

FJC Directions

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From the Director

WILLIAM W SCHWARZER

1

The Future of Judicial Education

DENIS J. HAUPTLY

2

*Cost-Effective Training for
Court Support Personnel*

EMILY Z. HUEBNER

8

152342

*Educational Videos and the
Federal Judiciary*

JODY E. GEORGE

12

152343

Center and JERITT to Exchange Publications & Materials

19

Nominations Sought for New Center Director

19

New Publications Available from the Center

20

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152342-
152343

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Cost-Effective Training for Court Support Personnel

EMILY Z. HUEBNER

In recent years, the Center's Court Education Division (CED) has developed a number of innovative, cost-effective training methods that take education directly to court support staff.¹ Education provided in-district eliminates or greatly reduces the cost of participant travel and lodging, the largest expense of traditional national and regional workshops. This

article discusses a range of programs CED has developed and produced, in conjunction with the Center's Planning & Technology and Publications & Media Divisions, that are delivered in-district or use at-a-distance or computer-assisted instruction.

Packaged Programs

CED's packaged programs are usually designed by curriculum development specialists on the Center staff. Packages include instructor guidelines and lesson plans, overhead transparencies, and written materials that are intended for use at the local level by on-site trainers or trainers from nearby districts. They may also include a video component produced by the Publications & Media Division, as discussed in *Educational Videos and the Federal Judiciary* at page 12. Although these packaged training programs are court-specific, they nevertheless enable the Center to train many more staff than is possible in its national and regional workshops, and to reach new groups and more educational levels in a timely manner at low cost. Because it is possible to communicate with so many people through packaged programs, the programs also provide court support personnel with a common body of knowledge. In some cases, this training responds to a legislative mandate from Congress or a policy of the Judicial Conference of the United States. For example, presentence investigation and pretrial supervision packages (discussed at page 10 below) provide training to

help probation and pretrial services officers comply with policies recommended by the Judicial Conference's Criminal Law Committee.

The cost of packaged program development and implementation varies greatly.² For example, during a six-month period in fiscal year 1993, a CED-created ethics training program was delivered at the local level by Center-trained trainers to 4,900 federal probation and pretrial services employees (more than 80% of total personnel nationwide) at a cost of \$43 per participant. Also in fiscal year 1993, a CED-developed program for courtroom deputies was presented in the districts to approximately 1,100 staff at a cost of \$230 per participant. (By comparison, in fiscal years 1991 and 1992 the Center trained 217 courtroom deputies in three travel-based seminars at a cost of \$1,000 per participant.)

The difference in per person costs for these two sample packages reflects the number of people trained, the number and location of trainers, and the inclusion of a video in the courtroom deputies program. The price of the ethics package was spread among almost 5,000 participants; moreover, Center-trained trainers were available in all ninety-four districts, eliminating the need to pay travel for trainers from other districts. The courtroom deputy package was more expensive because there were fewer participants and it included the expense of producing a Center-developed video. Thirty trainers who cover their own and nearby districts conducted the training.

1. See Emily Huebner, *New Developments in Court Education: Taking It to the People*, FJC Directions no. 3, August 1992.

2. In the two examples discussed here, development and implementation costs include travel, rents, faculty and AV, most materials, Center staff salaries, printing costs for participant guides, and Federal Express charges. They do not include the cost of miscellaneous supplies or postage. It also should be kept in mind that time costs for court employees are not included in any cost estimates discussed in this article.

Other In-District Programs

In the last two fiscal years, the Center not only developed and offered its packaged programs but also presented other types of in-district training activities:

Leadership Development Program

Participants in the Leadership Development Program (LDP) for probation and pretrial services officers pursue individualized learning plans within a three-year framework designed by the Center and supervised by faculty based in Washington, D.C.³ Through this distance-learning format, the Center is providing a significant amount of training to employees at their own work sites. One hundred eighty officers participated in Phase One of the LDP in fiscal year 1992. Each participant completed two projects during the year and received individual feedback (by phone, fax, or mail) from a faculty member. The cost of faculty fees and associated materials for this training was \$20,000, or \$112 per person. No travel costs were incurred.

To fulfill a Phase Two requirement of the LDP, 120 officers are currently conducting in-district projects. As described more fully below, they must identify a problem or issue in their district, do a systematic assessment of its causes, and

identify workable solutions that they must subsequently implement. Each participant works at a distance with a faculty advisor and chief probation or pretrial services officer to design and implement a project. The cost is approximately \$10,000, or \$80 per person.

In-District Orientation

To maximize the effectiveness of the Center's traditional two-week orientation seminars for probation and pretrial services officers, last year the Center began the process at the local level with an in-district training plan or checklist consisting of a series of activities that participants must complete before attending the orientation seminar.⁴ The primary objective of this plan was to focus the training effort by providing new officers from different districts with a common base of knowledge, thereby reducing the disparity of training levels at the orientation sessions. The effort yielded a significant side benefit, however. In cutting one day from the seminars, the Center reduced one of its largest education and training expenses by a total of \$35,000 in fiscal year 1993.

Computer-Assisted Training Efforts

During the past year, the Center has also sought to provide computer-assisted methods of instruction by placing interactive learning materials on the electronic bulletin board system sponsored by the Automation User's Group of the Administrative Office of the U.S. Courts. Using electronic bulletin boards, the Center can reach participants at no direct cost and more frequently than in traditional workshops. For example, through a Center-created interactive electronic seminar with case studies on leadership, empowerment, and influence, appellate clerks and chief deputies who attended

the Center's most recent biennial national workshop on leadership, held in February 1993, can do follow-up work on management issues as a group.

A computer-based training program on the Federal Rules of Civil Procedure will be available to deputy court clerks this spring. This Center-developed program employs interactive techniques that enable clerks to access the rules and test their knowledge and skill in applying them through a series of quizzes and court-based scenarios.

3. The Center developed this program at the request of the Judicial Conference Committee on Criminal Law and Probation Administration (now the Criminal Law Committee), which stressed the need to make such a program available to potential candidates for the positions of chief probation and pretrial services officers in light of the impending mandatory retirement of many chief officers in the mid-1990s. The Center is now pilot-testing a similar LDP for mid-level managers in circuit, district, and bankruptcy courts.

4. In-district orientation is also provided through the Center's *Introducing the Federal Courts* video series, which is discussed in *Educational Videos and the Federal Judiciary* at page 14.

Benefits of Training

Effective training programs result in cost savings through increased court productivity. Direct cost savings such as reductions in overtime, turnover, and grievances can be measured readily. Indirect cost savings resulting from Center training in problem-solving, team-building, communication, and leadership skills are more difficult to measure because, among other things, it is not always possible to make clear distinctions between the effects of policy changes and the results of training. With this caveat in mind, the Center has identified savings in either time or money that result from its training activities in several areas. For example:

Pretrial Supervision Program

Recognition by the Judicial Conference in 1990 of a "pretrial detention crisis"⁵ led the Judicial Conference's Criminal Law Committee to recommend a new national policy that provides for monitoring pretrial release of offenders, which the Conference approved in September 1993. Under the policy, pretrial services personnel are required to develop a supervision plan to ensure each defendant's compliance with conditions of release imposed by the court. The Center designed a packaged training program to assist the districts in implementing pretrial release, which can result in substantial savings. The Probation and Pretrial Services Division of the Administrative Office of the U.S. Courts estimates that, on an annualized basis, the cost of detaining one defendant is approximately \$18,000, whereas that same defendant can be supervised in the community for about \$2,000. For every 1,000 defendants who are placed under supervision for even one month, the saving to the taxpayer is about \$1.3 million. By educating pretrial services staff regarding the national standards set by the new policy and training them in pretrial supervision methods and duties, the Center's training program permits judges to take advantage of the pretrial release option in dealing with approximately 40,000 detainees.

Leadership Development Program In-District Projects

In-district projects challenge probation and pretrial services officers to improve programs, policies, or processes in their districts through creative thinking and problem solving. The time required of officers to analyze problems systematically, obtain management support, and collect and review data that will lead to solutions is often the only "cost" of conducting these projects. The solutions developed provide substantially greater benefit than the cost of the program and

5. Report of the Proceedings of the Judicial Conference of the United States, March 13, 1990, at 16.

ultimately save the government money. Examples of three such projects in the current Leadership Development Program are discussed below.

• *U.S. Probation Office, Northern District of California.* For his in-district project, LDP candidate John Storm proposed two interventions to increase collection of \$22 million in criminal debt outstanding as of February 1993: (a) requesting a minor adjustment to the database of the U.S. Attorneys' Claims and Judgments Section so that the Probation Office could obtain timelier reports and analysis of debtor profiles and information; and (b) establishing a thorough monitoring system among district probation officers. Officer Storm achieved modification of the U.S. attorneys' database and worked with that office to develop a prototype for use



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in monitoring criminal debt payments in the district. One unit of the Probation Office volunteered to use the monitoring system. As a result of this project, the percentage of debtors on the database who have payment plans, as required by district policy, has steadily increased. In January 1993, 20.9% of debtors had plans; by April 1993, 38.9% had plans. In addition, by April 1993, debtors receiving supervision under the monitoring plan had paid .25% of total judgments against them and .30% of their outstanding debt balance, compared with "unsupervised" debtors, who paid only .05% of both total judgments and outstanding balances.

• *U.S. Probation Office, Southern District of Florida.* Under a system devised by LDP candidate Roger McCoy, in cases in which it appears unlikely that offenders will be able to pay the full amount of restitution ordered by the court, probation officers meet with victims to work out plans for lower payments that defendants can meet. The system has improved the office's ability to collect scheduled payments among a select group of offenders. Between fiscal years 1991 and 1993, the collection rate of scheduled fine and restitution payments from this group rose 10%, resulting in payment of an additional \$38,049.

• *U.S. Probation Office, Middle District of Florida.* As a re-

sult of a project developed by LDP candidate Barry Weiner, the district saved \$366,420 during a ten-month period by electronically monitoring offenders. During that time, the district supervised 178 offenders for 4,056 days at a cost of \$55,044. Based on the current cost of \$1,492 per month to detain a prisoner, had these offenders been incarcerated instead of placed under community supervision, the taxpayers would have spent more than \$421,000.

Executive Team Development Workshops

During the Center's executive team development workshops, chief judges and clerks work together to begin designing and planning the implementation of administrative projects that will take place after the teams return to their courts. Participants confirm that many projects would not have been completed as quickly, or in some cases at all, without the time and expert guidance provided at the workshops. Three projects planned at the 1992 Ninth Circuit Bankruptcy Courts Executive Team Development Workshop illustrate the range of efforts undertaken and evidence team members' commitments to increase court efficiency, maximize resources, and reallocate time and money saved from streamlining or creating new procedures:

- *Bankruptcy Electronic Bulletin Board, District of Alaska – Ross (Chief Judge) and Wolfe (Clerk)*. Alaska's bankruptcy electronic bulletin board allows access to information that was formerly made available through hard copy only. The bulletin board includes the calendar, decisions, circuit opinions, quarterly bulletins, and Bankruptcy Appellate Panel information. Over a five-month period, use of the electronic bulletin board resulted in savings of \$5,800 in copying and mailing costs and staff time expenditures. A saving of roughly \$14,000 is projected for the first year.

- *Strategies to Reduce Processing Time of Court Orders, Southern District of California – Meyers (Chief Judge) and Lander (Clerk)*. Before the workshop, all court orders were processed by an order clerk, which took up to ten days. Under the new procedure developed with the assistance of pre-workshop materials and during workshop sessions, orders are now handled directly by courtroom deputies, who ensure that each order is correct and delivered promptly to the appropriate judge for immediate signature. This procedure has reduced turnaround time to three days and saves the court one full-time grade 8 position.

- *Commercial Bar Intake Window Eastern District of California – Dahl (Chief Judge) and Heltzel (Clerk)*. The commercial bar intake window, which requires preintake bar coding by customers,⁶ is staffed by reception and mail desk employees on a call basis (customers ring for service). When the window is closed, the three counter staff work on other assignments. Nine law firms and trusteeships currently use

the window. Twenty-five other potential users have been identified, and total users could reach forty. Specific cost savings resulting from the window cannot be calculated at present, but it contributes to efficient court operations with a staff allocation below 70% of the full staffing level.

Financial Investigation Skills Training

The Center's recently developed financial investigation packaged training program offers districts a systematic approach for collecting, verifying, and analyzing financial information. Probation and pretrial services officers who participate in the training will be better equipped to make more accurate assessments of defendants' current and future cash flow and their ability to pay. This will enable officers to make more realistic recommendations to the courts, thereby helping to reduce the amount of uncollected fines and restitution.

Conclusion

The Center is committed to the development of innovative in-district training programs such as those outlined in this article because of the significant advantages they offer in providing court-specific information to greater numbers and more levels of court personnel. As discussed, these programs are also cost-effective in many ways, from reduced costs of the training itself to promoting operational efficiencies. Through participation in such programs, increasing numbers of court support personnel can develop skills and design projects that help courts realize a broad range of cost savings.

6. The court's systems staff uses bar coding software to facilitate commercial case processing.