amount of time an employee can use FMLA?
3. Does the time have to be concurrent?
4. When should you notify an employee that their time is being considered FMLA time?
5. Is it an annual amount—calendar or anniversary of use?

EAP

1. What is EAP?
2. Can supervisors refer employees to an EAP program?
3. If so, should it be part of a performance plan?
4. Can it be made mandatory or is it a recommendation?
5. What information is available to the supervisor?
6. Would information include mental health/addiction issues?
7. What about medications with a recommendation of no driving—what is our responsibility to ensure an employee doesn't drive/drive a fleet car?

Hiring Procedures

1. Calling past employers—yes/no/na indication on application.
2. Background Checks—what if something shows up during the background check process? Please discuss briefly what could cause a person not to be hired. Should/could the offense be addressed during the probationary period?
3. Providing references—please provide guidelines on appropriate information to share for a satisfactory employee and an unsatisfactory employee.

Employee Grievances

Please discuss the employee grievance procedure briefly.

Session VIII (3 hours)

1. **Bring an HR-related current event for discussion with the group.**
2. **Tips for Interviewing Prospective Employees Discussion**
Read the article *Tips For Interviewing Prospective Employees* and highlight some of the things that interest you for discussion with the group.
3. **Nine Tips on Checking References Discussion**
Read the article *Nine Tips on Checking References* and highlight some of the things that interest you for discussion with the group.
4. **Creating a Turbo-Charged Workforce**
Read the article *Creating a Turbo-Charged Workforce* and bring some examples of how you can, or do, keep people motivated in your office.

5. Review Hand Outs/Discussion

- a. Juvenile Director Interview Questions (sample)
- b. Personnel Records Retention Schedule

6. Wrap Up

SESSION IX (3 hours)

1. Code of Conduct Discussion

Policy 100 – Code of Conduct for Judicial Employees

2. Building Loyalty Discussion

Read the article *Building Loyalty*. Bring written comments and be prepared to discuss the following questions:

- a. What values have been passed on to you from Trial Court Administration?
- b. What are some of the ways those values have been passed on to you?
- c. What do you think Trial Court Administration has done well in sharing its values?
- d. What do you think Trial Court Administration can do to improve on sharing our values?
- e. What do you think Trial Court Administration has done to create loyalty?
- f. Are underachievers a problem in our offices?
- g. Do you think we, as a management group, have done enough to address performance issues?

3. Wrap Up

Trial Court Administration is working on publishing some goals for Unit II for the next two years. Think about what input you may have to share in forming these goals.

Leadership Quotes

Ponder what it takes to be a true leader with these practical quotes that will lead you to a more precise understanding of the secrets to successful leadership...

1. "A true leader has the confidence to stand alone, the courage to make tough decisions, and the compassion to listen to the needs of others. He does not set out to be a leader, but becomes one by the quality of his actions and the integrity of his intent."
--Anonymous
2. "No person can be a great leader unless he takes genuine joy in the successes of those under him."
--W. H. Auden
3. "Good leaders make people feel that they're at the very heart of things, not at the periphery. Everyone feels that he or she makes a difference to the success of the organization. When that happens people feel centered and that gives their work meaning."
--Warren Bennis
4. "No man will make a great leader who wants to do it all himself, or to get all the credit for doing it."
-- Andrew Carnegie
5. "A leader takes people where they want to go. A great leader takes people where they don't necessarily want to go, but ought to be."
--Rosalynn Carter
6. "Perhaps the most central characteristic of authentic leadership is the relinquishing of the impulse to dominate others."
--David Cooper
7. "The first responsibility of a leader is to define reality."
-- Max DePree
8. "Leadership is the art of getting someone else to do something you want done because he wants to do it."
--Dwight D. Eisenhower
9. "A boss creates fear, a leader confidence. A boss fixes blame, a leader corrects mistakes. A boss knows all, a leader asks questions. A boss makes work drudgery, a leader makes it interesting. A boss is interested in himself or herself, a leader is interested in the group."
--Russell H. Ewing
10. "Leadership is practiced not so much in words as in attitude and in actions. "
-- Harold Geneen
11. "One of the true tests of leadership is the ability to recognize a problem before it becomes an emergency."
--Arnold Glasow
12. "All of the great leaders have had one characteristic in common: it was the willingness to confront unequivocally the major anxiety of their people in their time. This, and not much else, is the essence of leadership. "
-- John Kenneth Galbraith
13. "The very essence of leadership is that you have to have vision. You can't blow an uncertain trumpet."
--Theodore Hesburgh

14. "The final test of a leader is that he leaves behind him in other men the conviction and the will to carry on... The genius of a good leader is to leave behind him a situation which common sense, without the grace of genius, can deal with successfully."
--Walter Lippmann"
15. Leadership is getting someone to do what they don't want to do, to achieve what they want to achieve."
--Tom Landry
16. "Leaders must be close enough to relate to others, but far enough ahead to motivate them."
--John Maxwell
17. "The real leader has no need to lead-- he is content to point the way."
-- Henry Miller
18. "The leader must know, most know that he knows, and must be able to make it abundantly clear to those about him that he knows."
--Clarence B. Randall
19. "The person who knows "how" will always have job. The person who knows "why" will always be his boss."
--Diane Ravitch
20. "A true leader is hated by most, and respected by all. A follower is liked by all, and respected by none."
--Scott Smigler
21. "Integrity is the most valuable and respected quality of leadership. Always keep your word."
--Brian Tracey
22. "You know what makes leadership? It is the ability to get men to do what they don't want to do and like it."
--Harry S. Truman
23. "Leadership is not the private reserve of a few charismatic men and women. It is a process ordinary people use when they are bringing forth the best from themselves and others."
--Unknown
24. "Nothing so conclusively proves a man's ability to lead others as what he does from day to day to lead himself."
--Thomas J. Watson
25. "Outstanding leaders go out of their way to boost the self-esteem of their personnel. If people believe in themselves, it's amazing what they can accomplish."
--Sam Walton

A Leadership Check-Up

By John C. Maxwell

A vital leader seldom waits for failure before appraising his or her leadership skills. These eight questions will help you evaluate your leadership strengths and weaknesses. You can then fine-tune your personal development program accordingly.

1. How and where do I have influence?

Influence - not position or power - makes a leader successful.

What is my current level of influence at work? How often do others turn to me for direction or approval? Do I see evidence of my influence both above and below me on the organizational chart?

Who influences me and how? Remember, we often adopt both the strengths and weaknesses of those around us, so make sure you are not being influenced in a way that leads you away from your goals.

In what new arenas can I extend my influence? It may be a new department, a new market or venue, a new partnership or alliance, or a new vendor or supplier.

2. Where can I improve my people skills?

Someone can lead for a season based on position or problem-solving ability, but success in the long run depends on the ability to get along with and develop people.

How can I improve my listening skills?

How can I discover what motivates those whom I lead?

Am I willing to ask more questions and get more input from others?

3. Do I have a positive outlook?

A positive attitude alone doesn't identify a capacity for leadership, but a negative spirit will always diminish a person's leadership potential. The ability to master my own emotions gives me a sizeable advantage during crisis situations. Never forget that a crisis situation is precisely when leadership is most noticed and valued.

4. Do I see evidence of growth in self-discipline?

Am I disciplined in my use of time?

Do I willingly delay gratification in order to achieve worthwhile goals?

Are there any evidences of lack of self-discipline in my appearance or work habits?

5. Do I have a proven track record of success in my field?

Busyness is not an accurate indicator of success. Some people work like crazy and never accomplish anything. Past success is a key predictor of future success.

What have I accomplished that I am proud of?

Did those accomplishments include others?

How does my experience relate to what I need today?

Am I willing to put forth the effort again?

6. How are my problem-solving skills?

Many people are impressed with their ability to spot a problem. Identifying a problem is easy; just about anyone can do it. Leaders must solve problems. In fact, where there are no problems, there is no need for leadership. Problem solvers don't dwell on what went wrong or who was to blame. Instead, they spend their energies on finding a solution.

7. Do I refuse to accept the status quo?

Growing leaders value progress over security. Not only are they dissatisfied with what is; they have a vision for what can be. The person who resists the status quo is willing to take a risk, be different, and pay the price for victory.

8. Do I have a big-picture mindset?

How often do you step back to maintain perspective, especially in the face of distractions or pressure? Keeping a sense of direction when the fog of fatigue sets in is a trait of a gifted leader.

Self-evaluation is not for the faint-hearted. An honest assessment by these diagnostic questions will make you aware of at least a couple of areas where you need to sharpen your skills.

The question is - will you?

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Walk the Talk: Leading By Example

By Liz Tahir

Recently I was talking with a retailer in his store, and as we were walking around the floor, we came to a rack housing sportswear. Some of the sweaters on the rack were dangling from the hangers. He called over to ask a sales associate to straighten the rack, and we moved on through the store.

I somehow remembered this incident as I was with another manager, this time the general manager of an upscale hotel. We were talking at one end of the hotel lobby, and as his eyes spotted a table with parts of a newspaper and a candy wrapper on it, obviously left by a guest, he excused himself. He walked across the lobby, picked up the newspapers and candy wrapper, disposed of them, and came back to resume our conversation.

I was struck by the difference in management styles of these two executives. The store owner must have felt that as long as the sales associate was just standing there, she should take care of this little job. Something she is paid to do, right? The hotel manager, though responsible on a much larger scale for revenue, staff, and square footage than the store owner, saw it as his job to pick up the trash in the lobby.

The message each manager sent out by his actions could not have been more different. The store owner is comfortable operating on a rather hierarchical basis. The hotel manager sees little distinction in his job and that of his staff. But this message should be clear: if you want your staff to instinctively do things without being told, you need to let them see that you yourself instinctively do these things. **Your employees are more likely to learn from what you do; not from what you say - Leadership By Example.** That's the way to ensure there is no "my job vs. your job" mentality in your company. Just "our job."

Today there is a lot of talk about employee performance; how people don't want to work, are absent a lot, won't do their job, have no loyalty; always want more money. It's true, these problems definitely exist. But many of these job performance problems could be headed off by more attention from management.

So let's talk about some of the things we can do to ensure our associates are the best they can be; perform at the highest level; have the company's interest at heart; are satisfied in their jobs.

Start here: **Hire for Attitude, Attitude, Attitude.**

This is where everything begins. You can teach your staff new skills; you can't teach attitude. In the hiring interview, spend enough time in subjective conversation with people to discern their attitude, their manner, their philosophy. To find out more about this aspect, you may want to pose hypothetical situations and ask candidates to describe how they would handle them.

Southwest Airlines hired for Attitude in employing their current Area Marketing Manager in New Orleans. It did not matter to Southwest that this person had absolutely zero previous airline experience (she was in the jewelry business), and had never even set foot in New

Orleans before moving here from Dallas to take this position. She has successfully performed this job now for seven years, helping increase Southwest's business and visibility in this area.

Let's talk about a very important word: RESPECT. How your employees feel they are valued. The Ritz Carlton hotel group has as its motto: "We are ladies and gentlemen, serving ladies and gentlemen." The philosophy in this simple sentence implies a relationship of equals; that the company will treat the employees with the same respect that it treats the guests. The Ritz Carlton understands this simple truth: your employees will treat your customers the same way they are treated.

Make Your Expectations Clear

Be clear about what an employee's duties are; make sure they understand their job description.

Be clear about your standards for appearance (if you have a dress code, etc.). It is entirely reasonable to expect employees to show up for work dressed professionally and appropriately groomed. Of course, that may differ, depending on whether you operate an outdoor plant nursery or a designer apparel store.

Be clear about corporate culture. Part of the Nordstrom company's training for employees is instilling the corporate culture in all employees, letting them know what is expected of them. Their employees learn to do whatever it takes to make a customer happy. They are trained that Nordstrom believes people in their store are guests and therefore deserve the best service. When employees are trained in to this culture, they can produce the sales results they must achieve for success. The company will trust them with a lot of operational freedom in performing their job. However, if the employee has trouble buying in to this culture, it is safe to say he will not be happy or successful at Nordstrom.

Be clear about the level of customer service the company expects everyone to provide. Is this level a high degree of service (such as Nordstrom) or is service not emphasized in your company in favor of something you are better known for, like the lowest price, etc.

Give Employees Proper Tools to Work With

It is your job to provide training to help your people in their performance, to help them constantly improve their skills. Make sure this training reinforces your own specific expectations. This is not just computer register training (which, unfortunately, is what passes today as the only training). Encourage them to attend appropriate seminars at company expense, such as those on customer service, communications skills, sales techniques, time management. Keep a company library of magazines, training books, tapes, & videos. Let them know that you are aware of whatever they do to increase their knowledge. Develop some sort of reward system for employees who take advantage of resources you offer.

Set up a regular schedule for discussing market trends or showing new merchandise. Make sure they understand technical terms (would they know how to correctly answer a customer's question, such as "why is there sure a huge price difference between this cashmere sweater and this wool sweater?").

Share Some Decision-Making

As management, you have to make many decisions every day. Share some of this decision-

making with your associates. Involve them in this process, and certainly involve them in those decisions that affect them. Ask employees if there are any company policies or procedures that hinder their job performance or their ability to deliver good customer service. If so, study these policies and do whatever you can to change or eliminate them. Then let your employees know what action you are taking (before you take it) in response to their concerns.

There is another very important reason to involve your associates in the decision-making process. Because those who have had a voice in making policy will see that the policy gets implemented. It's a surefire way to make sure the procedure is followed and there are no complaints about it!

You can tell employees all day long about how important they are to the company...but having them share in policy-making is a way to prove it, to show they are valued. Of course, the responsibility of policy making is management's, but decisions have a better chance of being right after first getting feedback from those on the front line. The key word here is share.

We all can become bored in our jobs if we feel there is nothing new to learn, no new challenges to conquer, no way to expand our minds, no new contributions to make. Yes, your employees may have to perform the same duties day in, day out, but an enlightened management, one that "walks the talk "(like you) can find ways to help employees become better at these same duties each day and therefore keep them interested and growing.

<http://www.sideroad.com/Leadership/walk-the-talk.html>

Why Leaders Fail

By: Mark Sanborn

Donald Trump, paragon of the real estate world, files for bankruptcy. Richard Nixon, 37th U.S. President, resigns the presidency over the Watergate scandal. Jennifer Capriati, rising tennis star, enters a rehabilitation center for drug addicts. Jim Bakker, renowned televangelist, is convicted of fraud.

In the recent past, we've witnessed the public downfall of leaders from almost every area of endeavor—business, politics, religion, and sports. One day they're on top of the heap, the next, the heap's on top of them.

Of course, we think that such catastrophic failure could never happen to us. We've worked hard to achieve our well-deserved positions of leadership—and we won't give them up for anything! The bad news is: the distance between beloved leader and despised failure is shorter than we think.

Ken Maupin, a practicing psychotherapist and colleague, has built his practice on working with high-performance personalities, including leaders in business, religion, and sports. Ken and I have often discussed why leaders fail. Our discussions have led to the following "warning signs" of impending failure.

WARNING SIGN #1: A Shift in Focus

This shift can occur in several ways. Often, leaders simply lose sight of what's important. The laser-like focus that catapulted them to the top disappears, and they become distracted by the trappings of leadership, such as wealth and notoriety.

Leaders are usually distinguished by their ability to "think big." But when their focus shifts, they suddenly start thinking small. They micro manage, they get caught up in details better left to others, they become consumed with the trivial and unimportant. And to make matters worse, this tendency can be exacerbated by an inclination toward perfectionism.

A more subtle leadership derailer is an obsession with "doing" rather than "becoming." The good work of leadership is usually a result of who the leader is. What the leader does then flows naturally from inner vision and character. It is possible for a leader to become too action oriented and, in the process, lose touch with the more important development of self.

What is your primary focus right now? If you can't write it on the back of your business card, then it's a sure bet that your leadership is suffering from a lack of clarity. Take the time necessary to get your focus back on what's important.

Further, would you describe your thinking as expansive or contractive? Of course, you always should be willing to do whatever it takes to get the job done, but try never to take on what others can do as well as you. In short, make sure that your focus is on leading rather than doing.

WARNING SIGN #2: Poor Communication

A lack of focus and its resulting disorientation typically lead to poor communication. Followers can't possibly understand a leader's intent when the leader him- or herself isn't sure what it is! And when leaders are unclear about their own purpose, they often hide their confusion and uncertainty in ambiguous communication.

Sometimes, leaders fall into the clairvoyance trap. In other words, they begin to believe that truly committed followers automatically sense their goals and know what they want without being told. Misunderstanding is seen by such managers as a lack of effort (or commitment) on the listener's part, rather than their own communication negligence.

"Say what you mean, and mean what you say" is timeless advice, but it must be preceded by knowing what you mean! An underlying clarity of purpose is the starting point for all effective communication. It's only when you're absolutely clear about what you want to convey that the hard work of communicating pays dividends.

WARNING SIGN #3: Risk Aversion

Third, leaders at risk often begin to be driven by a fear of failure rather than the desire to succeed. Past successes create pressure for leaders: "Will I be able to sustain outstanding performance?" "What will I do for an encore?" In fact, the longer a leader is successful, the higher his or her perceived cost of failure.

When driven by the fear of failure, leaders are unable to take reasonable risks. They want to do only the tried and proven; attempts at innovation—typically a key to their initial success—diminish and eventually disappear.

Which is more important to you: the attempt or the outcome? Are you still taking reasonable risks? Prudent leadership never takes reckless chances that risk the destruction of what has been achieved, but neither is it paralyzed by fear. Often the dance of leadership is two steps forward, one step back.

WARNING SIGN #4: Ethics Slip

A leader's credibility is the result of two aspects: what he or she does (competency) and who he or she is (character). A discrepancy between these two aspects creates an integrity problem.

The highest principle of leadership is integrity. When integrity ceases to be a leader's top priority, when a compromise of ethics is rationalized away as necessary for the "greater good," when achieving results becomes more important than the means to their achievement—that is the moment when a leader steps onto the slippery slope of failure.

Often such leaders see their followers as pawns, a mere means to an end, thus confusing manipulation with leadership. These leaders lose empathy. They cease to be people

"perceivers" and become people "pleasers," using popularity to ease the guilt of lapsed integrity.

It is imperative to your leadership that you constantly subject your life and work to the highest scrutiny. Are there areas of conflict between what you believe and how you behave? Has compromise crept into your operational tool kit? One way to find out is to ask the people you depend on if they ever feel used or taken for granted.

WARNING SIGN #5: Poor Self Management

Tragically, if a leader doesn't take care of him- or herself, no one else will. Unless a leader is blessed to be surrounded by more-sensitive-than-normal followers, nobody will pick up on the signs of fatigue and stress. Leaders are often perceived to be superhuman, running on unlimited energy.

While leadership is invigorating, it is also tiring. Leaders who fail to take care of their physical, psychological, emotional, and spiritual needs are headed for disaster. Think of having a gauge for each of these four areas of your life—and check them often! When a gauge reaches the "empty" point, make time for refreshment and replenishment. Clear your schedule and take care of yourself—it's absolutely vital to your leadership that you continue to grow and develop, a task that can be accomplished only when your tanks are full.

WARNING SIGN #6: Lost Love

The last warning sign of impending disaster that leaders need to heed is a move away from their first love and dream. Paradoxically, the hard work of leadership should be fulfilling and even fun. But when leaders lose sight of the dream that compelled them to accept the responsibility of leadership, they can find themselves working for causes that mean little to them. They must stick to what they love, what motivated them at the first, to maintain the fulfillment of leadership.

To make sure that you stay on the track of following your first love, frequently ask yourself these three questions: Why did I initially assume leadership? Have those reasons changed? Do I still want to lead?

Heed the Signs

The warning signs in life—from stop lights to prescription labels—are there for our good. They protect us from disaster, and we would be foolish to ignore them. As you consider the six warning signs of leadership failure, don't be afraid to take an honest look at yourself. If any of the warnings ring true, take action today! The good news is: by paying attention to these signs and heeding their warnings, you can avoid disaster and sustain the kind of leadership that is healthy and fulfilling for both yourself and your followers.

<http://www.leadershipnow.com/pvsanborn.html>

Leaders As Problem Solvers

By John Baldoni

"No problem is too big to run away from."

- Charlie Brown (Charles M. Schultz)

Warren Buffet, CEO of Berkshire Hathaway, once wrote: "No sooner is one problem solved than another surfaces—never is there just one cockroach in the kitchen." Mr. Buffet is right. Life is a series of problems waiting to happen. Leaders, as point people in the management of people and ideas, encounter problems daily, even hourly. The successful ones learn to deal with them and develop techniques to manage and solve them.

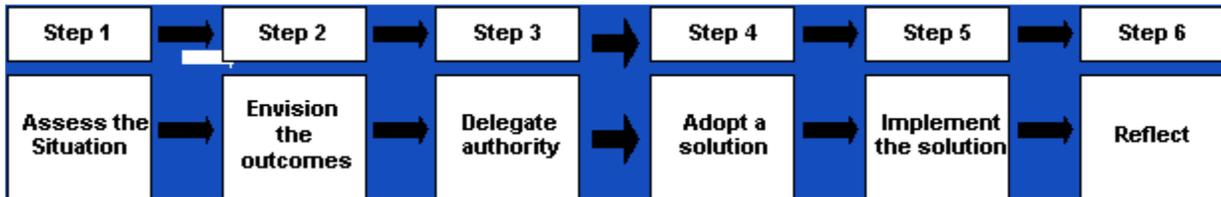
Unfortunately, even well-intentioned leaders can be overwhelmed by circumstance and their own stubbornness. President Lyndon Johnson's experience in Vietnam is one such example; no matter how hard he tried, Johnson could not bend the will of the enemy, nor remove U.S. troops in a manner he deemed honorable. Likewise, the management of Chrysler Corporation in the late 1970s watched as the company continued to produce uncompetitive products and accumulated crushing debts.

Solving those problems took radical solutions. Upon taking office, President Richard Nixon began removing ground troops in a planned reduction. At the same time, he kept pressure on North Vietnam with heavy bombing raids as well as incursions into Laos and Cambodia to prevent supplies from reaching troops in South Vietnam. Lee Iacocca became President of Chrysler (later Chairman) and shortly sought government loans to save the Company. A short time later, Chrysler introduced the minivan, acquired American Motors, and positioned Jeep as America's first sport utility vehicle. Neither Nixon nor Iacocca's solutions were overnight successes; it took Nixon until his second term to end U.S. involvement in Vietnam, and it took Iacocca time to pay off the loans and nudge his company into the red. Both Nixon and Iacocca suffered reverses in later ventures, but both did achieve some gains. Nixon extricated American troops from Vietnam, and Iacocca helped resurrect Chrysler.

Few leaders can wait for the next in line to solve their problems. If they did, they (like Johnson and Chrysler management) would be out of a job. Leaders must devise solutions immediately or risk losing the loyalty of their followers. Good leaders, I believe, operate with a mindset that says, "problems are really solutions in waiting."

Most important, good leaders come to realize that their most able resource in any problem situation is the people around them. Just as problems do not occur in the vacuum, neither do solutions appear from thin air. It is a mistake for leaders to assume that they must solve every problem by themselves. Problem solving, like leadership in general, requires involvement of others. Leaders should make hard decisions and set direction for the organization, but they also need to seek input from those involved, particularly those who must implement the

solution. Good leaders seek advice from all stakeholders (customers, employees, suppliers) and then make a decision. There are concrete steps that leaders can take to address problems



Assess the situation... Stand back and take a deep breath. Even in the heat of battle, combat officers learn to divorce themselves momentarily from the danger of the moment so that they can assess the situation before make a decision. By stepping back, if only for a day, an hour, even five minutes, gives the leader the benefit of perspective and time. Assessment in this situation is a form of reflection; it helps the leader to "get out of himself" and just think.

Envision the outcomes... A leader must ask two questions when faced with a problem: What happens if we do nothing? What happens if we do everything possible? Some problems cannot be solved no matter what you do; that problem calls for containment, or operational mode. Other problems need to be extinguished like fires—quickly, safely, and with maximum resources. Considering the outcomes narrows the options and provides a choice.

A common phrase in management is "think out of the box." The term refers to devising unconventional approaches to common problems. For example, Volkswagen's next generation Beetle is such a product. It combines the heritage of the hole in an all-new sleek package.

There are some ways to train your mind to think unconventionally.

- Brainstorm. Get everyone together and throw out ideas. Be non-judgmental.
- Adopt the perspective of the customer: What would a customer want done to solve the problem?
- Dialogue. Get a trusted partner. Review the problem. Consider solutions.
- Create a visual metaphor. Create a pictogram of the problem. Present to others and discuss it. (2)
- Think laterally. Look outside the problem to gain perspective. It involves awareness, alternatives, and provocation (i.e., stimulating creative thoughts) (3)
- Force Field Analysis. Draw two columns. Label one "forces for change." Label the other, "force against change." List forces for both columns. Discuss how to overcome the restraints so that positive change may occur. (4)

Delegate authority... Give ownership of the problem to those who must implement the solution. Provide the team with guidance, but leave the details to the employees. Let them fill in the blanks. Good leaders learn to let go. They trust their people to do their jobs. At the same time, the leader needs to "be in the loop"—informed of progress and available for consultation.

Adopt a solution... Sometimes individuals and teams find the adoption step to be the easiest. Selecting the right solution is often the logical outcome of the creative process; people know the possibilities and the outcomes, and can decide amongst themselves what is best for the organization. The ease of selection, however, does not mean the solution will be easy to implement, only that it was readily apparent as the right choice.

Implement the solution... Once the solution is formulated, the leader must find the resources to implement it. In manufacturing, the solution may involve application of a new process and acquisition of a new piece of machinery. New training may be required. The leader should gather all resources necessary and make certain people have the authority and support to do what they need to do.

Reflect on what to do next time... Evaluate the steps you took to solve the current problem. Ask yourself: could you have done it more efficiently, more quickly, more creatively? Prepare for the next eventuality. Like disaster contingency plans, formulate next steps to help the organization prepare for the next problem. And then, once again, take a step back and just think about the entire problem and solution process. Many people find that ruminating over problems over time can produce new ideas.

All of these problem-solving measures are effective, but most leaders will state that the best solution is to anticipate the problem and head it off before it occurs. Leaders who "manage by walking around" are ones who have good instincts for rooting out situations before they fester into problems. These leaders are also adept at looking problems in one area of the company and sensing that they could spread to another area. A systems thinking approach, as practiced in organizational learning, teaches us how to analyze the root cause of one problem and then think how that root cause, or its consequences, may affect another aspect of an organization.
(1)

Product development teams apply systems thinking when designing various components for a product: be it an appliance, a computer, or a car. By looking at how all of the components work together, and then determining if problems with one may affect another, the engineers determine the functionality and efficiency of the total design. Likewise, astute human resource professionals look at their organizations with a similar mindset. If one group is experiencing trouble with a benefits plan, they immediately look to other departments to assess their experience with the plan. In this way, they prevent a problem from spreading by heading it off.

An even more effective means of ensuring work harmony is to assess the work styles of individuals working within teams. One instrument for assessing how people interact is "I-Opt™." By simultaneously measuring both individual styles and the relations between group members, "I Opt™" identifies individuals as possessing one of four strategic styles. "I-Opt™" groups individuals according to how they process information, react to problems, and work with others. As with most evaluation instruments, no individual is all one style or another. Most people are a combination of all styles, but with a strong accent on one or two other styles. For example, some individuals like to use spontaneous approaches to problems and

situations; they are focused on tangible, near-term outcomes. Other individuals may be idea generators, who tend to work without detail and seek satisfaction in creative solutions.

Knowing the working style of an individual can help a team leader choose individuals best suited for specific project as well as assign individuals of complementary styles to work together. "I Opt™" is not a problem solver per se, but it is an instrument that leaders can use to maximize human performance. And, by knowing individual work styles, leaders can allocate the right blend of people to solve problems when they do occur. (3)

Anticipation and preparedness may be the best antidote in a leader's problem-solving medicine kit bag. But, short of heading off a problem before it occurs, the leader who maintains the mindset that problems are prolific, but so too are solutions, is one who will be prepared to respond quickly and effectively when problems do occur.

Problem solving by its nature lends itself to a step-by-step analysis process. But the solutions required to solve them are not always based in procedure. While the steps themselves are straightforward, implementing them, particularly in fast-breaking, tension-riven situations can be extremely difficult. Furthermore, moments of crisis do not always allow for creativity. What we need is a leader who can stand back and assess the situation coolly and calmly, with the dispassion of a surgeon, but the creativity of an artist, is a leader. That leader, of course, likely does not exist, outside the pages of fiction. But the leader who can exert command over a problem, call in the right people to solve it, and support them in their efforts, is the individual most organizations need most desperately—the leader as problem-solver.

Understanding Your Conflict Style

By Beverly Smallwood

By asking yourself key questions about your responses in conflict situations, you can learn more about your style of dealing with negative interpersonal situations. When you do this, you'll begin to identify your own patterns in conflict situations.

1. Do you tend to avoid conflict, hoping to "keep the peace"?
2. Do you accommodate?
3. Compete?
4. Or, do you, like many others feel that compromise is the way resolve things?
(Surprisingly, this may not be the best way.)
5. Do you actively collaborate?

Let's explore those further, examining together what you can do to improve each of these patterns.

1. AVOID

Some have a tendency to deny, suppress, or "put aside" the differences. The avoidance style is born from the desire to preserve harmony and prevent upsetting negative interactions. This desire is an admirable one, if it can be done in such a way that real issues are addressed and not allowed to accumulate. If resentments grow, however, the individual will either gradually withdraw or will explode. Either way, the opposite of true harmony is the outcome.

If you tend to be a conflict avoider, learn to speak up respectfully about those things that bother you or about issues which can potentially affect the team's ability to accomplish its goals. You can increase your comfort with dealing with conflict by first giving an "empathy statement", letting the other person know you understand or want to understand how he/she sees and feels about the situation. Then practice the step-by-step problem solving model. Used correctly, this model is a tool for disagreeing without being disagreeable.

2. ACCOMMODATE

A "cousin" to the avoidance style is that of accommodation, yielding or subordinating one's own concerns to those of the other person. This style can grow out of the desire to avoid conflict, or it can be due to the person's belief that his or her rights, feelings, or desires are not as important as those of others.

It is admirable to care for others. However, that concern must be accompanied by a corresponding respect for one's own rights, opinions, and boundaries. The key principle, then, that offers the accommodator a chance to become more effective is balance. Ancient writings say, "Love thy neighbor as thyself." It is this balance that will assist team members to function over time without burning out.

3. COMPETE

There are those who see each workplace conflict as an opportunity to "win." They go all out to win, often at the expense of others. ("Some gotta win, some gotta lose.") They show concern only for what they want. This competitiveness can take the form of either overt aggression (rudeness, loud voice, angry facial expressions) or move "passive" or covert aggression (innuendos, gossip, back-stabbing).

If you tend to view relationships as a contest, falling into the trap of power struggles that never quite end, I challenge you to look at the long-term results of this pattern. The truth is, "winning" is short-lived. Even when you succeed at putting someone else down, that person will typically look for and find ways to even the score.

If you are a person who tends to store anger and look for little ways to "pay back", recognize that this keeps you tied to the negative situation and robs you of energy and effectiveness. Rather than doing this, learn to confront issues directly, resolve them, and then refuse to hold grudges. After all, "hating people is like burning down your own house to get rid of rats."

The only way to truly "win" is for everyone involved to leave the table feeling like winners, with each person's concerns having been heard and his/her basic needs met in the solution. Plan the interaction rationally, dealing with it after you have calmed down a little. Enter discussions with a determination to follow the wise advice of Steven Covey: "Seek first to understand, and then to be understood."

4. COMPROMISE

Compromise is typically conceived as a positive step in conflict resolution. Compared with the negativity of some other ways of dealing with conflict, it is a step in the right direction. However, even this is not the best style. Compromise - identifying both sides and having each give up something and get something they want - still leaves the individuals with the task of "settling for half a loaf."

If you have typically used this "split the difference" strategy, I applaud you for your positive intentions. However, you can become even more effective by stretching farther to become a collaborator. Collaboration requires more time, more commitment, and more creativity - but it is do-able with practice.

5. COLLABORATE

When you collaborate, you work with the other person to mutually solve the problem in a way that recognizes and honors the goals of each. Be honest and direct, while being considerate.

Avoid stereotypical labels, name-calling, and emotionally charged words. Stick to the topic at hand, citing recent examples. Share responsibility for the solution. Describe the problem in objective terms. Actively listen for what the other person values, and work to help that person achieve those things as diligently as you try to get your own needs met. Adding collaboration to your repertoire of team skills will significantly enhance your effectiveness as a team leader or member.

Ten Commandments for Managing People

By G.A. "Andy" Marken

The most valuable asset any organization has today is not its facilities. It's not the inventory in the warehouse or on the production line. It's not healthy bottom line the company achieved last year.

It's people. It's especially true in the communications and public relations arena where quality and quantity are in such short supply.

It's an asset that is difficult to find, difficult to retain and difficult to manage. But if you manage the asset properly it can produce exceptional results for your company...and for you.

Following are some simple guidelines you can follow to manage people more effectively, more easily and with better results. Think of them as your 10 commandments to better management:

- Don't get into a rut thinking there's only one right way to do a job. Judge by results rather than how the task was accomplished
- Don't expect everyone to be the same. Don't look for clones of yourself because it can only limit the organization's -- and your growth potential. Aggressively look for people who have the values you respect most but don't expect them to be the same as yours. Surrounding you with people who think and perform like you may be a boost to the ego but diversity, and even chaos, can produce a more well rounded organization and a multi-dimensional, multi-facet firm people want to associate with... want to deal with.
- Don't give a lot of criticism. Very few people take criticism well. If the only inputs they receive from you are critical they soon stop trying to excel. Expect people to do well. When they do praise them for their efforts and their performance. Soon you'll have them producing results even beyond their own level of expectation.
- Don't isolate yourself. You're the manager. You can't be effective at the job behind closed doors. You can't do it by hiding behind voice mail, memos or email. Make yourself available to your people. Be accessible when they want your ideas, inputs, and thoughts.
- Don't wait until the project is completed to give your feedback. It doesn't mean you have to constantly look over the individual's shoulder or check on what the team is doing but check in periodically. Get a snapshot update. Make certain the individual(s) is on the same wavelength as the company or organization and it's goals/objectives.
- Don't expect your staff to perform poorly. Expect people to be equal to the task. Expect them to perform in an outstanding manner and to produce the target results. You'll be surprised what happens when you believe they are competent. Most of the time trusting in their ability to deliver will produce the desired results.
- Don't forget to tell staff members about your expectations, priorities and deadlines. There are very few clairvoyants in the world. People don't know if you don't communicate. Spell out the entire task. Setting goals, priorities and deadlines in your mind is not the same as telling people.

- Don't do performance appraisals only once a year. In most organizations an annual appraisal is required by the firm's HR guidelines. Forget the guidelines. Evaluate performance informally on a regular basis. Talk to employees about what they're doing, the problems they are experiencing, areas they need to focus on improving. Managing people is a lot like driving a car. You don't back out of your garage and do nothing until you pull into your office parking lot. You get from point A to point B successfully and safely by making a continuing series of minor adjustments based on an evaluation of the situation at hand. The same is true of managing people.
- Don't be an autocratic leader. In yesterday's assembly lines performance was mediocre, at best, because people were told to punch in, do a specific job and punch out at the end of the day. Very quickly they settled into that mode producing very little value to the organization. When people were told to make the job their own, the change in attitude and results were spectacular. Ask employees for their inputs. Ask them for their suggestions. Find out their concerns and difficulties. You'll be pleasantly surprised that most people want to do not just a good job but a great job.
- Don't push people to their limit. Don't expect them to function well over a long period without ample resources. People can give 150% when necessary and produce outstanding results. But even the best and the most dedicated individual -- yourself included -- can't do it on a consistent day-in, day-out basis. After extended periods the mind shuts down...the body shuts down. People also don't perform well in a vacuum. They need information and inputs. Sometimes they need extra hands and minds. Give them the extra time, extra information, extra people they need to do the job properly.

Today we're operating in what the Federal government calls a full employment mode. Generation Xers and Yers are encouraged to and do change jobs frequently. Frequent job changes are no longer a negative on a resume as long as they show a steady upward progression or show an expansion of the individual's areas of expertise.

Following the 10 commandments of managing won't ensure that you'll get all the best people and retain them. It does mean though that you'll have a better shot at developing a solid team of winners who will produce for your organization regardless of how long they stay with you.

PERFORMANCE Workshop

Source: *Briefly* – SEVENTH JUDICIAL DISTRICT, ROCHESTER, NY

Poor or mixed performance — i.e., problematic performance — presents a challenge to the supervisor. The supervisor's goal is to stop and correct poor performance and to initiate new, positive behavior. But discussing performance problems isn't easy, and many supervisors prefer to avoid it at all costs, even though that isn't fair to the employee or the supervisor. Here are some steps that may make a difficult task somewhat easier:

1. **Consider your own motivation.** Does it stem from a desire to improve the effectiveness of the employee in your work unit?
2. **Plan how you will discuss performance problems.** Without a plan, you risk losing sight of the crucial issues and can produce more anxiety for the employee and yourself than is necessary.
3. **Do not guess at the employee's reasons for poor performance.** Instead, before you "chastise" the employee, make an effort to classify and confirm the employee's concept of his or her performance. Listen to the employee with an open mind and make adjustments based on your new understanding. Knowing how the employee views what you see as poor performance allows you to propose a more productive solution than the one you would have imposed had you not known the employee's viewpoint.
4. **Discuss the performance problem, not the employee.** Do not imply that you are judging the employee, but rather address the negative behavior that needs to be changed.
5. **Clarify the results of the employee's poor performance.** Employees want to know how their work is linked to the overall goals of the organization, and discussing the impact of poor performance is an obvious way to demonstrate a specific relationship.
6. **Offer specific examples.** Do not offer them as indictments but rather as ways of clarifying the problem.
7. **Use discussions to understand how perceptions about performance differ.** After the discussions, if you still believe a poor rating is required, maintain your rating and document your reasons.
8. **Clarify your standards for the employee and jointly develop new goals for the coming review period.** Expectations need to be clear as well as attainable.
9. **Clarify both the employee's role in changing his or her performance and any support you will provide.** Let the employee know what responsibilities he or she has for changes, as well as any tangible activities that may facilitate this change (ie, a training course).
10. **Set a schedule to monitor and provide feedback to the employee in connection with the new goals.** Regular meetings to cite areas of improvement as well as areas needing continued attention are a good idea.
11. **Explore with the employee whether the plan for reaching goals will work.** This important step ensures that you have not prescribed an unrealistic plan or that the employee has not agreed too quickly, just to end a difficult discussion.
12. **Finally, clarify the consequences of continuing poor performance.** Because supervisors are apprehensive about their employees' reactions, they may never directly inform an employee that poor performance can result in termination.

Failing to be explicit is doing an injustice to the employee, for it does not make the employee responsible for his or her own actions. It is also doing an injustice to the organization; failing to address poor performance can lower the motivation of other staff that are striving to succeed and are confused by the lack of intervention in a situation in which the need for intervention seems apparent. Clarifying the consequences of continued negative performances does not have to be done in a threatening way. Although giving negative feedback is difficult, receiving it is more difficult. It is important to choose your words carefully, using words that define the problem so as not to upset the employee unnecessarily.

(Adapted from "Advanced Supervisory Practices," *Public Management*, August 1998, published by ICMA.)



Supervising Employees, When Your Supervisors Micromanage

By Wally Adamchick

Manager. Foreman. Supervisor. Boss. These are all titles for the person who is responsible for getting a job done by directing other people. They might describe you or someone you work with. The key point, regardless of the title, is that this person is tasked with accomplishing a certain amount of work beyond that which one person is capable of doing. And, this person is expected to oversee the production of others to get that work done.

Often, this person is placed in this position of responsibility because of demonstrated proficiency at the task he or she is supervising. For example, an adept carpenter is told he will now supervise three other carpenters on a job; he becomes the foreman. No big deal really, as he generally works alongside the other three, setting the pace, and, if necessary, taking immediate corrective if one of his crew makes a mistake.

The foreman is commended for his ability to "make it happen," and this reinforces his behavior. He may be promoted to superintendent, where he will oversee several foremen. Each time he visits one of his crews, he shows them the "right way to do it." After all, he is one of the best carpenters, which is how he got to be in the position he's in. With pride, he steps in and implements the corrective action. The work is executed well and the company is happy.

But the crew is not.

This situation is not limited to the field; it happens in the office, too. Consider the accounting supervisor who is known for her attention to detail. Nothing slipped by her when she was a clerk, and now, nothing slips by her as a supervisor. The reason for this is that she practically replicates the work of her team as she closely checks and re-checks their work. She puts in longer hours, but that's what it takes to make the numbers right. Her people may not get it right, so she will make sure everything adds up.

As you read the two scenarios, you could probably identify the same characters in your organization. **The fundamental problem here is that these people fail to recognize they are no longer getting paid to actually do the work.** They are getting paid for the work to get done - by others. Unfortunately, we often end up rewarding them for the result rather than the process. I'm not saying we should not hold people accountable for results. But we shouldn't reward them for repeatedly using the wrong method to get the work done. By insisting on doing much of the work themselves, they are failing to exercise supervision. They're still trying to be the best at what they used to do, rather than growing their team's abilities as well as their own. This creates several bad situations:

The first is poor morale. The vast majority of people pride themselves on doing a good job. They want the opportunity to make a contribution. When insecure supervisors jump in to "fix" a problem, they send the message that the employee is incapable of doing the work correctly, that they don't trust the employee. The employee is not held accountable, and is prevented from making the contribution to the company that he or she would like.

When the supervisor does the work, the subordinates lose the opportunity to train and grow. In the same breath with which they lament that there are no good employees, they berate their own subordinates because they can't do the work like they are "supposed to." But, how can the employee improve if the supervisor keeps jumping in to "help"?

Eventually, the supervisor gets tired. He/She is putting in longer hours to get the job done because he/she is spending too much time doing the work of their people. The supervisor gets burned out. This leads to a number of additional bad situations: **turnover, low production, and even lower morale** to name a few.

If the supervisor is too busy jumping in and re-doing work, then they are not using their time to carry out their own responsibilities. These other things may not be directly related to production, so they may not be missed initially. But they will be caught later, after the problem has snowballed. For example, the superintendent may be in charge of filling out time sheets. Half the time, he turns them in late, and the rest of the time, they are inaccurate. Payroll is now forced to track him down to correct the problem.

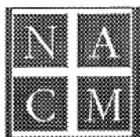
Finally, this supervisor is holding himself back. By continuing to micromanage his staff, he is insuring that they don't develop. If there is no one to replace the superintendent, then he, in turn, cannot advance. Some people mistakenly think that, by not developing their subordinates, they are maintaining job security for themselves. In fact, what they're doing is hurting the company.

So, how does a company overcome this situation? Three basic steps are:

1. a thorough description of the superintendent position
2. strong leadership from those who oversee the superintendent, and
3. training for the newly-promoted superintendent in time management, delegation, and profitability.

If you are the best in your company at the work you do, let yourself get bad at it. Your supervisors are not getting paid for doing your work. This is not to say that the leadership of the firm should forget all they learned about the business on their way up the corporate ladder, but it is saying others should learn the task and the leadership should be learning new things. The pace of change is rapid today and employees need to be doing what they are paid to do. Line employees need to produce, supervisors need to oversee the production of line employees, and senior leadership should do whatever it can to make sure those two groups have the right training and resources to do their jobs the best they can. If you are in charge of people, your goal is to help them get better at what they do, not to do it better than they do.

<http://www.sideroad.com/Leadership/supervising-employees.html>



SIX KEYS TO RESOLVING CONFLICT

What can you do when you find yourself embroiled in a conflict with someone?

1. Distinguish facts from fiction.

Remember the television show *Dragnet* and its main character, Sgt. Friday? His famous line was "Just the facts, ma'am." We all think our view of the world is the "right" one – the only right one. Recognize that you just have a piece of the "truth." Try creating a police or news report that captures both your view of what happened as well as the view of the person with whom you're having the conflict. This will help you release your attachment to the "right-ness" of your personal perspective.

When we disagree with someone, we often get worked up over not just the event that happened, but the judgments we made about the situation and the per-

son, the feelings that were evoked in us, and the story we make up about what it all means. Take ownership for your own feelings. The other person didn't "make you feel" a particular way. They did what they did. You chose to feel the way you did. You gave the situation all the meaning it had for you. There was a whole range of emotions you could have felt and conclusions you could have drawn. You picked the ones you did, so notice if they represent a familiar theme in your life.

2. Distinguish motive and emotions.

We often assume we know what the other person was intending to do "to us." The only thing we really know is the reaction we had to the other person's behavior. Recognize that they may not have "meant" to disrespect (or hurt, or ignore, or control) you. Also recognize that if you are the perpetrator, just because your motive was innocent, that doesn't negate the feelings the other person experienced.

CONTINUED ON PAGE 6

A WORD TO REMEMBER

6 Key to Resolving Conflict, Continued from page 1

3. Convert complaints to requests.

Imagine that any complaint (yours or another's) is really a request in disguise. When we are in situations we don't like and we feel powerless, the natural response is to complain and blame. Next time you catch yourself complaining, stop and ask yourself "If something could be different here and I would like that better, what would "that" be?" Then ask for it! Make the request to someone who has the power to grant it. Complaining or making requests to anyone else won't get your problem solved.

4. Start where you are.

Sometimes you know exactly what you want to say, but the words get stuck in your throat like a big wad of chunky peanut butter. There is a clear message to be delivered, but you hesitate to say it aloud out of fear, worry, or concern about the other person's possible reaction. At those times, start with where you're stuck. Open the dialog with "I'd like to say something, but I'm afraid that I'll... or you'll..." You'll be surprised at the impact that sharing your vulnerability will have on the receptivity of the other person. You'll also be surprised at how easily the important message will now come out.

5. Take responsibility for your contribution, role, or influence.

Recognize that you may have something to do with the continued existence of the problem.

This is generally hard for people to deal with. It's so much easier to blame someone else for your problems. It's the "those idiots over there" syndrome. "If they would just..." They may not. Figure out what actions you can take to solve your own dilemma.

6. Forgive and give yourself a gift.

Forgiveness is not condoning or even accepting. Forgiving someone in your heart who has "wronged" you just releases your agony. It does nothing for them. Holding on to your grievance will just keep your blood pressure high. If you can't muster "I forgive them," try "I'm willing to forgive them." Then let it go, and let your willingness salve your pain.

Loretta Love Huff, of Emerald Harvest Consulting, is a speaker, business consultant, and an executive coach. She works with leaders, business owners, and teams on conflict resolution, communication, leadership development, and performance improvement. She can be reached at loretta@emharu.com or (602) 454.7787. Visit her Web site at www.emeraldharvest.com. ♦

Tips For Interviewing Prospective Employees

By BuyerZone.com Editorial Staff

In some ways, finding the right employee is like making an important purchase for your business. You need to compare several options and determine which one offers what you need at the best value for your money. You'll need to try to see through sales pitches to get to the real meat of the decision. And it can cost your business a bundle if you make the wrong choice. Knowing how to conduct interviews well can help you make the right decision – whether it's purchasing or hiring.

Know before you start

A good interview starts with knowing exactly what you're looking for – again, much like a major purchasing decision. When buying equipment for your business, you start by asking yourself exactly how it will be used and what features are essential. When hiring new employees, you need to figure out exactly what their role will be and what characteristics will make them successful.

A list of technical requirements is only part of the job. Sure, the web developer needs to know CSS, Apache, SSL, and JavaScript – but those are skills that can be easily judged on a resume or in a telephone conversation. Interviews are better suited to judge more general characteristics. Do you want someone who's energetic and enthusiastic, or focused and steady? Is it more important that you find someone who's dependable in getting ordinary jobs done, or someone who takes creative approaches to new problems?

If more than one person will interview the candidates, make sure you split up the questions appropriately to avoid redundancy. Let the HR representative ask about career goals and experience, while the hiring manager focuses on technical qualifications and job details.

Get to the specifics

Most candidates will be prepared to answer in broad generalities about their experience and skills. Empty statements like "Well, I'm very proactive when it comes to my work," and "I'm really a team player," won't help you make an accurate evaluation. Dig for concrete examples by using phrases like, "Tell me about a time ..." and "Give me an example of ..." You can also use hypothetical situations for the same ends – describe a particularly challenging situation and ask interviewees how they'd handle it. How the candidate approaches the problem is sometimes as important as the actual answer they give.

Sample interview questions

- "Tell me about a situation where you had to put in extra effort to accomplish your goals. How did you adjust?" – Shows dedication and creativity.
- "Give me an example of a time you were able to successfully work with someone that you didn't get along with personally." – Shows the ability to work with others and people skills.
- "In what kind of a work environment do you do your best work?" – Helps you judge the fit for your company.

- “What do you think your priorities would be upon being hired for this position?” – Gauge their understanding of the role, your company, and work style.

Heads up for illegal questions

It’s illegal to ask interview questions about any subject that you can’t legally use as a condition of employment. This includes age, race, gender, religion, marital status, and parental status. In most cases, problems don’t arise during the formal questions – instead, interviewers get into trouble by bringing up these topics during simple friendly chatting. Make sure all employees involved in the interview process are aware of the risky topics.

Nine Tips on Checking References

Checking applicants' references is one of the most important procedures in the hiring process. Here's how you can make that procedure as effective as possible.

Checking applicants' references is one of the most important procedures in the hiring process. Many job seekers misrepresent their backgrounds and credentials; others simply leave out important information. And no matter how honest applicants are, you can still learn a great deal by talking to other people who know them well.

Checking references takes time, but it can save you a lot of money and headaches down the road. A negative reference could save you from hiring someone who is woefully unqualified for a job or who has destructive tendencies that could land you in trouble. For example, you can be held liable for a new hire who becomes violent and injures an employee or customer, or commits fraud - if it's proven that a reference check could have stopped you from hiring the applicant. The best rule of thumb: always check applicants' references before offering them the job.

These nine tips will help you get the goods on a job applicant:

1. **Tell all applicants that you will check their references** before you make any hiring decisions. Business owners often hire applicants because of a sharp-looking resume or a "good feeling" from an interview. No matter how quickly you'd like to get a position filled, always perform due diligence before you take the hiring plunge.
2. **Ask each applicant to sign a release form** permitting you to ask detailed questions of former employers and other references (sample background check permission forms are listed on this page). Make sure the form prevents the applicant from suing you or any former employers based on the information you learn during the reference checks. Without this permission, you may only be able to confirm employment dates, pay rate, and position - information that tells you little about a prospective employee's character. Also, check with your lawyer, because some kinds of liability cannot be waived.
3. **Fax over a copy** of the prospective employee's background check waiver and your personal credentials before you call a prospective employee's references. Many employers fear being sued for defamation if they say anything negative about a former employee. Your fax will ease their fears. Keep in mind that some states now consider employers' comments to be "qualifiedly privileged." That means the employer cannot be held liable for the information he or she reveals unless he or she knows it to be false or reckless. If that's true in your state (check with your lawyer), make sure the references know it.
4. **Verify basic information** such as employment dates, job titles, salary, and types of jobs performed. If one of the basic checks doesn't match the prospective employee's resume or what you heard during an interview, you've got a clear sign that something may be amiss.

5. **Avoid vague questions.** Ask specific questions based on what you learned about the applicant in the interview. For example: how did the employee contribute to projects mentioned in the interview?
6. **Pay attention to neutral or negative comments** from references. Lukewarm comments or half-hearted praise speak volumes. Ask the former employer if they would hire the person back. If they hesitate, move on to the next applicant.
7. **Put less weight on positive references.** Most people can find someone to say something good about them. And some employers give positive references even to bad ex-employees, because they're afraid of legal action or are tired of paying unemployment taxes on the applicant.
8. **Use former supervisors or senior coworkers as references.** An applicant might not want you to contact their current employer (who might not know about the job hunt), but there are always people who can provide a reference.
9. **Don't rely on prospective employees' verbal word regarding salary figures.** Ask for a current pay stub to verify employment and pay rate.

Creating a Turbo-Charged Workforce

By Paul Levesque

I popped into a donut shop while doing research for my book on employee motivation. Well, not just any donut shop--this happened to be the busiest Dunkin' Donuts store in the world, located outside Boston on Route 18 in South Weymouth, Massachusetts. This one store serves between 2,000 and 3,000 cups of coffee per day.

I was there to speak to the fired-up employees who keep the lines of customers moving, and keep customers coming back. I wanted to know (as I always do when I visit high-performance businesses) what it is that motivates these people to work as hard as they do.

Amy McCaul, age 21 at the time of our meeting, works the front counter. Does her job ever become kind of boring? "No way," she says with a big smile. "It's fun. It's busy, time goes by fast, you're always doing something."

Fun? Did she say fun? As a customer I have personally set foot in other donut stores, and whatever it was the employees there were having, I'm pretty sure fun wasn't it.

McCaul's co-worker Tracy Brown works in the small out-building from which drive-through customers are served. Must be pretty dull work in pretty cramped quarters, right? "No," she blurts without hesitation, "I like it. The time goes by fast, because I deal with millions and millions of customers every day." Brown describes how her regular customers keep coming back. "I like seeing them every single day," she says. "That's what makes me happy."

I ask Brown if one day she might like to own a business similar to the one she presently works for. Her boisterous reply is, "Yes, I would like this one."

Both of these employees independently mention their impression that "time goes by fast" on the job. This is of course the very opposite of the traditional "clock watcher" image of an employee bored stiff. But why does time seem to pass quickly in this workplace (and in every other similarly energized business I've visited and written about)? Time passing quickly is a characteristic usually associated with a pleasant game, hobby, or pastime--forms of play. To help us understand how some businesses make work feel more like play, we need to review the four elements that make play itself enjoyable.

1. The element of challenge: Ask any employee who dislikes his or her job to give a reason, and the reply will almost certainly include words like "boring," "repetitious" and "pointless."

Now, visit any bowling alley. Each time a bowler manages to knock all the pins down, a mechanical contraption promptly sets them right back up again. An observer unfamiliar with the game might conclude this must surely rank as one of the most boring, repetitious and pointless human activities ever devised.

Yet the bowlers themselves seem to have a grand old time. In fact, many of them can't wait to get away from their boring jobs in order to pay money for the pleasure of knocking pins down over and over again.

Would bowling be even more fun if the pins were closer, and therefore easier to knock down. Everyone understands that it's precisely the challenge of attempting something difficult that gives structured play activities like bowling, golf and billiards their basic appeal.

Children's games like paddle-ball, leapfrog, skip rope and others are often based on a "keep the kettle boiling" theme. In businesses like our donut store, the challenge is to "keep the lines moving through the store," "keep the cars flowing through the drive-through," "keep the shelves stocked with fresh product." The whole operation is one big keep-the-kettle-boiling game from opening time to closing time, and the workers love the challenge.

2. A clear set of rules: Another factor that makes play activities like bowling more satisfying than work: The basic objective--and the rules by which this objective can and cannot be achieved--are clearly understood by all the players. Everyone's trying to accomplish exactly the same thing, in exactly the same way.

In most business settings, if there's a primary objective at all, it can usually be boiled down to "make more money." There's no single clear approach, however, for achieving this objective. Priorities shift and change, and are often in conflict with each other. In this game, the rules are not only unclear, they keep changing. And in this game, a "win" is exciting news for management--but it doesn't mean much for the employees who made it happen. The boss can talk about improved "job security," but to the workers that just sounds like "plenty more frustrating and unfulfilling workdays comin' your way."

The kinds of high-energy businesses I profile in my book are all aligned toward a single clear objective: delighting every customer every time. The workers know in advance they won't be able to achieve this perfect score, much as bowlers and golfers know ahead of time their own scores will not be perfect. But it is the pursuit of a perfect score that makes the game challenging and fun. In these businesses, everyone understands the rules: You must do nothing to harm the organization financially (or in any other way) while you strive to deliver a delightful customer experience. And in these businesses, a "win" is exciting for the employees themselves, because it translates into positive customer feedback, the most meaningful and lasting employee motivator of them all. (A win is exciting for management, too, of course, since higher levels of customer satisfaction generate repeat business, positive word of mouth and a powerful competitive advantage overall.)

3. A scoring mechanism for immediate feedback: All play activities allow participants to track how well they and the other players are doing at all times. Would these activities be as enjoyable if this form of immediate feedback were removed? How much fun would bowling or golf be, for example, if the players could not see the pins or the cup, and had their scores mailed to them at home weeks after the game?

In many business settings, workers receive positive feedback about their work only during formal "performance review" meetings. From a motivational point of view, this is usually too little, too late.

Employees in places focused on customer delight receive immediate feedback every day in the form of appreciative comments from happy customers, generous tips and the cheerful return of "regulars." Their work earns these employees a succession of "high scores" that keep them motivated.

4. The satisfaction of winning: Our bowling-alley observer watching the game for the first time may be surprised to see the reaction each time a player succeeds in knocking all the pins down at once. The spontaneous hoots and leaps of triumph suggest bowlers find this accomplishment extremely satisfying.

Understanding what this kind of satisfaction feels like is key to understanding employee motivation in the workplace. Knocking pins down over and over again may seem a pointless exercise--until it's turned into a challenging competitive activity with clear rules and a means of immediately tracking performance. With these elements in place, the activity suddenly becomes fun and satisfying.

Energized businesses such as our busy donut shop challenge workers to attempt something difficult--keep a steady high-volume flow of customers happy and coming back. There are clear rules, and the employees receive continuous immediate feedback from the customers themselves. And when they "score" (i.e., when the feedback makes it clear they're delivering a delightful experience and attracting business away from competitors), their satisfaction can be as great as that experienced by players in any structured game.

For managers in less-enthusiastic business settings, the question should not be, "How do I change my workers so they'll be more motivated on the job?" Instead, the question should become, "How do I change the job to make it more motivational for my workers?"

<http://www.entrepreneur.com>

Building Loyalty

By Dr. John C. Maxwell

The erosion of employer-employee loyalty in the workplace has been the subject of much debate and consternation. Economic downturns make employers appear ruthless when they layoff their workers. Employee infidelity seems to be the norm as workers search incessantly for more lucrative or more fulfilling work. Gone are the days of forty year careers followed by hefty pensions. Frequent job transitions are the new reality. In observing this shift, many have referred to the death of workplace loyalty, claiming that workers are all free agents now.

On one hand, the mobile workforce benefits both workers and business owners. American workers have the opportunity to experiment throughout their careers in order to find their niche. For businesses, the ease of downsizing affords the flexibility to restructure payroll in order to stay competitive during lean times.

On the other hand, disloyalty places a wall of suspicion between the employer and the employee. In the absence of job security, workers live with underlying stress. Employers run their businesses uncertain how long their top talent will stay on board.

An organizational culture bereft of loyalty is doomed. With too little loyalty, motivation plummets and cynicism threatens to divide workers from the organizations in which they serve. In a climate of disloyalty, backstabbing, second-guessing, and finger-pointing infect relationships and destroy productivity.

What can a leader do to earn the loyalty of his or her people?

For a moment, let's examine why we're loyal in the first place. Generally, we're loyal to companies for three main reasons, 1) the relationships we have in the organization, 2) the values we share in common with the organization, and 3) the sense of fulfillment we derive from our role within the organization. Each of these reasons provides motivation for us to commit ourselves to a job.

PRINCIPLES FOR INSPIRING LOYALTY

People don't walk away from a job; they walk away from a manager. The best way to build loyalty is by making an effort to know people at a personal level. Find common interests and build bridges into their world. Understand what makes them tick. Reward their successes. Appreciate each person in a way that recognizes and validates his or her unique personality.

People will be drawn to the values espoused by your organization, and they will stick by your side because they share those values. Be clear about values from the hiring process onward. It's not enough to profess your values; you must consistently walk in step with them. Allow your values to be scrutinized, and give people permission to hold you accountable to them.

Explain any behavior which appears not to align with values, confront behavior that runs contradictory to values, and seek forgiveness when you fail to uphold values.

Like it or not, "What's in it for me?" is the refrain at the forefront of the minds of those you lead. To win loyalty, cast a vision for the future so that each person sees how they will benefit by being part of the team. Be intentional about uncovering each person's strengths, and, as much as possible, position them where their job duties match their desires. Train, mentor, and stretch every person under your leadership. People respond with loyalty to those who invest in them.

Leave Problem Employees Behind

The United State Army Rangers have a policy of "no man left behind." The U.S. Department of Education's latest initiative is entitled No Child Left Behind. The state of Michigan has begun No Worker Left Behind, a program to train the unemployed.

When it comes to the workplace, shouldn't the slogan be "No Employee Left Behind?" Shouldn't leaders look out for the welfare of all so that everyone benefits when the team wins?

Not at all! That's the resounding answer from Mark Goulston in his article recently featured on www.FastCompany.com. Goulston warns that leaders not only risk losing their top performers, but also imperil their own health when they devote too much time attempting to motivate low-performance, low-potential employees.

Leaders squander effort when they over-invest in the weakest link. In the words of leadership author Warren Bennis, "There are none so blind as those who will not see, none so deaf as those who will not hear, none so ignorant as those who will not listen... and none so foolish as those who think they can change those who will not see, hear or listen."

Leaders free themselves from the "no employee left behind" philosophy by ordering underperformers to shape up or ship out. Those leaders who aren't willing to cut loose underperformers, place themselves in danger of the following fates (as described by Warren Bennis):

- Allowing frustrations with mediocre workers to spill over into negative treatment of top performers
- Losing self-respect or the esteem of colleagues
- Burning out after failing to motivate inept workers
- With so much at stake personally, leaders cannot afford to tolerate employees who refuse to change and fail to contribute.

In addition to the personal toll, leaders jeopardize their relationships with all-star performers by avoiding the removal of unproductive employees. Having to rely on an undependable colleague drains a high-performance individual. Likewise, a person who pours passion and energy into their job is tremendously de-motivated when a lazy worker receives promotion or

recognition. Ultimately, top talent will take flight if it perceives a leader is unwilling to eliminate mediocrity from the midst of a company.

Leaders can actively address performance issues by looking out for telltale signs of mediocre employees:

- They stubbornly resist change
- They are reactive rather than proactive
- They are habitually lazy and unprepared
- They make promises, but they don't deliver results.
- They shirk responsibility and pass on blame.
- They identify problems without finding solutions.

In business, sometimes a leader is forced to drop the axe. It seems harsh, but in reality, tolerating mediocrity poses greater danger to an organization than the unpleasantness of having to fire an employee.

Appendix G

Survey Cover Letter to Senior Managers



STATE OF NORTH DAKOTA UNIFIED JUDICIAL SYSTEM

OFFICE OF COURT ADMINISTRATION
Administrative Unit II

RODNEY E. OLSON
TRIAL COURT
ADMINISTRATOR

211 9TH STREET SOUTH
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civerson@ndcourts.gov

October 23, 2007

TO: ND Trial Court Administrators
ND Trial Court Managers

RE: Research Project Surveys

Hello,

As you all know, as a part of our ICM courses, I am working on a research paper regarding the development of leadership and management skills in the court's mid-level managers. For the purposes of this paper, I am considering all Clerks of Court and Juvenile Court Directors to be mid-level managers.

It is important to receive input from you regarding training opportunities they have received in the past as well as the specific areas you feel should be addressed through training in the future. Enclosed with this letter are two initial surveys—one on past educational opportunities (content and technique) and one regarding areas you think would be important to address at future trainings. Once I have tabulated the results from these surveys, I will be sending a second survey to explore your thoughts more in-depth.

Thank you in advance for your cooperation in completing these two surveys. I would appreciate it if you would return them by November 2nd, 2007. A self-addressed envelope has been enclosed for your convenience.

Sincerely,

Chris Iverson
Trial Court Manager

:ci
Enclosures

Appendix H

Senior Manager Survey

Management and Leadership Skills Training Survey

Senior-Level Managers

Do you believe it is important for mid-level managers to belong to a professional organization specifically related to their job?

Yes / No

If yes, please rank which organizations you believe would be beneficial with 1 being the **most** important and 3 being the **least** important:

- Local organization
- State organization
- National organization

Have you asked mid-level managers to attend training in the past regarding *management* skills and/or techniques?

Yes / No

If yes, what types of training have they attended?

(Please check all that apply and rank how effective you thought they were on a scale of 1 - 4 with 1 being not very effective and 4 being very effective.)

Local Level	Effectiveness Rating			
<input type="checkbox"/> Lecture	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4
<input type="checkbox"/> Unknown				

State Level	Effectiveness Rating			
<input type="checkbox"/> Lecture	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4
<input type="checkbox"/> Unknown				

National Level	Effectiveness Rating			
<input type="checkbox"/> Lecture	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4
<input type="checkbox"/> Unknown				

Have you asked mid-level managers to attend training in the past regarding *leadership* skills and/or techniques?

Yes / No

If yes, what types of training have they attended?

(Please check all that apply and rank how effective you thought they were on a scale of 1 - 4 with 1 being not very effective and 4 being very effective.)

<u>Local Level</u>	<u>Effectiveness Rating</u>			
<input type="checkbox"/> Lecture	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4
<input type="checkbox"/> Unknown				

<u>State Level</u>	<u>Effectiveness Rating</u>			
<input type="checkbox"/> Lecture	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4
<input type="checkbox"/> Unknown				

<u>National Level</u>	<u>Effectiveness Rating</u>			
<input type="checkbox"/> Lecture	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4
<input type="checkbox"/> Unknown				

Has any training you asked mid-level managers to attend for either management or leadership been specifically related to issues faced by the judiciary?

Yes / No

Do you believe trainings specifically related to issues faced by the judiciary are or would be beneficial?

Yes / No

Human Resources Management Curriculum Guidelines

From your perspective as an upper-level court manager, which of these four Human Resources Management Curriculum Guidelines is of most importance and should be developed first in mid-level court managers? **Please rank from 1-4 with 1 being the highest and 4 being the lowest.**

Curriculum Guidelines	Highest ranking = 1 Lowest ranking = 4	Your Score 1-4
<p>1 Vision and Purpose Courts that are managed effectively have a strategic vision that reflects enduring court purposes and responsibilities. The court's strategic vision should resonate in Human Resources Management and all other court functions and processes. Courts should be model employers with policies and practices that comply with state and federal employment laws and regulations and relevant ethical codes. But legal requirements imposed by others must be integrated with judicial independence and the inherent powers doctrine. A competent judiciary is independent in philosophy, form, and practice. It delivers justice from the bench but also on the phone, at the counter, and the bar of the court. When Human Resources reflects the court purposes and is aligned with the courts strategic vision, it supports all other core competencies, particularly Leadership; Visioning and Strategic Planning; and Education, Training, and Development.</p>		
<p>2 Human Resources Fundamentals For court leaders to manage and improve Human Resources, they must understand the fundamentals. The fundamentals begin with the job analysis to understand court jobs and duties, required competencies, and specific job environments. Identifying, attracting and recruiting, and selecting good applicants for court positions, and compensating, developing, and retaining them are critical Human Resources fundamentals. Compensation refers, at a minimum, to the many forms of financial rewards and other benefits. Compensation flows from performance management, which includes but is more than performance appraisal. Employee relations and legal requirements are crucial. Are court employees representative of the community? Human Resources fundamentals are known to and skillfully managed by effective judicial leadership teams.</p>		
<p>3 Context and Fairness Fairness in court Human Resources ensures that the actions of court employees, particularly supervisors, are acceptable. Concerning fairness, the court must be a model employer, which serves the court's mission, and protects court stakeholders. Among those stakeholders are court employees. Court structure and organization, civil service rules, merit procedures, and collective bargaining agreements define organizational context in which fair court Human Resources Management is situated. Whatever the context, court Human Resource Management should be fair and impartial.</p>		
<p>4 Management and Supervision Skillful management and supervision is crucial to Human Resource Management in any organization, including courts. The Human Resource Management competency includes not only functions traditionally associated with "personnel," but also knowledge, skills and abilities associated with leading, supervising, and managing a cohesive court. It is axiomatic that leadership and management underpin Human Resource Management. There is obvious overlap between this and the NACM Leadership Core Competency. Court leaders who oversee Human Resources must be skilled managers and supervisors. Through their practices and conduct they model the values, attitudes, and behaviors that define a high performance court. They understand the importance of consistency across the court. Human Resources is critical to creating a cohesive court and maintaining a high performance court culture.</p>		

Leadership Curriculum Guidelines

From your perspective as an upper-level court manager, which of these eight Leadership Curriculum Guidelines is of most importance and should be developed first in mid-level court managers? **Please rank from 1-5 with 1 being the highest and 5 being the lowest.**

Curriculum Guidelines	Highest ranking = 1 Lowest ranking = 5	Your Score 1-5
<p>1 Be Credible in Action Effective court executives are action and results oriented. They understand themselves and demonstrate personal integrity. Judicial insiders and outsiders know what successful court leaders believe in and what they will do. They are transparent. Clearly court leaders without technical skills are not credible. Just as clearly, however, character, trustworthiness, honesty, accountability, and ethics create credibility, regardless of the court leader's brainpower or skills.</p>		
<p>2 Create Focus Through Vision and Purpose Without vision, people and organizations stagnate. More courts fail from a disconnect from fundamental court purposes than from a lack of resources, technical knowledge, or even effort. Effective court leaders understand that vision and purpose are critical and practical. Strategic plans and initiatives are created, communicated, understood, and implemented. Resources are concentrated on critical priorities. Leaders use the power of their office to motivate and to focus individual and departmental contributions to courts and court systems. They allow, require, and inspire individuals to contribute to the judiciary's enduring missions and values.</p>		
<p>3 Manage Interdependencies: Work Beyond the Boundaries Judicial independence requires effective management and coordination of the court's interdependencies with the executive and legislative branches and myriad public and private organizations in the interest of court performance and effective justice. While judicial independence is essential to liberty and justice and while impartiality on a case-by-case basis must be absolute, active leadership of and collaboration with others, both inside and outside the court, is mandatory.</p>		
<p>4 Create a High Performance Work Environment Leadership differs from management, yet they go hand-in-hand in high-performance courts. Leadership is necessary to vision and to promote needed change and growth. Management is required to pace it, to deal with complexity, and to coordinate disparate work processes. Effective courts and court executive teams stand out both in maintaining routines and bringing about needed change. Power is used, but it is a team and court-wide effort. Successful courts have leaders who inspire trust and teamwork and who understand group processes and use groups well. Initiative is encouraged. Innovation is pushed. Excellence is demanded, recognized, and rewarded. Leaders understand other's needs and talents. They excel in "servant" leadership. They both lead and serve others.</p>		
<p>5 Do Skillful and Continual Diagnosis Because there is no one best way to manage courts, court managers must use hard and soft data to analyze unique court management circumstances and conditions. Reliable data and informed analysis produce the basis for accountability and continual improvement.</p>		

Appendix I

Survey Cover Letter to Mid-level Managers



STATE OF NORTH DAKOTA UNIFIED JUDICIAL SYSTEM

OFFICE OF COURT ADMINISTRATION
Administrative Unit II

RODNEY E. OLSON
TRIAL COURT
ADMINISTRATOR

211 9TH STREET SOUTH
P.O. BOX 2806
FARGO, ND 58108-2806
PHONE (701) 241-5680
FAX (701) 241-5709

CHRISTINE J. IVERSON
TRIAL COURT MANAGER

230 4TH STREET NW
ROOM 300
VALLEY CITY, ND 58072-
0993
PHONE (701) 845-6674
FAX (701) 845-8537
civerson@ndcourts.com

October 23, 2007

TO: ND Clerks of District Court
ND Directors of Juvenile Court

RE: Research Project Surveys

Hello,

My name is Chris Iverson and I am the Trial Court Manager for Administrative Unit II. I am currently enrolled in an Institute for Court Management (ICM) course. As part of the course, I am working on a research paper regarding the development of leadership and management skills in the court's mid-level managers. For the purposes of this paper, I am considering all Clerks of Court and Directors of Juvenile Court to be mid-level managers.

It is important to receive input from you regarding training you have received in the past as well as the specific areas you feel you need training in the future. Enclosed with this letter are two initial surveys—one regarding past educational opportunities and one regarding areas you think would be important to address at future trainings. Once I have tabulated the results from these surveys, I will be sending a second survey to explore your thoughts more in-depth.

Thank you in advance for your cooperation in completing these two surveys. Please return them to me by November 2nd, 2007, in the self-addressed envelope.

Sincerely,

Chris Iverson
Trial Court Manager

:ci
Enclosures

Appendix J

Mid-level Manager Survey

Management and Leadership Skills Training Survey
Mid-Level Managers

Please indicate
your Unit

Do you belong to a professional organization that is specifically related to your job?
 Yes / No

If yes, please check as appropriate:

- Local organization
- State organization
- National organization

If yes, which of the following organizational activities do you participate in?

Local Level

- Receive informational/educational publication
- Attend conferences
- Plan conferences (educational content and/or format)
- Present information at conferences
- Hold board or committee position

State Level

- Receive informational/educational publication
- Attend conferences
- Plan conferences (educational content and/or format)
- Present information at conferences
- Hold board or committee position

National Level

- Receive informational/educational publication
- Attend conferences
- Plan conferences (educational content and/or format)
- Present information at conferences
- Hold board or committee position

Have you attended training in the past regarding *management* skills and/or techniques?
 Yes / No

If yes, what types of training have you attended?

(Please check all that apply and rank how effective you thought they were on a scale of 1 - 4 with 1 being **not very** effective and 4 being **very** effective.)

<u>Local Level</u>	<u>Effectiveness Rating</u>			
<input type="checkbox"/> Lecture Only	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4

<u>State Level</u>	<u>Effectiveness Rating</u>			
<input type="checkbox"/> Lecture Only	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4

<u>National Level</u>	<u>Effectiveness Rating</u>			
<input type="checkbox"/> Lecture Only	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4

Have you attended training in the past regarding *leadership* skills and/or techniques?

Yes / No

If yes, what types of training have you attended?

(Please check all that apply and rank how effective you thought they were on a scale of 1 - 4 with 1 being **not very effective** and 4 being **very effective**.)

<u>Local Level</u>	<u>Effectiveness Rating</u>			
<input type="checkbox"/> Lecture Only	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4

<u>State Level</u>	<u>Effectiveness Rating</u>			
<input type="checkbox"/> Lecture Only	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4

<u>National Level</u>	<u>Effectiveness Rating</u>			
<input type="checkbox"/> Lecture Only	1	2	3	4
<input type="checkbox"/> Interactive Participation with Instructor	1	2	3	4
<input type="checkbox"/> Role Playing	1	2	3	4
<input type="checkbox"/> Small Group Discussions and Presentations	1	2	3	4
<input type="checkbox"/> Web or ITV	1	2	3	4
<input type="checkbox"/> Combination of the above	1	2	3	4

Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?

Yes / No

Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?

Yes / No

Leadership Curriculum Guidelines

From your perspective as a mid-level court manager, which of these eight Leadership Curriculum Guidelines has the greatest personal learning need and interest for you and which do you think is most important to the court as an organization? **Please rank from 1-5 with 1 being the highest and 5 being the lowest.**

Curriculum Guidelines		Your personal learning need and interest 1-5	Importance to the court as an organization 1-5
		Highest ranking = 1	
		Lowest ranking = 5	
1	<p>Be Credible in Action Effective court executives are action and results oriented. They understand themselves and demonstrate personal integrity. Judicial insiders and outsiders know what successful court leaders believe in and what they will do. They are transparent. Clearly court leaders without technical skills are not credible. Just as clearly, however, character, trustworthiness, honesty, accountability, and ethics create credibility, regardless of the court leader's brainpower or skills.</p>		
2	<p>Create Focus Through Vision and Purpose Without vision, people and organizations stagnate. More courts fail from a disconnect from fundamental court purposes than from a lack of resources, technical knowledge, or even effort. Effective court leaders understand that vision and purpose are critical and practical. Strategic plans and initiatives are created, communicated, understood, and implemented. Resources are concentrated on critical priorities. Leaders use the power of their office to motivate and to focus individual and departmental contributions to courts and court systems. They allow, require, and inspire individuals to contribute to the judiciary's enduring missions and values.</p>		
3	<p>Manage Interdependencies: Work Beyond the Boundaries Judicial independence requires effective management and coordination of the court's interdependencies with the executive and legislative branches and myriad public and private organizations in the interest of court performance and effective justice. While judicial independence is essential to liberty and justice and while impartiality on a case-by-case basis must be absolute, active leadership of and collaboration with others, both inside and outside the court, is mandatory.</p>		
4	<p>Create a High Performance Work Environment Leadership differs from management, yet they go hand-in-hand in high-performance courts. Leadership is necessary to vision and to promote needed change and growth. Management is required to pace it, to deal with complexity, and to coordinate disparate work processes. Effective courts and court executive teams stand out both in maintaining routines and bringing about needed change. Power is used, but it is a team and court-wide effort. Successful courts have leaders who inspire trust and teamwork and who understand group processes and use groups well. Initiative is encouraged. Innovation is pushed. Excellence is demanded, recognized, and rewarded. Leaders understand other's needs and talents. They excel in "servant" leadership. They both lead and serve others.</p>		
5	<p>Do Skillful and Continual Diagnosis Because there is no one best way to manage courts, court managers must use hard and soft data to analyze unique court management circumstances and conditions. Reliable data and informed analysis produce the basis for accountability and continual improvement.</p>		

Human Resources Management Curriculum Guidelines

From your perspective as a mid-level court manager, which of these four Human Resources Curriculum Guidelines has the greatest personal learning need and interest for you and which do you think is most important to the court as an organization? **Please rank from 1-4 with 1 being the highest and 4 being the lowest.**

Curriculum Guidelines	Highest ranking = 1 Lowest ranking = 4	Your personal learning need and interest 1-4	Importance to the court as an organization 1-4
<p>1 Vision and Purpose Courts that are managed effectively have a strategic vision that reflects enduring court purposes and responsibilities. The court's strategic vision should resonate in Human Resources Management and all other court functions and processes. Courts should be model employers with policies and practices that comply with state and federal employment laws and regulations and relevant ethical codes. But legal requirements imposed by others must be integrated with judicial independence and the inherent powers doctrine. A competent judiciary is independent in philosophy, form, and practice. It delivers justice from the bench but also on the phone, at the counter, and the bar of the court. When Human Resources reflects the court purposes and is aligned with the courts strategic vision, it supports all other core competencies, particularly Leadership; Visioning and Strategic Planning; and Education, Training, and Development.</p>			
<p>2 Human Resources Fundamentals For court leaders to manage and improve Human Resources, they must understand the fundamentals. The fundamentals begin with the job analysis to understand court jobs and duties, required competencies, and specific job environments. Identifying, attracting and recruiting, and selecting good applicants for court positions, and compensating, developing, and retaining them are critical Human Resources fundamentals. Compensation refers, at a minimum, to the many forms of financial rewards and other benefits. Compensation flows from performance management, which includes but is more than performance appraisal. Employee relations and legal requirements are crucial. Are court employees representative of the community? Human Resources fundamentals are known to and skillfully managed by effective judicial leadership teams.</p>			
<p>3 Context and Fairness Fairness in court Human Resources ensures that the actions of court employees, particularly supervisors, are acceptable. Concerning fairness, the court must be a model employer, which serves the court's mission, and protects court stakeholders. Among those stakeholders are court employees. Court structure and organization, civil service rules, merit procedures, and collective bargaining agreements define organizational context in which fair court Human Resources Management is situated. Whatever the context, court Human Resource Management should be fair and impartial.</p>			
<p>4 Management and Supervision Skillful management and supervision is crucial to Human Resource Management in any organization, including courts. The Human Resource Management competency includes not only functions traditionally associated with "personnel," but also knowledge, skills and abilities associated with leading, supervising, and managing a cohesive court. It is axiomatic that leadership and management underpin Human Resource Management. There is obvious overlap between this and the NACM Leadership Core Competency. Court leaders who oversee Human Resources must be skilled managers and supervisors. Through their practices and conduct they model the values, attitudes, and behaviors that define a high performance court. They understand the importance of consistency across the court. Human Resources are critical to creating a cohesive court and maintaining a high performance court culture.</p>			

Appendix K

Email Reminder to All Clerks of Court

From: Iverson, Chris
Sent: Monday, November 05, 2007 15:34
To: (ALL) Clerks of District Court
Subject: Survey

Hello,

On October 23rd, I sent out a survey to all clerks as part of my Institute for Court Management project. So far, I have gotten about 45% back. Thank you to everyone who took the time to complete and return them.

For those of you who haven't returned them, even though the deadline to respond was 11/2 I will still take them this week if you could get them in. Thank you!

*Chris Iverson, Trial Court Manager, Administrative Unit II
Room 300, 230 4th St. NW
Valley City, ND 58072
Phone: (701) 845-6674 (Valley City)
(701) 241-5651 (Fargo)
FAX: (701) 845-8537 (Valley City)
701-239-6828 (Fargo)*

Appendix L

Questionnaire for Education and Special Projects Coordinator

Questionnaire

Director of Judicial Education

(For the purposes of this instrument, Clerks of Court and Directors of Juvenile Court are considered mid-level managers.)

How often is state-wide training provided for mid-level managers in the North Dakota Judiciary?

- Twice a year
- Annually
- Biannually
- Other (please list) Annual for Clerks of Court, as needed for other supervisors.
- It has never been provided
- Unknown

Comments: We do have funds budgeted for supervisor training. We are also offering CMP classes, in which several mid-level managers are participating.

How often is statewide training specifically regarding *management* skills provided for mid-level managers in the North Dakota judiciary?

- Twice a year
- Annually
- Biannually
- Other (please list) As needed, usually included in regular conference sessions.
- It has never been provided
- Unknown

Comments: Click here and begin typing any comments

If training has been provided, what has the format been? Please check all that apply.

- Lecture
- Interactive Participation with Instructor
- Role Playing
- Small Group Discussions and Presentations
- Combination of all of the above
- Unknown

How often is state-wide training specifically regarding *leadership* skills provided for mid-level managers in the North Dakota judiciary?

- Twice a year
- Annually
- Biannually
- Other (please list) Not provided consistently. Has been offered through faculty development programs.
- It has never been provided
- Unknown

Comments: [Click here and begin typing any comments](#)

If training has been provided, what has the format been? Please check all that apply.

- Lecture
- Interactive Participation with Instructor
- Role Playing
- Small Group Discussions and Presentations
- Combination of all of the above
- Unknown

Do you have information available from any past training provided in which the participants completed post-session surveys?

- Yes
- No

If yes, are you willing and able to share that information?

- Yes
- No

Comments: [We have conference evaluation forms.](#)

Has any follow-up been done with participants to determine if they have followed through or taken any action based on what they learned at past training sessions?

- Yes
- No

If yes, are you willing and able to share that information?

- Yes
- No

Comments: [We have with faculty development, but not with other management training.](#)

What is the judiciary's annual budget for mid-level managers' training? [\\$5,450](#)

Are there any priorities for upcoming training sessions? [There is no stated priority for mid-level managers as a group. Within the conferences, we are emphasizing diversity training and leadership skills.](#)

Appendix M

Senior Managers Professional Activity Survey

Senior Manager Professional Activity Survey

TOTAL RECORDS

Ranking Averages

Importance of Belonging to a Professional Organization:

LOCAL	STATE	NATIONAL
1.75	1.25	1.5

Attend Management Training:

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
Lecture Only	1	25%	2	2	50%	3	3	75%	3
Interactive Participation with Instructor	2	50%	3.5	2	50%	3.5	3	75%	3
Role Playing	1	25%	3	1	25%	3	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>
Small Group Discussions and Presentations	1	25%	4	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>	1	25%	3
Web or ITV	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>
Combination of the above	2	50%	4	3	75%	3.5	1	25%	3
Unknown	0	0%	N/A	0	0%	N/A	0	0%	N/A

Attend Leadership Training:

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
Lecture Only	1	50%	3	1	50%	2	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>
Interactive Participation with Instructor	1	50%	4	1	50%	4	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>
Role Playing	1	50%	4	1	50%	3	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>
Small Group Discussions and Presentations	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>
Web or ITV	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>	0	0%	<div style="width: 100%; height: 10px; background-color: gray;"></div>
Combination of the above	1	50%	4	1	50%	4	1	50%	4
Unknown	0	0%	N/A	0	0%	N/A	0	0%	N/A

	<u>Total</u>	<u>%</u>
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	3	75%
Do you believe trainings specifically related to issues faced by the judiciary are or would be beneficial?	4	100%

Appendix N

Directors of Juvenile Court Professional Activity Survey

ND Juvenile Professional Activity Survey

Total Records

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
Belong to Professional Organization <input style="width: 40px; border: 1px solid black;" type="text" value="3"/>	0	0%	3	100%	3	100%

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
Receive informational/educational publication	2	67%	3	100%	3	100%
Attend conferences	2	67%	3	100%	2	67%
Plan conferences (Educational content and/or format)	1	33%	2	67%	0	0%
Present information at conferences	1	33%	3	100%	0	0%
Hold board or committee position	1	33%	3	100%	1	33%

Attended Management Training

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
Lecture Only	1	33%	4	3	100%	2.67	1	33%	3
Interactive Participation with Instructor	1	33%	4	3	100%	3.67	1	33%	4
Role Playing	0	0%		2	67%	1.5	1	33%	2
Small Group Discussions and Presentations	2	67%	3.5	3	100%	3	1	33%	4
Web or ITV	0	0%		1	33%	1	1	33%	1
Combination of the above	1	33%	4	2	67%	3.5	1	33%	3

Attend Leadership Training

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
Lecture Only	1	33%	3	3	100%	3.33	3	100%	2.67
Interactive Participation with Instructor	0	0%		2	67%	4	1	33%	4
Role Playing	0	0%		1	33%	2	1	33%	1
Small Group Discussions and Presentations	1	33%	3	2	67%	3.5	1	33%	4
Web or ITV	0	0%		0	0%		0	0%	
Combination of the above	0	0%		2	67%	3.5	0	0%	

	Total	%
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	3	100%

Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?	3	100%
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Appendix O

Clerks of Court Professional Activity Survey

ND Clerks Professional Activity Survey

Total Records 28

	LOCAL		STATE		NATIONAL	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
Belong to Professional Organization 25	2	7%	23	82%	3	11%

	LOCAL		STATE		NATIONAL	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
Receive informational/educational publication	7	25%	14	50%	4	14%
Attend conferences	11	39%	24	86%	2	7%
Plan conferences (Educational content and/or format)	3	11%	7	25%	0	0%
Present information at conferences	2	7%	5	18%	0	0%
Hold board or committee position	4	14%	10	36%	0	0%

Attended Management Training 22

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>
Lecture Only	1	5%	3	11	50%	2.64	2	9%	2
Interactive Participation with Instructor	2	9%	3.5	8	36%	3	3	14%	3.67
Role Playing	1	5%	4	5	23%	2.4	2	9%	3
Small Group Discussions and Presentations	4	18%	3.5	14	64%	3.21	3	14%	3
Web or ITV	0	0%		4	18%	3.25	0	0%	
Combination of the above	2	9%	3.5	5	23%	2.4	1	5%	3

Attend Leadership Training 22

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>
Lecture Only	0	0%		7	32%	3.29	1	5%	3
Interactive Participation with Instructor	4	18%	3.67	7	32%	2.86	1	5%	4
Role Playing	1	5%	4	3	14%	2	1	5%	3
Small Group Discussions and Presentations	4	18%	3.5	9	41%	3.44	1	5%	3
Web or ITV	0	0%		3	14%	3.33	0	0%	
Combination of the above	1	5%	2	6	27%	2.33	1	5%	3

	<u>Total</u>	<u>%</u>
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	14	50%
Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?	26	93%

Appendix P

Unit I – Mid-level Managers Professional Activity Survey

Unit 1 Mid-Manager Professional Activity Survey

Total Records 8

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
Belong to Professional Organization 8	1	13%	6	75%	3	38%

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
Receive informational/educational publication	4	50%	6	75%	3	38%
Attend conferences	4	50%	7	88%	2	25%
Plan conferences (Educational content and/or format)	1	13%	4	50%	0	0%
Present information at conferences	1	13%	4	50%	0	0%
Hold board or committee position	1	13%	3	38%	0	0%

Attended Management Training 7

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
Lecture Only	1	14%	4	4	57%	3.25	0	0%	
Interactive Participation with Instructor	1	14%	4	1	14%	4	0	0%	
Role Playing	0	0%		1	14%	2	0	0%	
Small Group Discussions and Presentations	2	29%	3.5	5	71%	3.4	0	0%	
Web or ITV	0	0%		1	14%	4	0	0%	
Combination of the above	1	14%	4	3	43%	3.67	0	0%	

Attend Leadership Training 7

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
Lecture Only	1	14%	3	3	43%	3.67	1	14%	4
Interactive Participation with Instructor	0	0%		2	29%	3.5	0	0%	
Role Playing	0	0%		0	0%		0	0%	
Small Group Discussions and Presentations	0	0%		5	71%	3.6	0	0%	
Web or ITV	0	0%		1	14%	4	0	0%	
Combination of the above	0	0%		2	29%	3.5	0	0%	

	<u>Total</u>	<u>%</u>
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	4	50%
Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?	7	88%

Appendix Q

Unit I Clerks of Court Professional Activity Survey

Unit 1 Clerks Professional Activity Survey

Total Records

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
	Belong to Professional Organization <input style="width: 40px; text-align: center;" type="text" value="7"/>	1	14%	5	71%	2

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
	Receive informational/educational publication	3	43%	5	71%	2
Attend conferences	3	43%	6	86%	1	14%
Plan conferences (Educational content and/or format)	1	14%	3	43%	0	0%
Present information at conferences	1	14%	3	43%	0	0%
Hold board or committee position	1	14%	2	29%	0	0%

Attended Management Training

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
	Lecture Only	0	0%	█	3	50%	3	0	0%
Interactive Participation with Instructor	0	0%	█	0	0%	█	0	0%	█
Role Playing	0	0%	█	1	17%	2	0	0%	█
Small Group Discussions and Presentations	1	17%	4	4	67%	3.5	0	0%	█
Web or ITV	0	0%	█	1	17%	4	0	0%	█
Combination of the above	0	0%	█	2	33%	3.5	0	0%	█

Attend Leadership Training

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
	Lecture Only	0	0%	█	2	33%	3.5	0	0%
Interactive Participation with Instructor	0	0%	█	1	17%	3	0	0%	█
Role Playing	0	0%	█	0	0%	█	0	0%	█
Small Group Discussions and Presentations	0	0%	█	4	67%	3.75	0	0%	█
Web or ITV	0	0%	█	1	17%	4	0	0%	█
Combination of the above	0	0%	█	1	17%	3	0	0%	█

	Total	%
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	3	43%
Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?	6	86%

Appendix R

Unit II Mid-level Managers Professional Activity Survey

Unit 2 Mid-Manager Professional Activity Survey

Total Records 9

	LOCAL		STATE		NATIONAL	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
Belong to Professional Organization 7	0	0%	7	78%	2	22%

	LOCAL		STATE		NATIONAL	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
Receive informational/educational publication	3	33%	5	56%	3	33%
Attend conferences	4	44%	7	78%	1	11%
Plan conferences (Educational content and/or format)	1	11%	2	22%	0	0%
Present information at conferences	1	11%	2	22%	0	0%
Hold board or committee position	2	22%	5	56%	1	11%

Attended Management Training 6

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>
Lecture Only	1	17%	3	4	67%	2	1	17%	2
Interactive Participation with Instructor	0	0%		6	100%	2.83	1	17%	3
Role Playing	1	17%	4	2	33%	1.5	0	0%	
Small Group Discussions and Presentations	2	33%	4	5	83%	2.6	1	17%	3
Web or ITV	0	0%		0	0%		0	0%	
Combination of the above	1	17%	4	1	17%	1	0	0%	

Attend Leadership Training 6

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>
Lecture Only	0	0%		4	67%	2.75	2	33%	2
Interactive Participation with Instructor	2	33%	4	3	50%	2.67	0	0%	
Role Playing	1	17%	4	1	17%	1	0	0%	
Small Group Discussions and Presentations	4	67%	3.5	2	33%	3	0	0%	
Web or ITV	0	0%		0	0%		0	0%	
Combination of the above	0	0%		2	33%	2.5	0	0%	

	<u>Total</u>	<u>%</u>
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	5	56%
Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?	9	100%

Appendix S

Unit II Clerks of Court Senior Professional Activity Survey

Unit 2 Clerks Professional Activity Survey

Total Records

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
	Belong to Professional Organization <input style="width: 40px; text-align: center;" type="text" value="6"/>	0	0%	6	75%	1

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
	Receive informational/educational publication	2	25%	4	50%	2
Attend conferences	3	38%	6	75%	1	13%
Plan conferences (Educational content and/or format)	0	0%	2	25%	0	0%
Present information at conferences	0	0%	1	13%	0	0%
Hold board or committee position	1	13%	4	50%	0	0%

Attended Management Training

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
	Lecture Only	1	20%	3	3	60%	2.33	1	20%
Interactive Participation with Instructor	0	0%	█	5	56%	2.8	1	20%	3
Role Playing	1	20%	4	1	20%	1	0	0%	█
Small Group Discussions and Presentations	1	20%	4	4	80%	2.75	1	20%	3
Web or ITV	0	0%	█	0	0%	█	0	0%	█
Combination of the above	1	20%	4	1	20%	1	0	0%	█

Attend Leadership Training

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
	Lecture Only	0	0%	█	3	60%	2.67	1	20%
Interactive Participation with Instructor	2	40%	4	3	60%	2.67	0	0%	█
Role Playing	1	20%	4	1	20%	1	0	0%	█
Small Group Discussions and Presentations	3	60%	3.67	2	40%	3	0	0%	█
Web or ITV	0	0%	█	0	0%	█	0	0%	█
Combination of the above	0	0%	█	2	40%	2.5	0	0%	█

	<u>Total</u>	<u>%</u>
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	4	50%
Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?	8	100%

Appendix T

Unit III Mid-level Managers Professional Activity Survey

Unit 3 Mid-Manager Professional Activity Survey

Total Records 11

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
Belong to Professional Organization 10	0	0%	10	91%	1	9%

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
Receive informational/educational publication	1	9%	5	45%	1	9%
Attend conferences	4	36%	10	91%	1	9%
Plan conferences (Educational content and/or format)	2	18%	3	27%	0	0%
Present information at conferences	1	9%	2	18%	0	0%
Hold board or committee position	2	18%	4	36%	0	0%

Attended Management Training 10

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
Lecture Only	0	0%		6	60%	2.67	1	10%	3
Interactive Participation with Instructor	2	20%	3.5	4	40%	3.5	2	20%	4
Role Playing	0	0%		3	30%	2.33	2	20%	2.5
Small Group Discussions and Presentations	2	20%	3	7	70%	3.43	2	20%	3.5
Web or ITV	0	0%		3	30%	2.67	1	10%	1
Combination of the above	1	10%	3	3	30%	2.33	1	10%	3

Attend Leadership Training 10

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
Lecture Only	0	0%		3	30%	3.67	1	10%	3
Interactive Participation with Instructor	2	20%	3.5	3	30%	3.33	1	10%	4
Role Playing	0	0%		2	20%	2	1	10%	1
Small Group Discussions and Presentations	1	10%	3	4	40%	3.5	1	10%	4
Web or ITV	0	0%		1	10%	4	0	0%	
Combination of the above	1	10%	2	4	40%	2.25	0	0%	

	Total	%
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	7	64%

	Total	%
Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?	10	91%

Appendix U

Unit III Clerks of Court Senior Professional Activity Survey

Unit 3 Clerks Professional Activity Survey

Total Records

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
	Belong to Professional Organization <input style="width: 40px; border: 1px solid black;" type="text" value="9"/>	0	0%	9	90%	0

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
	Receive informational/educational publication	1	10%	4	40%	0
Attend conferences	4	40%	9	90%	0	0%
Plan conferences (Educational content and/or format)	2	20%	2	20%	0	0%
Present information at conferences	1	10%	1	10%	0	0%
Hold board or committee position	2	20%	3	30%	0	0%

	RATING INFORMATION								
	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
Lecture Only	0	0%	█	5	56%	2.6	0	0%	█
Interactive Participation with Instructor	2	22%	3.5	3	33%	3.33	1	11%	4
Role Playing	0	0%	█	2	22%	3	1	11%	3
Small Group Discussions and Presentations	2	22%	3	6	67%	3.33	1	11%	3
Web or ITV	0	0%	█	2	22%	3.5	0	0%	█
Combination of the above	1	11%	3	2	22%	2	0	0%	█

	RATING INFORMATION								
	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
Lecture Only	0	0%	█	2	22%	4	0	0%	█
Interactive Participation with Instructor	2	22%	3.5	2	22%	3	0	0%	█
Role Playing	0	0%	█	1	11%	2	0	0%	█
Small Group Discussions and Presentations	1	11%	3	3	33%	3.33	0	0%	█
Web or ITV	0	0%	█	1	11%	4	0	0%	█
Combination of the above	1	11%	2	3	33%	2	0	0%	█

	Total	%
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	6	60%

	Total	%
Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?	9	90%

Appendix V

Unit IV Mid-level Managers Professional Activity Survey

Unit 4 Mid-Manager Professional Activity Survey

Total Records 3

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
	Belong to Professional Organization 3	1	33%	3	100%	0

	LOCAL		STATE		NATIONAL	
	Total	%	Total	%	Total	%
	Receive informational/educational publication	1	33%	1	33%	0
Attend conferences	1	33%	3	100%	0	0%
Plan conferences (Educational content and/or format)	0	0%	0	0%	0	0%
Present information at conferences	0	0%	0	0%	0	0%
Hold board or committee position	0	0%	1	33%	0	0%

Attended Management Training 2

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
	Lecture Only	0	0%	█	0	0%	█	1	50%
Interactive Participation with Instructor	0	0%	█	0	0%	█	1	50%	4
Role Playing	0	0%	█	1	50%	3	1	50%	3
Small Group Discussions and Presentations	0	0%	█	0	0%	█	1	50%	3
Web or ITV	0	0%	█	1	50%	2	0	0%	█
Combination of the above	0	0%	█	0	0%	█	1	50%	3

Attend Leadership Training 2

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	Total	%	Avg	Total	%	Avg	Total	%	Avg
	Lecture Only	0	0%	█	0	0%	█	0	0%
Interactive Participation with Instructor	0	0%	█	1	50%	3	1	50%	4
Role Playing	0	0%	█	1	50%	3	1	50%	3
Small Group Discussions and Presentations	0	0%	█	0	0%	█	1	50%	3
Web or ITV	0	0%	█	1	50%	2	0	0%	█
Combination of the above	0	0%	█	0	0%	█	1	50%	3

	Total	%
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	1	33%

	Total	%
Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?	3	100%

Appendix W

Unit IV Clerks of Court Managers Professional Activity Survey

Unit 4 Clerks Professional Activity Survey

Total Records 3

	LOCAL		STATE		NATIONAL	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
	Belong to Professional Organization 3	1	33%	3	100%	0

	LOCAL		STATE		NATIONAL	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
	Receive informational/educational publication	1	33%	1	33%	0
Attend conferences	1	33%	3	100%	0	0%
Plan conferences (Educational content and/or format)	0	0%	0	0%	0	0%
Present information at conferences	0	0%	0	0%	0	0%
Hold board or committee position	0	0%	1	33%	0	0%

Attended Management Training 2

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>
	Lecture Only	0	0%	█	0	0%	█	1	50%
Interactive Participation with Instructor	0	0%	█	0	0%	█	1	50%	4
Role Playing	0	0%	█	1	50%	3	1	50%	3
Small Group Discussions and Presentations	0	0%	█	0	0%	█	1	50%	3
Web or ITV	0	0%	█	1	50%	2	0	0%	█
Combination of the above	0	0%	█	0	0%	█	1	50%	3

Attend Leadership Training 2

RATING INFORMATION

	LOCAL			STATE			NATIONAL		
	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>	<u>Total</u>	<u>%</u>	<u>Avg</u>
	Lecture Only	0	0%	█	0	0%	█	0	0%
Interactive Participation with Instructor	0	0%	█	1	50%	3	1	50%	4
Role Playing	0	0%	█	1	50%	3	1	50%	3
Small Group Discussions and Presentations	0	0%	█	0	0%	█	1	50%	3
Web or ITV	0	0%	█	1	50%	2	0	0%	█
Combination of the above	0	0%	█	0	0%	█	1	50%	3

	<u>Total</u>	<u>%</u>
Has any training you attended for either management or leadership been specifically related to issues faced by the judiciary?	1	33%
Do you believe trainings specifically related to issues faced by the judiciary would be beneficial?	3	100%

Appendix X

Group Rankings for Human Resource Guidelines

Ranking	Competency	Score
1 st	Management/Supervision	1.40
2 nd	Vision/Purpose	1.40
3 rd	HR Fundamentals	2.20
4 th	Context/Fairness	3.00

Senior Managers Core Competency Rankings for Human Resource Guidelines

Ranking	Competency	Score
1 st	HR Fundamentals	2.13
2 nd	Management/Supervision	2.25
3 rd	Vision/Purpose	2.63
4 th	Context/Fairness	3.00

Mid Level Managers (All) Core Competency Rankings for Human Resource Guidelines (Personal Interest)

Ranking	Competency	Score
1 st	Vision/Purpose	1.67
2 nd	Management/Supervision	2.40
3 rd	HR Fundamentals	2.87
4 th	Context/Fairness	3.07

Mid Level Managers (All) Core Competency Rankings for Human Resource Guidelines (Court Need)

Ranking	Competency	Score
1 st	Management/Supervision	1.50
2 nd	HR Fundamentals	2.50
3 rd	Vision/Purpose	3.00
4 th	Context/Fairness	3.00

Mid Level Managers (Juvenile) Core Competency Rankings for Human Resource Guidelines (Self Interest)

Ranking	Competency	Score
1 st	Management/Supervision	1.50
2 nd	Vision/Purpose	2.00
3 rd	Context/Fairness	3.00
4 th	HR Fundamentals	3.50

Mid Level Managers (Juvenile) Core Competency Rankings for Human Resource Guidelines (Court Need)

Ranking	Competency	Score
1 st	HR Fundamentals	2.07
2 nd	Management/Supervision	2.36
3 rd	Vision/Purpose	2.57
4 th	Context/Fairness	3.00

Mid Level Managers (Clerk) Core Competency Rankings for Human Resource Guidelines (Personal Interest)

Ranking	Competency	Score
1 st	Vision/Purpose	1.62
2 nd	Management/Supervision	2.54
3 rd	HR Fundamentals	2.77
4 th	Context/Fairness	3.08

Mid Level Managers (Clerk) Core Competency Rankings for Human Resource Guidelines (Court Need)

Appendix Y

Tables of Group Rankings for Leadership Guidelines

Ranking	Competency	Score
1 st	Environment	1.00
2 nd	Focus	2.00
3 rd	Credibility	2.40
4 th	Diagnosis	3.00
5 th	Interdependencies	3.60

Senior Managers Core Competency Rankings for Human Resource Guidelines

Ranking	Competency	Score
1 st	Environment	1.63
2 nd	Credibility	2.56
3 rd	Focus	2.81
4 th	Diagnosis	3.75
5 th	Interdependencies	4.25

Mid Level Managers (All) Core Competency Rankings for Leadership Guidelines (Personal Interest)

Ranking	Competency	Score
1 st	Focus	2.20
2 nd	Environment	2.27
3 rd	Credibility	2.47
4 th	Interdependencies	3.93
5 th	Diagnosis	4.13

Mid Level Managers (All) Core Competency Rankings for Leadership Guidelines (Court Need)

Ranking	Competency	Score
1 st	Environment	1.63
2 nd	Credibility	2.56
3 rd	Focus	2.81
4 th	Diagnosis	3.75
5 th	Interdependencies	4.25

Mid Level Managers (Juvenile) Core Competency Rankings for Leadership Guidelines (Self Interest)

Ranking	Competency	Score
1 st	Credibility	1.50
2 nd	Focus	2.00
3 rd	Diagnosis	2.50
4 th	Environment	4.50

5th	Interdependencies	4.50
-----	-------------------	------

Mid Level Managers (Juvenile) Core Competency Rankings for Leadership Guidelines (Court Need)

Ranking	Competency	Score
1 st	Environment	1.64
2 nd	Credibility	2.57
3 rd	Focus	2.86
4 th	Diagnosis	3.71
5th	Interdependencies	4.21

Mid Level Managers (Clerk) Core Competency Rankings for Leadership Guidelines (Self Interest)

Ranking	Competency	Score
1 st	Environment	2.23
1 st	Focus	2.23
3 rd	Credibility	2.62
4 th	Interdependencies	3.85
5th	Diagnosis	4.08

Mid Level Managers (Clerk) Core Competency Rankings for Leadership Guidelines (Court Need)

BIBLIOGRAPHY

Aikman, Alexander B. **The Need for Leaders in Court Administration.** *Court Manager* (22:1). 2007.

Barnhardt, Lee Ann. Questionnaire. Bismarck, ND. November, 2007.

Bennis, Warren and Burt Nanus. **Leaders: Strategies for Taking Charge.** New York, NY. Harper Business. 1985.

Cattabiani, E.J. and Randall P. White. **Participative Management, Issues & Observations.** Center for Creative Leadership. 1983. (from Advanced Management Seminar: Leadership Challenge in the Courts, August 7-9, 1991; Sheraton Monterey, Monterey, California; Institute for Court Management of the National Center for State Courts.)

Claxton, Charles S. and Patricia H. Murrell. **Education for Development: Principles and Practices in Judicial Education, JERITT Monograph Three.** East Lansing, MI. 1992.

Core Competency Curriculum Guidelines: What Court Leaders Need to Know and Be Able To Do. National Association for Court Management. Williamsburg, VA. 2004.

Core Competency Curriculum Guidelines: Self-Assessment Tools. National Association for Court Management. Williamsburg, VA. 2007. Located at:
http://www.nacmnet.org/CCCG/cccg_SelfAssessment.html.

Cunningham, Judith K. **Staff Development in the Oakland County Circuit Court.** *Court Manager* (4:2). 1989.

Ethics Codes USA. 2007. Located at:
<http://sio.midco.net/hthoennes/Ethics%20Codes%20USA.htm>

Ericksen, Charles E. **Trends in Judicial Education.** *Future Trends in State Courts.* 2006.

Gallas, Geoff and Edward C. Gallas. **Court Management Past, Present, and Future: A Comment on Lawson and Howard.** *The Justice System Journal* (15:2). National Center for State Courts. Williamsburg, VA. 1991.

Hays, Steven and Larry Berkson. **The New Court Managers: Court Administrators,** Berkson, Hays, and Carbon (eds.), *Managing the State Courts.* Cited in R. Dale Lefever, David C. Steelman, Harvey Solomon, Blan L. Teagle and Maureen E. Conner, **Developing a Court Leadership and Management Curriculum.** *JERITT Monograph Thirteen.* (2002).

Keilitz, Ingo, **The Development of Tomorrow's Leaders in Judicial Administration.** *The Justice System Journal* (17:3). National Center for State Courts. Williamsburg, VA. 1995.

Klein, Fannie J. **A Brief Summary of the Development of the Federal-State Court Systems, The Improvement of the Administration of Justice.** Judicial Administration Division, American Bar Association. 1981.

Kolb Learning Styles. Located at: <http://www.businessballs.com/kolblearningstyles.htm>. 2007.

Lawson, Harry O. and Dennis E. Howard. **Development of the Profession of Court Management: A History with Commentary.** *The Justice System Journal*. National Center for State Courts. Williamsburg, VA. (15:2). 1991.

Lefever, R. Dale, David C. Steelman, Harvey Solomon, Brian Teagle, and Maureen E. Conner. **Developing a Court Leadership Management Curriculum.** *JERITT Monograph Thirteen*. East Lansing, MI. 2002.

Mahoney, Barry and Harvey E. Solomon. **Court Administration, The Improvement of the Administration of Justice.** Judicial Administration Division, American Bar Association. 1981.

Maxwell, John C. **Equipping 101.** Nashville, TN. Thomas Nelson Publishers. 2003.

Mentkowski, Marcia, Georgine Loacker and Kathleen O'Brien. **Ability-Based Learning and Judicial Education.** *JERITT Monograph Eight*. East Lansing, MI. 1998.

National Association for Court Management. 2007. Located at: www.nacmnet.org.

NACM National Agenda on the Court Management Profession 2005-2010. *Court Communiqué* (7:1). National Association for Court Management. Williamsburg, VA. 2006.

North Dakota Courts Annual Report. 2005. North Dakota Judiciary; Bismarck, ND. Located at: <http://www.ndcourts.com/court/news/AnnualReport2005/Structure.html>.

North Dakota Supreme Court Administrative Rule 6.1. North Dakota Judiciary. Bismarck, ND. 2004. Located at <http://www.ndcourts.gov/rules>.

Olson, Rod. Personal interview by author. Fargo, ND. 2007.

Policy 201, Membership/Professional Dues Paid. North Dakota Unified Judicial System. Bismarck, ND. 2002.

Parks, Sharon Daloz. **Leadership Can Be Taught: A Bold Approach for a Complex World.** Boston, MA. Harvard Business School Press. 2005.

Pound, Roscoe. **The Causes of Popular Dissatisfaction with the Administration of Justice.** 1906.

Sisk, Susan. **Assessing Employee Satisfaction and the Administrative Reorganization of the North Dakota Court System.** Institute for Court Management Court Executive Program. 2007.

Solomon, Harvey E. **Court Management Training.** *Court Manager* (5:2). National Center for State Courts. Williamsburg, VA. 1990.

VandeWalle, Gerald. **Court Management Program Graduation Remarks.** 2005. Located at: <http://www.ndcourts.com/court/news/courtmanage05/speech.htm>.

Wessels, Bob. **Education of the Court Manager—Sharing the Wealth.** *Court Manager* (4:4). National Center for State Courts. Williamsburg, VA. 1989.

Wice, Paul B. **Introduction.** *The Justice System Journal* (17:3). National Center for State Courts. Williamsburg, VA. 1995.

The Writing Studio. Colorado State University. 2007. Located at: <http://writing/colostate.edu>

Zaffarano, Mark A. **A Call to Leadership.** *The Justice System Journal* (15:2). National Center for State Courts. Williamsburg, VA. 1991.