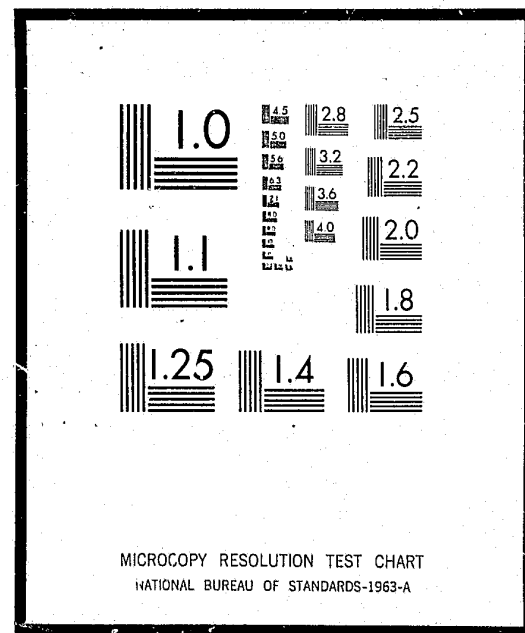


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## FINAL REPORT

### EVALUATION OF THE DEVELOPMENT AND UPGRADING OF BASIC JUDICIAL SKILLS: NATIONAL COLLEGE OF THE STATE JUDICIARY, 1973 (DS-345-73)

Submitted to:

The Governor's Justice Commission Evaluation Unit  
Harrisburg, Pennsylvania

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March 28, 1974

TABLE OF CONTENTS

Contents	Page
FINAL EVALUATION REPORT	2
Section I. Executive Summary	2
Section II. Project Activities	7
Section III. Evaluation Activities	9
Section IV. Projects Results and Analysis	12
Section V. Findings and Recommendations	18
Appendix I: Questionnaire distributed to Judges attending the Four-week Basic Session of the National College of the State Judiciary	
Appendix II: Questionnaire distributed to Judges attending the Graduate Session of the National College of the State Judiciary	
Appendix III: Final Evaluation Plan for the National College of the State Judiciary	
Appendix IV: Interim Evaluation Report on the National College of the State Judiciary	
Appendix V: Guidelines for Evaluation Reports	
Appendix VI: Application for Subgrant	

SECTION I. EXECUTIVE SUMMARY

1. The Project posited as its prime objective the continuing education of the state's judiciary in view of the constant changes which occur in the legal field. As a result of this goal identification, the Project decided to utilize the facilities and resources of the National College of the State Judiciary to provide an indepth legal educational experience to select Pennsylvania Judges. The Project as planned would have sent twenty Judges to the four-week regular sessions and ten Judges, who had previously participated in regular sessions, to a two-week graduate session. If the results had corresponded with the Court Administrator's projection, approximately 10% of the 285 authorized Judges of the Common Pleas Courts would have been able to attend the College in 1973.

The actual number of Judges in attendance (eight attended the regular program, two were enrolled in graduate studies) did not correspond to the Project staff's projection. Those that did attend the College were, however, unanimous in their recommendation of the experience as valuable enough to return to, and as a worthwhile activity for other Judges. (See Appendix I, questions 9, 10 and 11 and Appendix II, question 12.) The impact of unanimity is of even greater importance than might at first be suspected, in view

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of the disparate results elicited from the Judges concerning those subjects perceived either as most or least valuable. (See Appendix I, questions 2 and 3.) In fact, a review of the questionnaire, as a whole, indicates that the quality of the National College Program was excellent. Any apparent disagreement can be explained on the basis of the diversity in backgrounds and needs of those Judges in attendance.

The only apparent defects evidenced in the administration of this Program are its inability to procure adequate attendance, and the unfortunately limited use made of the available resources of the National College. Our recommendations then are directed specifically toward overcoming these discrete shortcomings. ✓

2. Practical and of immediate import are our recommendations concerning the solicitation-selection procedures which should be employed by the Court Administrator's office in order to encourage increased attendance at the National College by Pennsylvania Judges. We propose the following steps, to be implemented between now and the 1974 sessions of the school.

- (1) The Administrative Office of the Pennsylvania Courts should provide adequate funding for a mailing list containing the names and addresses of all appropriate Judges to the

administration of the National College. A direct mailing of all pertinent information may encourage increased participation by Pennsylvania Judges. Alternatively, the National College could supply appropriate informative materials to the Pennsylvania Court Administrator's Office which could then mail it to Judges throughout the state.

- (2) As either a preview of this material or as follow-up, the Project staff could obtain permission from past years' participating Judges to quote selectively from letters enthusiastically reporting the value of the National College Program. This material could be presented in a tasteful and attractive brochure outlining the high points and benefits of the National College experience and the availability of full funding.
- (3) The President Judge of each Court should encourage members of the Court to attend through adjustment of calendars, vacations, etc., with this as a high priority item.
- (4) Utilize the two-week regular sessions for those Judges who, for professional and/or personal reasons, cannot absent themselves from home or work for the basic four-week course.

In addition to the immediate steps outlined above, the Evaluation team believes that implementation of the following suggestions concerning the increased utilization of the resources of the National

College will be valuable in generating natural publicity based on greater visibility and rewarding experiences.

- (1) The Project staff should investigate the feasibility of using the state seminar program of the National College whereby the school supplies lecturers and materials on selected topics either as part of an annual conference or as periodic regional gatherings throughout the state, during the year.
- (2) Individual law schools or a consortium should be encouraged to pool educational techniques and talent into a continuing educational program for Judges in Pennsylvania.
- (3) Arrangements can be made with the National College to video-tape especially excellent classes or lectures. These tapes could then be shown at regional meetings. Following the tape those Judges who did attend the National College could lead workshops to further elaborate on the covered material, in this way providing a fuller, more personal contact with the subject matter.
- (4) Utilize the increased knowledge of those Judges who did attend the National College as workshop or seminar leaders on particularly appropriate topics at the Annual Conference of State Trial Judges.
- (5) In addition to the above suggestions which deal specifically with the regular Reno programs, the National College of the

State Judiciary also offers a two-week course for Magistrates or District Justices. Participation in this program is worthy of consideration.

This Program is worthy of continued funding consistent with our recommendations.

✓  
Cost?  
Location?

SECTION II. PROJECT ACTIVITIES:

1. The Project can be summarized as an attempt to provide indepth post-graduate legal education to members of the Pennsylvania Trial Judiciary in order to improve the administration of justice. By utilizing the formal educational resources of the National College of the State Judiciary it is hoped the dual interests, of providing both an opportunity for an exchange of perspectives with Judges of other state systems and an opportunity for an educational experience that will keep the attending Judges abreast of vast changes occurring in the legal field, will be served. Specifically by sending Judges to the National College the Project hopes to: 1) increase the confidence and competence of new Judges and to afford him or her an opportunity to learn of methods used successfully in other jurisdictions; 2) give an experienced Judge the opportunity to compare and contrast his or her methods with others and re-evaluate judicial philosophies; 3) encourage the use of the latest techniques to increase trial court efficiency and administration, improve the quality of justice and develop new methods for bringing about speedy trials.
2. The Project sends Judges to Reno for both resident (basic four-week course) and graduate sessions (one and two-week courses). Every effort is made to achieve a balance between Judges from rural and

metropolitan districts. In 1973, eight Judges attended the four-week resident program open to those with no previous experience at the College, while two Judges attended a two-week graduate session.

Four Judges attended the first regular session which ran from June 17 to July 13, 1973; the other four attended the second regular session from July 17 to August 10, 1973.

30  
projected

SECTION III. EVALUATION ACTIVITIES:

1-2. The Evaluator and his staff held conferences with Deputy Court Administrator, Carlile King, of the Administrative Office of Pennsylvania Courts. At these conferences the goals and planned activities of the College particularly as they relate to the Pennsylvania State Judiciary were ascertained.

Materials were gathered by the Evaluation team from participants, the Court Administrator's Office, and the College itself. This literature has been examined to ascertain the philosophy, structure, administration and curriculum of the National College of the State Judiciary.

The evaluation activities also included soliciting letters from returning Judges evaluating their College experiences. These responses have been collected, studied and evaluated.

As part of the evaluation effort the team solicited, obtained, reviewed and evaluated questionnaires completed by the participants for the College's self-evaluation use.

Primary reliance for this particular evaluation effort has been placed on the correlated responses of attending Judges as elicited through letters and questionnaires in conjunction with a basic understanding of the Program offered by the College and the stated

goals of the Administrative Office of Pennsylvania Courts.

3. It is essential to clarify at this point that the Evaluation Staff is not evaluating the National College of the State Judiciary, but rather the value of the service that the National College can offer to the Trial Judges of Pennsylvania.

We determined early in our planning, and this determination was reinforced by conferences with the Governor's Justice Commission Staff, that the originally discussed on-site inspection of the National College would be impractical because the anticipated return from such a visit did not balance favorably as against the distance, length of stay required, and substantial costs which would be incurred. Thus we were unable to have the benefit of data from a personal on-site experience, as was found so valuable in the evaluation of the Institute on Courts of Initial Jurisdiction and the Conference of State Judiciary.

The scope of the evaluation effort has been limited to a careful analysis of the Program published by the National College itself; unsolicited and often lengthy letters from nearly all the Pennsylvania Judges who attended the College which were forwarded to us by the Administrative Office of the Pennsylvania Courts; and questionnaires distributed to the participants by the National

College, answered by the Judges, collected by the National College and returned to the Evaluation Staff upon our request, for our study and correlation. Additionally, the Evaluator has orally discussed the Project with some attending Judges.

4. In this instance the Evaluation team will have no direct input to the staff of the National College of the State Judiciary. Instead, we consider the Administrative Office of the Pennsylvania Courts as a Project staff to whom we make suggestions concerning the efficacy of the College experience as it relates to Pennsylvania enrollees. We have continued to report our ideas on this subject to the Administrator's Office to generate increased awareness on the part of the Project staff of the value and importance of continuing quality for in-depth education of Judges on all levels.

#### SECTION IV. PROJECT RESULTS AND ANALYSIS:

1. The "Anticipated Results," as outlined in the Sub-grant Application are to increase the expertise and confidence of the new Judges in their judicial tasks, to give them a deeper understanding of their judicial roles and of the broader judicial process, and to afford them opportunities to become acquainted with methods of Judges in other jurisdictions. The experienced Judges were to be given an opportunity to compare their own methods with those in other jurisdictions, to re-examine the development of their judicial philosophies and approaches to court problems with the aid of, and in contrast to the Judges attending from other states. All were to be encouraged in the use of the latest techniques to further increase the efficiency of the trial courts, to seek means for bringing about speedy trials, and to improve the quality of justice, as a whole. The results of the Project may be seen as quite closely paralleling the above "Anticipated Results," and can best be illustrated by a few examples from the critical letters of the participants as follows:

- (a) "... I consider the experience informative, and, in the opportunity to confer closely with judges from other jurisdictions, stimulating and well worth the time."
- (b) "If one important lesson can be learned, it is that all of the men and women are joining and entering

into a new phase of their professional life, and that together they will learn from each other not only the substantive law that is needed, but most importantly the duties, responsibilities and pitfalls of being a judge."

- (c) "... those ascending the bench are just ordinary mortals and they need to acquire confidence as well as skill in the art of being a trial judge."
- (d) "You soon learn that your fellow students have the same problems that you have...."
- (e) "... court administration and the relations of the court\*to the community...are very important aspects (for a trial judge) and were handled in a brilliant manner."
- (f) "Another outstanding feature of this course was the comparative discussion among the judges from different states of our country."

2. Since the results of the Project were the same as those anticipated, we will not deal at this point with the factors contributing to them. But see those factors as discussed under SECTION V, 2, below.

3.a. The problem stated by the Project staff is the constant need for the continuing education of the judiciary so that Judges are kept abreast of the vast changes which occur in the

legal field. For the limited number of Pennsylvania Judges attending, the National College of the State Judiciary is a very effective means of keeping up with their legal education. Again, note the affirmative impact which the College's program had on these Judges as shown by the following examples:

- (1) "... the course is excellent ... the curriculum emphasizes criminal law, evidence and sentencing ... they were handled with consummate skill and certainly developed a keen insight in the modern day problems that a judge faces...."
- (2) "... There was great emphasis on the model sentencing act as proposed by the American Bar Association."

In addition, the course descriptions included in the National College catalogue (pp. 33-38) repeatedly suggest the emphasis on current legal developments.

b. It is difficult fairly and empirically to evaluate the impact of this Project on the entire criminal justice system generally, or on the reduction of crime specifically. We thus restate our original premise: the continuing education of Judges and others associated with law enforcement, on broad issues and questions concerning the administration of justice locally, regionally and nationally in an increasingly complex society,



benefits and serves our common goals of a safe community and a system of justice which is, in fact, just.

4. The response to this inquiry is more comprehensively covered in subsection 8 of SECTION IV. Suffice it to say here that Pennsylvania has no comparable means of offering an indepth educational experience to members of its judiciary. Were Pennsylvania to establish the facilities for carrying on an in-state program of corresponding depth, more Judges would be reached and a more specific, relevant curriculum could be developed. But, the initial costs and maintenance funding would be high unless an existing law school or consortium pooled resources. For these reasons, our recommendations (SECTION V of this report) focus on that portion of the Program where resources could be more efficiently utilized.

5. a., c. The responses of attending Judges indicate the generally high quality and value of the National College of the State Judiciary experience. These responding Judges consider the individual courses (see Appendix I, questions 2 and 3) to be valuable, and are unanimous in recommending the Program as a whole to fellow Judges (see Appendix I, question 11). These points deserve emphasis. It is obvious to the Evaluation team that this perception of the overall Program as a worthwhile experience is indicative of a well-planned, well-presented, and necessary educational enterprise.

Since Pennsylvania currently provides judicial education through the Annual Conference Program, it is this yearly meeting which must be focused on as both the "different approaches and methods" and "results which might have been expected in the absence of this Project." The comparison is difficult at best as the Programs differ in conception as well as in application. The Conference, even if optimal conditions were present, can only hope to cover a selected number of areas in its few days. The College, on the other hand, presents a four-week total immersion atmosphere where much can be investigated, much can be learned. While our suggestions further explored in SECTION V of this Report posit the need for increased integration of the College and Conference experiences, the Conference could not be a replacement for the College experience.

6. and 7. The Evaluation team considers that these inquiries are best treated together. An interesting result of our inquiries into the value of this Project, is the knowledge that the National College of the State Judiciary offers a two-week course for Magistrates or District Justices. It is our belief that the possibility of utilizing the facilities of the College for the training of the minor judiciary should be further investigated.

8. The approximate per person costs of this Program are as follows: for the four-week session \$3750; for the two-week graduate program \$2100. These costs are high when compared with the Conference approach but more modest when compared with the amount required to develop and maintain a new, unaffiliated, separate (with an existing law school) in-state facility capable of serving the same purpose. We will cover various suggestions for increasing the efficiency of this Program under SECTION V of this report. But it should be mentioned here that the small number of attending Judges is not correspondingly reflected in an in-state administrative or evaluation cost savings. This particular aspect of the Project must be corrected if the Program is to reach its potential utilization value. Hopefully improved solicitation techniques will result in increased attendance by Pennsylvania Judges.

## SECTION V. FINDINGS AND RECOMMENDATIONS:

1. a-b-c. The stated Project objectives were: 1) to increase the competence and confidence of the relatively new Judges through better understanding the judicial role and the judicial process; to afford new Judges an opportunity to learn about methods employed by other Judges from other jurisdictions; 2) to give a more experienced Judge the opportunity to compare methods with those used in other jurisdictions; to reexamine developing judicial philosophy particularly as it relates to various court problems; 3) to encourage use of modern management techniques for increased efficiency of the trial courts; to pursue means of providing speedy trials in order to improve the quality of justice.

For the limited number of attending Judges, the Project achieved the specific objectives. Response to the questionnaires indicate that all but one of those in attendance at the four-week residence sessions had been on the Bench for less than two years.

(See Appendix I, question 31.) Those attending the

four-week residence session viewed the College as a broadening experience and one resulting in increased self-confidence as well as in a better understanding of judicial problems. (See Appendix 1, Question 4.)

The major criticism of the Project is the small number of participating Pennsylvania Judges, and the Evaluation must consider this fact as inhibiting the impact of the Project on the criminal justice system in this state. Those in attendance testified to the excellence and value of the College Program. (See Appendix 1, question 9, 10 and specifically 11.) Broadening the perspectives, increasing the self-confidence, adding to the substantive and procedural knowledge of sitting Judges are legitimate and important goals. Achieving these goals, as the Project does, according to those in attendance and our own evaluation, has a beneficial impact on the criminal justice system. But where only ten Pennsylvania Judges attended the College, and only ten, thereby, received direct benefit from this Project, the impact on the overall criminal justice system in Pennsylvania is probably marginal even where President Judges are those attending and influence their colleagues because of their administrative position. It should be repeated

that despite the paucity of attending Judges, the College does more than a creditable job, as does the Project, of educating Pennsylvania Judges at the College.

*educating*  
^  
*at*  
^

2.a. The Project objectives are appropriate and practical. These findings are based on the apparent excellence of the College Program, its reported value to participating Judges, and the pressing need in Pennsylvania for indepth training and continuing education of the state judiciary.

*in depth*

b-c-d. The purpose of this Evaluation is not to consider the value of the College Program, but is limited to ascertaining the value of continuing Pennsylvania's participation in the National College. We have the following recommendations which, if implemented by the Project staff, should improve the value to this state:

- (1) Pennsylvania should make additional use of the National College's resources. As an illustration, the College has a state seminar program for which lecturers and materials are supplied. This circuit-riding program could be tied indirectly with the existing Pennsylvania Conference of State Trial Judges or could be offered during the year in various sections of the state. Arrangements could be made with the College to videotape those sessions which attending Judges have found to be

most valuable; e.g., the Special Problems or Criminal Law Lectures (See Appendix I, question 2). These videotapes could then be shown either at the Annual Conference of State Trial Judges or at periodic intervals throughout the year in various sections of the state. Following the videotapes, those Judges attending the live classes could hold workshops and thus further pursue and elaborate on the covered material, while simultaneously providing full and personal coverage.

(2) Individual law schools or consortia should be encouraged to pool educational techniques and talent into a continuing educational program for Judges in Pennsylvania. It is appropriate for law schools, which have heretofore primarily been concerned with training would-be lawyers in a J.D. (LL.B.) program, or in continuing education programs for lawyers, to become involved in this. The intellectual pool brought together in a major law school is a formidable asset, and increasingly the utilization of these resources and techniques for non-lawyer training will be apparent. Furthermore, the pooling of law school resources in a particular region, as in the Philadelphia or Pittsburgh regions where four and two law schools, respectively, are situated, makes sense financially and practically as well as educationally.

There is no good reason why law schools do not begin making their resources available for the initial training, upon appointment, of Judges, and in semesterized or compressed educational programs of a continuing nature for Judges who have already served.

- (3) Another means of utilizing the College would be to request those Judges who have attended the Reno College to become area seminar leaders for mid-year meetings, regionally or state-wide or locally, where particularly important applicable topics covered at Reno could be redone or imparted to Judges unable to attend the College.
- (4) The National College of the State Judiciary also offers a two-week course for Magistrates or District Justices. Participation in this program is worthy of consideration because of the need to upgrade the Pennsylvania minor judiciary. The extent to which such participation would supplant or supplement the Institute on Courts of Initial Jurisdiction, is for future determination.
- (5) The most serious defect of the existing program is the apparent inability to encourage sufficient attendance of sitting Judges. The College will probably not have meaningful educational impact on the judicial system of Pennsylvania without greater attendance. The

publicity-selection process now utilized will have to be modified. We would tentatively offer the following suggestions to increase attendance. (In the 1973 year, as you will recall, there was budget for twenty Judges to attend a four-week residence section, and ten Judges to attend a two-week graduate session. Yet, only eight Judges attended the former and two the graduate classes.) It may be impractical to attract Judges at a higher rate than in the past. After all, a Judge is considered by the public, Bar and Bench in descending orders of awe, to know just about everything about the legal system and particular laws and procedures. It is a calculated risk, according to some, for a Judge to "admit" that he or she could actively benefit from a purely educational experience at the National College. The extent to which public officials have two or four weeks, in addition to vacation, to spend learning about judging, is also an inhibiting possibility. It is, of course, easier to absorb the loss of several Judges in a county with fifty than it is to absorb the loss of one Judge in a county with only three. But once we get beyond these general points, we have the following recommendations:

(a) encouraging those who have attended to "talk up" the National College with colleagues; (b) The

Administrative Office of the Pennsylvania Courts should provide adequate funding for a mailing list containing the names and addresses of all appropriate Judges to the administration of the National College. A direct mailing of all pertinent information may encourage increased participation by the Pennsylvania Judges. Alternatively, the National College could supply appropriate informative materials to the Pennsylvania Court Administrator's Office which could then mail it to Judges throughout the state; (c) as either a preview of this material or as a follow-up, the Project staff could obtain permission from the Judges who participated in previous years to quote selectively from letters enthusiastically reporting the value of the National College Program. This material could be presented in a tasteful and attractive brochure outlining the high points and benefits of the National College experience and the availability of full funding; (d) the President Judge of each Court should encourage members of the Court to attend the National College through the adjustment of calendars, vacations, etc., with this as a high priority item; (e) utilize the two-week regular sessions for those Judges who for professional and/or personal reasons, cannot absent themselves from home or work for the basic four-week

course. This suggestion might be the most practical one under the circumstances, and also raises again the question of establishing such programs within the State of Pennsylvania.

e. The total LEAA funds requested for this Project was \$49,490, for twenty Judges participating in the four-week (residence) session, and ten Judges participating in the two-week (graduate) session. The approximate per person cost of this Program are, accordingly, \$3750 and \$2100, respectively. When compared with the Annual Conference approach, these costs seem high but are modest when compared with the amount required to develop and maintain a new, unaffiliated, separate (with an existing law school) in-state facility capable of serving the same purpose. See further, SECTION IV, § above. We have reviewed the travel costs, and conclude there are quite reasonable. Indeed, the food off-campus allowance of \$15 a day for week-ends is, in our view, inadequate and should be increased.

f. The Project is worthy of continued funding consistent with our recommendations. The indepth aspects of the College experience provide the type of analytical, thoughtful examination of both substantive and procedural aspects of decision-making which are necessary to a competent and self-confident judiciary. Without its own such judicial training program, Pennsylvania can ill afford not to take

advantage of the National College. Indeed, there are arguments for the National College approach if one objective is to have a common inquiry and common response to common problems regardless of the state or jurisdiction in which they arise and are decided. In the National College, obviously, Judges from many states are present, but if there were a Pennsylvania College the overwhelming majority of participating Judges would be Pennsylvanians, and state law might mandate that they be the exclusive participants.

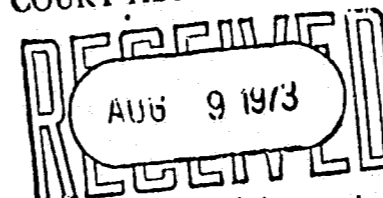
g. Our evaluation has most critically been hampered by the dearth of materials on which to base an analysis, which is a direct result of there having been so few participating Pennsylvania Judges this year. This is not to imply that the individual letters were not helpful; indeed there were but only six questionnaires from the basic four-week course, and just two from the graduate course. Future evaluation of this Project would probably be assisted by an on-site inspection, at least during the first and last weeks of the basic four-week program and one such inspection for the graduate program. The future evaluator might also find it useful to inspect designated states in order to determine the local uses and application that

each is making of the National College opportunity discussed above. For instance, we are informed by one of Pennsylvania's participating Judges, that Michigan provides a required program on the model of the National College for orientation of new Judges at the time each assumes judicial duties.

It should also be mentioned that the formal outline for evaluation reports does not have particular relevance to the evaluation of this Project. Although we realize that these are guidelines and not required forms, and while we further recognize the good sense of encouraging some symmetry and equivalency in the form of reports being read by one staff, it should be noted that this particular report has lumped several subsections together.

3. For our response to this inquiry, see SECTION IV, 3, b, above.

COURT ADMINISTRATOR



SESSION I - 1973

EVALUATION OF THE SESSION

Your views regarding the session in which you have participated will materially aid us in improving future programs.

This form should not be filled out until you have completed or almost completed the entire session. Please answer carefully each of the questions on the form and return it to us before your departure.

Laurance M. Hyde, Jr.

1. The following list includes those expectations that are most commonly held by the participants. Please indicate in column A how you would scale your own expectations and in column B to what extent those particular items were actually realized. (Throughout this questionnaire, please use "1" to indicate "least" and "5" to indicate "most.")

Circle one number in column A and one number in column B

	A					B				
	Low			High		Low		High		
a. Obtaining information about the law	1	2	3	4	5	1	2	3	4	5*
b. Obtaining new insights into legal problems	1	2	3	4	5	1	2	3	4	5*
c. Getting up to date on recent legal developments	1	2	3	4	5	1	2	3	4	5*
d. Developing a greater sense of confidence in your own job performance	1	2	3	4	5	1	2	3	4	5*
e. Developing a greater awareness of the extent to which your problems are shared by other judges	1	2	3	4	5	1	2	3	4	5*
f. Learning from other judges different ways of solving your problems	1	2	3	4	5	1	2	3	4	5*

(continued)

\*Super-numerals indicate the number of individual responses..

	A					B				
	Low	2	3	High	5	Low	2	3	High	5
g. Developing greater respect for your fellow judges	1	2	3	4	5	1	2	3	4	5*
h. Improving your own judicial performance	1	2	3	4	5	1	2	3	4	5*
i. Learning about problems with which you had not previously been concerned	1	2	3	4	5	1	2	3	4	5*
j. Other (please specify)										

2. Please list the three courses that were most valuable to you. (A complete list of the courses is set out on page 8 of this questionnaire.)

- a. Special Problems - 3
- b. Criminal Law - 3
- c. Civil Proceedings, Judicial Discretion-2

3. Please list the three courses that were least valuable to you.

- a. Court Administration - 4
- b. Family Law -3
- c. Civil Law - 2

4. From the following, please select the three items that represent the areas in which you felt the greatest impact of the session. In the space provided, indicate "1st," "2nd" and "3rd" to show the order of importance.

- a. Understanding of the law a. 2
- b. Understanding of judicial problems b. 3
- c. Self-confidence c. 3

(continued)

- d. Self-improvement
- e. Confidence in your fellow judges
- f. Broadening of your perspectives
- g. Change of your values
- h. Other (please specify)

- d. 2
- e. 1
- f. 4
- g. 1
- h. \_\_\_\_\_

5. Please scale your evaluation of the quality of the written materials that were distributed and assigned.

Low	High
1 2 3 4 5	1 4 5

6. Please scale your evaluation of the difficulty and burdensomeness of the assignments.

1 2 3 4 5	1 4 5
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7. Please check those items on the following list that most affected the extent of your class and seminar preparation.

- a. Interest in the subject matter a. 5
- b. Method of subject matter presentation b. 4
- c. Extent of preparation by fellow judges c. 2
- d. Concern with impression of fellow judges d. 2
- e. Personal affairs e. 1
- f. Other (please specify)

8. Please scale the amount of time and effort you put into preparation.

Low	High
1 2 3 4 5	2 3 5*

9. If it were available, would you be interested in returning to the college for a similar course in several years?

Yes 6 No 0



10. Please scale your interest in taking a "graduate-type" course. Low 1 2 3 4 5 High 1 5\*
11. Please scale how enthusiastically you would recommend to trial judges you know that they attend the session. 1 2 3 4 5 6\*
12. What significant changes would you make in the overall format of the session?
- Fewer lectures \_\_\_\_\_
- No changes \_\_\_\_\_
- More comparative discussions \_\_\_\_\_
- Shorter session to 3 weeks - 2 \_\_\_\_\_
13. What subjects would you add to the curriculum?
- Corrections \_\_\_\_\_ Research techniques \_\_\_\_\_
- Communications \_\_\_\_\_ Audio-visual aids \_\_\_\_\_
- Legal writing \_\_\_\_\_ Appeals from administrative decisions \_\_\_\_\_
14. Was the length of the entire program (a) too long, (b) too short or (c) just about right? (check one)
- (a) too long 2 (b) too short \_\_\_\_\_ (c) just about right 4
15. Should we continue the program of luncheon speakers?
- Yes 4 No 2
16. If so, should the talks be oriented more to subjects of direct concern to the judiciary or less so?
- More 3 Less 2 Should remain the same 1

17. What talks or types of talks would you prefer?
- State Government \_\_\_\_\_ Volunteer Programs \_\_\_\_\_
- Legalized Gambling \_\_\_\_\_
18. Which would you eliminate?
- \_\_\_\_\_
19. Was your family with you?
- Yes 4 No 2
- Staying at:
- College Inn \_\_\_\_\_ White Pine \_\_\_\_\_ Stead \_\_\_\_\_ Other \_\_\_\_\_
20. If your family accompanied you, did they enjoy the month sufficiently so that they could be induced to attend a session with you in the future?
- Yes \_\_\_\_\_ No \_\_\_\_\_
21. Within the limitations imposed by the fact that our primary mission is education for judges attending and not to provide a vacation resort for families, what could we do to make their stay more pleasant?
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

22. Who was your faculty advisor? \_\_\_\_\_

23. How worthwhile were your evening sessions? (scale 1-5)

	Low			High		
	1	2	3	4	5	2*

24. Would you prefer that your faculty advisor give more or less guidance?

More 1 Less \_\_\_\_\_ Was about right 5

25. Would you prefer to spend (a) time reviewing the previous lecture, (b) time discussing the subjects assigned for the following day or (c) equal time given to each? (check one)

(a) \_\_\_\_\_ (b) \_\_\_\_\_ (c) \_\_\_\_\_

26. Did your faculty advisor dominate the session more than he should?

Yes 1 No 5

27. Did he keep the group on the subject and prevent any member from monopolizing the discussion?

Yes 1 No 5

28. General comments regarding evening seminars: (Evaluation here depends on "who" the group leader is)

\_\_\_\_\_

Advisors should be experienced group leaders

\_\_\_\_\_

Members of groups should have pre-assignments

\_\_\_\_\_

Evenings were the best part of program; stimulating 2

\_\_\_\_\_

Move evening sessions to afternoon

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

29. What is your present age? 60, 57, 54, 51, 47, 35

30. What is the name of the court on which you now sit?

Court: Commonwealth 1, Common Pleas 5 State: \_\_\_\_\_

31. How many years have you been a judge on that court? 0, 1 1/2(3), 5 1/2 7 months.

32. Did you have a previous judicial position? No - 6

For how long? \_\_\_\_\_ In what court? \_\_\_\_\_

33. In your present judicial capacity what are the major types of cases over which you preside? (please check)

Criminal misdemeanor	<u>5</u>
Criminal felony	<u>5</u>
Civil (limited)	_____
Civil (unlimited)	<u>4</u>
Juvenile	<u>3</u>
Probate	<u>3</u>
Traffic	<u>3</u>
Domestic relations	<u>3</u>

34. Are you likely to be transferred or rotated to a different assignment in the near future?

Yes \_\_\_\_\_ No \_\_\_\_\_

35. If "yes," what are the major types of cases which might be assigned to you? (please check)

Criminal misdemeanor	_____
Criminal felony	_____
Civil (limited)	_____
Civil (unlimited)	_____

(continued)



39. Please comment on any other matters pertaining to the session not otherwise covered.

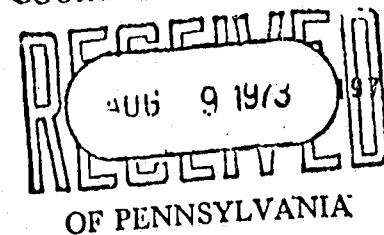
Please see comments from letters in main body of report.

Multiple horizontal lines for handwritten comments.

Name: \_\_\_\_\_

COURT ADMINISTRATOR

APPENDIX II



1973 GRADUATE SESSION - CIVIL LAW  
EVALUATION OF THE SESSION

Your views pertaining to the session in which you have participated will materially aid us in improving future programs.

Please answer carefully each of the questions on the form, which will be confidential for the Director and the Dean of the College.

Judge Ernst John Watts, Director

1. EVALUATE SUBJECT MATTER ONLY. Following is a list of the subjects presented in the order of presentation. Please scale them as to their effectiveness. Separate evaluation of faculty is made in question #3.

	Circle				
	Low				High
Torts [Witkin]	1	2	3	4	5
New Developments in the Trial [Grimes]	1	2	3	4	5
Public Understanding Workshop #1 [Friesen]	1	2	3	4	5
Contracts [Witkin]	1	2	3	4	5
Jury [King]	1	2	3	4	5
Jury Workshop #1 [Watts]	1	2	3	4	5
Mental Health [Halpern]	1	2	3	4	5
The Judge as Administrator [Sulmonetti]	1	2	3	4	5
Jury Workshop #2 [Watts]	1	2	3	4	5
Family Law [McMillian]	1	2	3	4	5
The Decision-Making Process [Fretz]	1	2	3	4	5
Computers [Adams]	1	2	3	4	5
Criminal Law in the Civil Case [Weisberger]	1	2	3	4	5

	Low	Circle	High	
Changing Duties; Life and Death; Ecology and Environment [Brown]	1	(2)	(3)	4 5
Declaratory Judgment; Libel and Slander [Grimes]	1	(2)	3	4 5
Federalism and the State Courts [Mishkin]	1	2	3	(4) (5)
Pretrial and Settlement Conferences [Levit]	1	2	(3)	(4) 5
Panel - The System Today [Hyde]	1	(2)	(3)	4 5
Court Rules of Procedure and Decorum [Revelle]	1	(2)	3	(4) 5
Court Room Management and Design [Revelle]	1	(2)	3	4 5
Jury Workshop #3 [Watts]	1	2	(3)	(4) 5
Jury Workshop - The Trial [Grimes]	1	2	(3)	(4) 5
Judicial Conduct [Fretz]	1	(2)	(3)	4 5
Public Understanding Workshop #2 [Fretz]	1	(2)	(3)	4 5
State Court Administrative Systems [Lawson]	(1)	2	(3)	4 5
Panel - The System Tomorrow [Hyde]	(1)	2	(3)	4 5
Material in McNally Outline #1 [McNally]	1	2	3	(4) (5)
Evidence: Judge's Role Under Federal Rules [Finesilver]	1	2	(3)	(4) 5
Pretrial and Preparation [Cunningham]	1	2	(3)	(4) 5
Pretrial Workshop [Cunningham]	1	2	(3)	4 (5)
Scientific Evidence [Ball]	1	(2)	3	(4) 5
Material in McNally Outline #2 [McNally]	1	2	3	(4) (5)

2. Please comment as freely as you wish about any or all of the above subjects. [See next page]

(continued on next page)

2. Please comment as freely as you wish about any or all of the above subjects.

- a. Faculty should not allow class members to ramble.
- b. Cut out night sessions - cover material in afternoons.
- c. Emphasize recent case development in torts, contracts, and especially procedures.
- d. Shorten afternoon workshops.
- e. Have more evening "rap" sessions.
- f. Lengthen evening sessions by 1 1/2 hours.





9. The methods of presentation of the subject matter are listed below. Please rate each of them as to the time spent, by checking the appropriate square below.

	Not Enough	Just Right	Too Much
Lecture	✓	✓	
Discussion	✓		✓
Workshop			✓✓
Evening Discussion Session	✓		✓

10. Please comment as freely as you wish about the methods of presentation.

- a. Having all participate actively in workshops is good; it puts the judges on the spot.
- b. Abolish discussion sessions.
- c. Workshops are too long.

Circle  
Low High

11. Please scale your evaluation of the quality of the written materials that were distributed and assigned.

1 2 3 4 5

12. Please scale how enthusiastically you would recommend to trial judges you know that they attend the session.

1 2 3 4 5

13. Was the length of the entire program: (check one)

- (a) too long \_\_\_\_\_
- (b) too short \_\_\_\_\_
- (c) just about right? ✓✓

14. What significant changes would you make in the overall format of the session?

- a. Format good \_\_\_\_\_
- b. Emphasize lecture format \_\_\_\_\_

15. What subjects would you add to the curriculum?

- a. Opinion writing \_\_\_\_\_
- b. Legal writing \_\_\_\_\_



- 16. What is your present age? 42, 62
- 17. How many years have you been a judge in the court in which you now sit? 1 1/2 (2)
- 18. Did you have a previous judicial position?
  - Yes X
  - No X

For how long? 3 years

In what court? Philadelphia Municipal Court

- 19. In your present judicial capacity what are the major types of cases over which you preside? (Please check)
 

Criminal misdemeanor	<u>2</u>
Criminal felony	<u>2</u>
Civil (limited)	<u>1</u>
Juvenile	<u>2</u>
Probate	<u>1</u>
Traffic	<u>    </u>
Domestic relations	<u>2</u>
Other: <u>Unlimited civil - 1</u>	<u>    </u>

FINAL EVALUATION PLAN FOR THE  
NATIONAL COLLEGE OF THE STATE JUDICIARY  
SUMMER 1973

I. PURPOSE OF EVALUATION: To appraise the effectiveness of the LEAA-funded project whereby members of the Pennsylvania State Judiciary are sent to the National College of the State Judiciary in Reno, Nevada, for the purpose of developing and upgrading basic skills.

II. GENERAL OBJECTIVES OF EVALUATION:

- A. To provide the Governor's Justice Commission Evaluation Unit with accurate information so as to allow for effective decision-making on funding and other related policy grounds for the criminal justice system consistent with the G.J.C. charter.
- B. To provide feedback to Project staff and G.J.C. staff concerning potential and existing problems and actual progress of particular projects.

III. EVALUATION PLAN OBJECTIVES: To implement the Evaluation Plan as detailed below in order to develop a report based on data collection, analysis and presentation.

- A. Evaluation of substantive material:

1. Tools to be used:
  - a. Questionnaires filled out by participants for the National College's own use, if those can be made available; inquiry has been initiated as to this
  - b. Personal letters solicited from Judges who attended the National College program
  
2. Comparisons to be made of findings developed from these activities with the National College's stated goals:
  - a. Four-week course designed to meet the needs of Judges of courts of general jurisdiction--objectives:
    - (1) Increase confidence of new Judges by:
      - (a) Improving understanding of role as Judge
      - (b) Improve understanding of judicial process
      - (c) Offering opportunity to learn methods of other Judges
    - (2) Give experienced Judges:
      - (a) Opportunity to compare methods
      - (b) Opportunity to re-examine his or her developing judicial philosophy and approaches to decision-making, court administration, etc., in academic atmosphere with assistance of other Judges

- (3) Encourage use of latest techniques to increase efficiency, decrease reversibility and trials de novo, improve quality of justice
- (4) Course methodology
  - (a) Emphasis on discussions; exchange of methods, experience, ideas, and procedure among Judges from different jurisdictions
  - (b) Reflection opportunities
  - (c) Evening seminars-- dividing Judges into groups of 12 to review class discussions and prepare next day's workshops
  
- b. One-week graduate course--objectives:
  - (1) Indepth study of new developments in specific areas of law
  - (2) Continuing education in substantive and procedural matters
  - (3) Methodology: lectures, demonstrations, seminars, workshops
  
3. Findings developed from the evaluation activities to be compared to a set of generalized objectives as set forth herein:
  - a. The education program must be effective in developing and improving skills of continuing value to Judges (e.g.

procedural methodology: pre-trial motions; trial management; organization; coping with backlog)

- b. The program must include material consistent with a general updating (continuing education of the judiciary)
- (1) Recent developments in law including the identification of legal trends in recent decisions, statutory changes, literature and scholarly contributions, suggested improvements by the three government branches (legislative, judicial and executive)
  - (2) Education relating to availability of modernized research tools/skills (written, oral, taped, filmed, utilization of data processing, information retrieval systems with different "meanings"-- e.g., key words, normalized syntax); education relating to availability of modernized research tools and skills deserves special attention with regard to the judiciary isolated from available legal resource centers
- c. The program must allow for an exchange of differing perspectives among participants with a view toward extending and maintaining a common approach and solutions to common problems

(It is well known that any process of codification becomes more effective as the initiators, and later the appliers, of the legislation increase the depth and breadth of shared perspectives regardless of terminological differences. The same holds true for varying levels of law appliers (e.g. appellate, trial, intermediate) and within the same level of government (national, state, local). A major goal of these Conferences, with varying formalities in sessions and programs, resulting in measurable gains from beginning to end, is the development of such shared perspectives by these Judges concerning the criminal law process and its component parts.)

4. Findings to be made based on:

- a. How well the conference attains its stated goals in terms of the perspectives and needs of Pennsylvania Trial Judges
- b. How valuable the experience was for those who attended based on an appraisal of:
  - (1) Gained knowledge
  - (2) Productively modified behavior
  - (3) Positive attitudinal changes
- c. How efficiently, in terms of cost benefit analysis, including both monetary and manhour considerations the actual results were achieved

B. Administrative objectives: use of combination of tools to include:

1. Questionnaires to participants
2. Personal interviews and meetings with the Conference planners through the auspices of the Deputy Court Administrator of Pennsylvania, Carlile King, in an effort to ascertain specific administrative and structural qualities so that the evaluation will reflect an appraisal of the form, as well as the substance of the experience
3. Solicited letters from participants

C. Potential preliminary evaluation to be submitted by September 15, 1973, with a final report, including impact and efficiency analysis to be completed by Spring, 1974.

IV. ELEMENTS OF APPRAISAL:

A. Substantive coverage:

1. Review relevance of materials, problems, solutions included in curriculum; special attention will be paid to the impact of the Conference experience on improving the ability of Pennsylvania Judges to deal with their judicial responsibilities
2. Relative simplicity or complexity of curriculum for optimum

coverage and absorption by participants having different levels of sophistication and experience; that is, how well did the Conference, as a whole and its particular components, take account of and accommodate the varying needs, capabilities, education and experience of the participants.

(We expect to obtain information relating this accommodation by combining the questionnaire responses with data gleaned from personal letters so that impact can be compared with judicial experience, need perceptions, and practical operations.)

3. Sufficient stressing of interrelationships of the judicial process and bodies of law-- statutes, criminal rules of procedure, court decisions-- are the Judges shown how to handle judicial processes and these relationships?

B. Administration and structuring:

Administrative handling of the Program and its Conference, operation and management, personnel, administrative structure, resource allocation, funding sufficiency, desirability in terms of thought given alternatives for such monies

1. Scheduling in relation to types of interaction and timing

(Total: number of days for each Conference (hours, breaks within days, programs).

- a. Relationship of length of time to accomplishment of goals without discouraging attendance at sessions; (note: one inhibiting factor in that some Judges, particularly those alone in their Districts, cannot afford much concentrated time away from their communities, etc.; and in addition, have little or no staff with which to keep abreast once a certain level of competence is obtained)

b. Use of time available

Were sessions scheduled in consecutive blocks?

What might this mean in terms of lost interpersonal exchange and individual reflection, etc.?

Too spread out? Were sessions arranged with too much time free between each; what might this mean in terms of lost interest or resentment buildup due to wasted time?

Was provision made for "acclimation" period during which what seems like dysfunctional or non-communication occurred but what is better understood as a getting-to-know-each-other-out period, and is very important for later, beneficial communication?

2. Participants

- a. Notice, i.e., extent and amount of publicity to attract participants; distribution coverage of publicity; sufficiency of materials and methods; clarity of material; appropriateness of process by which participants were selected

b. Analysis of participants by groups

(1) Groups: age, experience, sex

(2) Attempt to determine reasons for non-participants' absence and participants' attendance; recognition of possibility that those in greatest need may not have attended; solicit suggestions to overcome this problem

3. Subject matter--including breakdown of units in the process: how, what and by whom chosen; appropriate time allocation, individual workshop evaluation

4. Physical facilities--attractive, functional accommodations, geographic convenience for participants, opportunities for non-pressured interpersonal exchange

5. To what degree does National College have a follow-up aspect?

- a. Is program designed to facilitate commitment to a distributable form to both participants and non-participants?

- b. Are there plans to solicit constructive suggestions for the improvement of future Conferences, or other use of Conference participants' feedback?
- c. Continuity of future programs and maintenance of contact with participants via mailing lists, other means provided for?

C. Methodology: the methodology employed to evaluate the administration and structure of the Conference will involve an analysis of all questionnaires, conferences and letters.

V. REPORTS:

A. Interim report on this educational program will be prepared during Fall, 1973. This report will include:

- 1. Summary of Project activities, noting problems or results thus far evidenced and any interim recommendations
- 2. Summary of evaluation activities to date including problems, results and benefits of data collection and problems in implementation

B. Final report on the educational program will include:

- 1. Executive summary
- 2. Impact analysis
- 3. Elementary cost analysis

APPENDIX IV

September 15, 1973

Interim Evaluation Report  
National College of the State Judiciary  
(Summer, 1973)

I. Evaluation Progress

A. Evaluation activities to date:

- 1. Conferences were held with Deputy Court Administrator, Carlile King, of the Administrative Office of Pennsylvania Courts to assist our ascertaining the goals, program and planned activities of the National College. These were of varying lengths, but all were extremely helpful.
- 2. The Evaluation team has successfully obtained and examined materials pertaining to the College, its philosophy, structure, administration and curriculum. These materials were received from the Court Administrator's Office, the College itself and some of the Pennsylvania participants.
- 3. The evaluation activities included soliciting letters from returning Judges commenting on their National College experiences. To date responses have been forthcoming from four Judges.
- 4. As part of the evaluation of this program the Evaluation team solicited, obtained and reviewed questionnaires completed by participants for the College's self-evaluation use.

4. Full explanation of evaluation activities
5. Conclusions and recommendations regarding both the Project and the evaluation activities

B. Progress of evaluation efforts:

The Evaluation team has been successful in obtaining written responses from attending Judges and has reviewed these in conjunction with the completed questionnaires to ascertain the Judges' immediate responses to the National College experience.

C. Problems of data collection:

We determined early in our planning that the originally discussed on-site inspection would be impractical because the anticipated return from such a visit did not balance favorably against the distance and substantial costs to be incurred. As a result, while we have had personal on-site experience with the Institute on Courts of Initial Jurisdiction and the Conference of State Judiciary, we are unable in this instance to have the benefit of such data gathering from the National College.

D. Problems in Implementing Evaluation Plan:

The Evaluation Plan called for a possible on-site inspection which we later rejected for the practical reasons enumerated above.

E. Benefit to Project staff:

In this instance the evaluators will have no direct input to the National College staff. Given this, we have considered the Administrative Office of Pennsylvania Courts as the Project staff to whom we

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D. Problems in Implementing Evaluation Plan:

The Evaluation Plan called for a possible on-site inspection which we later rejected for the practical reasons enumerated above.

E. Benefit to Project staff:

In this instance the evaluators will have no direct input to the National College staff. Given this, we have considered the Administrative Office of Pennsylvania Courts as the Project staff to whom we

should make suggestions with regard to the management and Program of the National College as it relates to and may benefit Pennsylvania enrollees. The evaluation efforts have resulted in increased awareness on the part of the Project staff of the value and importance of continuing quality education of Judges on all levels.

II. Project Progress

A. Project activities:

1. The solicitation and receipt of communications from attending Judges describing, analyzing and criticizing their experiences at the National College of the State Judiciary will be used to appraise the immediate impact of the National College on the perspectives of the participants.
2. In addition the Evaluation staff has reviewed these communications to develop a generalized impression of the National College structure and Program.
3. Conferences, both formal and informal, with the Court Administrator's Office concerning the National College Program have been and will continue to be of assistance in the evaluation effort.
4. The Evaluation team has obtained and reviewed the responses of attending Judges to the National College's own evaluation questionnaire.



B. Project problems:

We were unable to do an on-site inspection but, given the particular program, we do not feel that this will seriously impair our appraisal efforts, the value of our final report to the Governor's Justice Commission Evaluation Unit, or its subsequent value to the Pennsylvania State Court Administrator's Office.

C. Project results:

With a still limited informational base, it would be premature to reach any conclusions worthy of substantial coverage. However, the attending Judges who have responded rate the College as an excellent and valuable experience.

D. Interim recommendations:

1. As we understand it, our recommendations are not to the College staff and therefore do not involve specific suggestions as to the planning, structure, administration or curriculum of the school. Rather we are limited to evaluating this particular Program in terms of whether, as it now exists, it is a valuable and worthwhile expenditure of funds for Pennsylvania Judges. With this limitation in mind, and as a preliminary conclusion, we feel that the reports of returning Judges indicate uniquely positive values of the National College experience for the judiciary of this state.

2. One problem, however, with the National College experience is that so few Pennsylvania Judges seem to attend. It will be difficult, therefore, to measure its impact on the Pennsylvania State Judiciary as a whole.

3. The possibility of introducing seminars within the Commonwealth to provide a similar quality and type of educational experience to Judges unable to attend the National College, or to update the knowledge of those who did, should be investigated.

4. The procedure by which Judges are selected to participate needs further study to discover whether the current practices result in appropriate attendance choices, and whether the fullest use of budgeted resources for this Project is being made.

GUIDELINES FOR EVALUATION REPORTS

As a general rule, evaluators will be asked to submit two major reports during the life of a project. A brief Interim Report midway in the project should indicate the progress and problems of the project and evaluation to date, while a more complete Final Evaluation Report will be required when the project is being considered for continuation funding. At the end of the project an update of the Final Report will be provided by the evaluator. The dates for submission of reports will be determined by the Evaluation Management Unit in accordance with the information needs of the Regional Councils and the Commission.

The kinds of information needed in these reports and a suggested order are outlined below. It is understood that all of the items below may not be relevant to all projects funded by the Commission. Also, evaluators should expand upon these items where necessary.

INTERIM EVALUATION REPORT

## A. EVALUATION PROGRESS:

1. Describe evaluation activities to date.
2. Describe the progress and problems of data collection efforts. (existence, availability & relevance of the data; cost of collection, etc.)
3. What problems have arisen in implementing the Evaluation Plan?
4. In what ways has the evaluation or the evaluator been of benefit to the project staff thus far?

## B. PROJECT PROGRESS:

1. Summarize the project activities thus far.
2. Have any problems arisen? (administrative, staffing, coordination, etc.)
3. Describe the results of the project thus far.
4. Interim recommendations. (These should be directed toward solving problems which have already arisen and anticipating future problems.)

FINAL EVALUATION REPORT

## SECTION I. EXECUTIVE SUMMARY OF EVALUATION REPORT.

(NOTE: This summary is of great importance since it will be used extensively by decision-makers. It should accurately reflect the findings of the evaluation and should be no longer than two or three pages.)

1. Briefly describe the project's objectives and major activities.
2. Summarize major results, findings, and recommendations.

(NOTE: The evaluator should make a clear distinction between the immediate, practical recommendations and those requiring a longer time and greater resources to implement. The evaluator should also be prepared to defend these recommendations before the Regional Planning Councils and the Governor's Justice Commission.)

## SECTION II. PROJECT ACTIVITIES.

1. Briefly describe the original goals and objectives of the project and the problem the project was to alleviate.
2. Describe the activities of the project.

## SECTION III. EVALUATION ACTIVITIES.

1. Describe the nature, extent, and timing of all evaluation activities upon which this report is based.
2. Describe the data and information used in this evaluation. (source, date, reliability, validity, limitations, method of collection, etc.)
3. Explain the scope and limitations of the evaluation effort.
4. Describe how and when feedback was given to the project and any modifications made as a result of that feedback.

## SECTION IV. PROJECT RESULTS AND ANALYSIS.

In this section the evaluator should address the following questions:

1. What are the results of the project and how do they differ from the "Anticipated Results" as outlined in the Subgrant Application?
2. What factors led to results other than those anticipated?
  - a. the administrative structure of the project.
  - b. the operation and management of the project.
  - c. the personnel involved in the project.
  - d. the evaluation process.
  - e. the planning of the project.
  - f. the basic approach or method used to attack the problem.
  - g. level and timing of funding.
  - h. the allocation of resources or project activity.
  - i. external events beyond the control of the project.
  - j. other.

3. What impact have the results of this project had on:
  - a. the problem as outlined in the "PROBLEM" section of the Subgrant Application?
  - b. the criminal justice system and/or the reduction of crime?
4. Could these same results have been obtained more efficiently by a different allocation of resources or project activity?
5. Based on your experience in this field and your knowledge of the relevant literature, how do the results of this project compare with:
  - a. the results of other projects using a similar approach or method to solve the problem?
  - b. the results of other projects using different approaches and methods?
  - c. the results which might have been expected in the absence of the project?
6. Aside from the project-specific results, what was learned from this project that should be pursued further?
7. What were the unintended consequences of the project?
8. Analyze the results of the project in terms of its costs.

SECTION V. FINDINGS AND RECOMMENDATIONS.

1. State all findings and conclusions with specific reference to:
  - a. the extent to which project objectives were fulfilled.
  - b. the overall impact of the project on the problem it was intended to address.
  - c. the factors affecting the success of the project in achieving its objectives and the impact of the project.
2. State all recommendations concerning:
  - a. the appropriateness and practicality of project objectives.
  - b. the value of the basic method and approach used by the project to solve the problem.
  - c. the operation of the project (planning, staffing, project administration and operation, allocation of resources, etc.).
  - d. modifications in project objectives, methods and operations.
  - e. the cost of the project.
  - f. the continuation of the project.
  - g. the evaluation of this project.
  - h. other.
3. Discuss the implications of this project and your evaluation for Governor's Justice Commission policy in this area of criminal justice and law enforcement.

DEVELOPMENT AND UPGRADING OF BASIC JUDICIAL SKILLS:

NATIONAL COLLEGE OF THE STATE JUDICIARY

1973

1. SHORT TITLE OF PROJECT: Development and Upgrading of Basic Judicial Skills

2. TYPE OF APPLICATION: INITIAL REQUEST FOR CONTINUATION OF SUBGRANT NO. DS-210-72

3. APPLICANT: NAME OF ORGANIZATION: Administrative Office of Pennsylvania Courts  
STREET ADDRESS: 317 Three Penn Center Plaza  
CITY: Philadelphia COUNTY: Philadelphia ZIP CODE: 19102

4. TYPE OF ORGANIZATION:  STATE  COUNTY  CITY  TOWNSHIP  BOROUGH  
 OTHER (SPECIFY):  
 COMBINATION OF UNITS (SPECIFY):

5. PROJECT DIRECTOR: NAME: A. Evans Kephart TITLE: Court Administrator of Pennsylvania  
AGENCY: Administrative Office of Pennsylvania Courts  
ADDRESS: 317 Three Penn Center Plaza, Philadelphia 19102 TELEPHONE NUMBER: LO 7-3071

6. PROJECT FINANCIAL OFFICER: NAME: Carlile E. King TITLE: Deputy Court Administrator  
AGENCY: Administrative Office of Pennsylvania Courts  
ADDRESS: 317 Three Penn Center Plaza, Philadelphia 19102 TELEPHONE NUMBER: LO 7-3071

7. BRIEF SUMMARY OF PROJECT: To provide a post-graduate legal education for law-trained judges in order to improve judicial administration and the conditions under which judges function through the interchange of ideas related to specific problems of the judicial system.

8. DURATION OF PROJECT: FROM May 1973 TO April 1974 TOTAL MONTHS OF PROJECT: Twelve

9. STATE SPECIFICALLY THE SOURCE FROM WHICH YOU WILL OBTAIN THE REQUIRED APPLICANTS CONTRIBUTION TOWARD THE PROJECT:  
Matching contributions to be obtained from the salaries of judges attending and participating in this program.

10. ARE YOU PRESENTLY RECEIVING OR HAVE YOU APPLIED FOR OR DO YOU INTEND TO APPLY FOR FUNDS FROM ANY OTHER SOURCE WITH WHICH TO FINANCE THIS PROJECT? DESCRIBE THE SOURCE AND STATE THE AMOUNT:  
No.

10a. DO YOU INTEND TO APPLY FOR CONTINUATION FUNDING FOR THIS PROJECT FROM THE GOVERNOR'S OFFICE JUSTICE COMMISSION?  YES  NO  
FOR A RELATED FOLLOW-UP PROJECT  YES  NO  
IF YES GIVE ANTICIPATED DATE OF SUBGRANT APPLICATION: Jan. 1974 AMOUNT \$40,000

11. BUDGET DETAIL		ACCOUNT CODE						
DEPARTMENT	PROGRAM	FUND	DEPT.	BOARD	YEAR	LED.	ORGAN.	COST
BUDGET CATEGORIES		STATE BUY-IN	MATCHING FUNDS APPLICANT'S CONTRIBUTION		FEDERAL FUNDS REQUESTED		TOTAL FUNDS REQUIRED	
100	SALARIES - NEW PERSONNEL							
110	SALARIES ASSIGNED AND/OR UPGRADED							
120	SALARIES TRAINING							
130	SALARIES PERSONNEL - CONTINUATION FUNDING		\$51,800			--		\$51,800
140	ALL EMPLOYEE BENEFITS							
309	CONTRACTED CONSULTANT SERVICES							
310	EVALUATION						1,500	1,500
335	TRAVEL						\$27,990	27,990
410	MOTOR VEHICLES							
420	OFFICE EQUIPMENT							
430	RADIO COMMUNICATIONS EQUIPMENT							
440	FURNITURE AND FURNISHING'S							
300	INDIRECT COSTS							
301	TRAINING FEES AND REGISTRATION						20,000	20,000
302	DATA PROCESSING SERVICE AND RENTAL							
320	PRINTING							
330	POSTAGE							
332	TELEPHONE AND TELEGRAPH							
340	UTILITIES AND FUEL (EXCEPT MOTOR VEHICLE)							
360	MOTORIZED EQUIPMENT - SUPPLIES AND REPAIRS							
365	MAINTENANCE SERVICE							
370	RENT OF REAL ESTATE							
375	RENT OF EQUIPMENT (OTHER)							
383	FOOD							
385	OFFICE SUPPLIES							
388	EDUCATIONAL SUPPLIES							
399	MAINTENANCE - MATERIALS AND SUPPLIES							
399	OTHER SERVICES AND SUPPLIES							
450	LAND ACQUISITION							
460	CONSTRUCTION - BUILDINGS/STRUCTURES							
470	BUILDING PURCHASE							
480	RENOVATIONS AND MODIFICATIONS							
800	APPLICANTS IN-CASH CONTRIBUTION							
TOTAL BUDGET			\$51,800			\$49,490		\$101,290
PERCENTAGE OF TOTAL MATCH AS RELATED TO PROJECT TOTAL (%)								
DRAW DOWN MONEY NEEDED PER QUARTER		FUNDS	1st	2nd	3rd	4th	5th	
		FEDERAL	\$49,490					
		STATE BUY-IN						

GOVERNOR'S JUSTICE COMMISSION  
APPLICATION FOR SUBGRANT

Page 3

SUBGRANT NO. - FOR G.J.C. USE

17. BUDGET NARRATIVE - DEFINE ITEMS IN BUDGET DETAIL BY EACH CATEGORY NUMBER IN ITEM 11. NUMBER SUBSEQUENT PAGES CONSECUTIVELY i.e. APPLICATION PAGES 3a, 3b, 3c, etc.

120 - Salaries - Training

A conservative average valuation of daily judicial salaries is \$70.

20 Judges (Resident Sessions) @ \$70 x 30 days	\$42,000	
10 Judges (Graduate Sessions) @ \$70 x 14 days	<u>9,800</u>	
Total Salaries (in-kind contribution)	<u>\$51,800</u>	
Applicant's Total Contribution		<u>\$51,800</u>

301-Training - Fees & Registration

Registration Fee (Per Catalog)		
Resident Session (\$150 x 20 Judges)	\$ 3,000	
Graduate Session (\$100 x 10 Judges)	1,000	
Tuition Fee (Per Catalog)		
Resident Session (\$600 x 20 Judges)	12,000	
Graduate Session (\$400 x 10 Judges)	4,000	
Total	<u>\$20,000</u>	\$20,000

310- Evaluation - Estimated

1,500

335 - Travel

Round-Trip Coach Fare to Reno, Nevada \$298 x 30 Judges	\$ 8,940	
Ground Transportation Expenses \$30 x 30 Judges (Estimated)	900	
Resident Sessions (20 Judges) Food & Lodging (On Campus) Per Catalog \$460 x 20 Judges	9,200	
Food Off Campus (Weekends) 7 Days @ \$15 x 20 Judges	2,100	
Graduate Sessions (10 Judges) Food & Lodging (On Campus) Per Catalog \$240 x 10 Judges	2,400	
Food Off Campus (Weekends) 3 Days @ \$15 x 10 Judges	450	
Total	<u>\$27,990</u>	<u>\$27,990</u>

\$49,490

Total Applicant's Contribution	\$ 51,800
Total Federal Funds Requested	<u>49,490</u>

Total Costs III \$101,290

GOVERNOR'S JUSTICE COMMISSION  
APPLICATION FOR SUBGRANT

Page 4

SUBGRANT NO. - FOR G.J.C. USE

13. PROJECT DESCRIPTION - PLEASE STATE CLEARLY AND IN DETAIL WITHIN FIVE PAGES IF POSSIBLE, PRECISELY WHAT WILL BE DONE, WHO WILL BE INVOLVED AND WHAT IS EXPECTED TO RESULT. USE THE FOLLOWING MAJOR HEADINGS:

- I. PROBLEM
- II. RESULTS ANTICIPATED
- III. PROJECT ACTIVITIES AND TIMETABLE
- IV. RESOURCES TO BE USED
- V. EVALUATION PLAN

NUMBER SUBSEQUENT PAGES CONSECUTIVELY, i.e., APPLICATION PAGE 4a, 4b, etc.

I. Problem

There are presently 285 authorized judges of the courts of common pleas in the Commonwealth of Pennsylvania. These are the trial courts of the 59 judicial districts, and they have general jurisdiction in criminal and civil matters. It is essential that each of the judges have experience in all phases of the law, and in many instances, particularly in those judicial districts having only one judge, there is little opportunity for an exchange of knowledge and information. Furthermore, there is a constant need for continuing education for the judiciary, designed to assist the judges in keeping up with the vast changes which occur in the legal field.

II. Results Anticipated

The National College of the State Judiciary represents a unique development in the field of post-graduate legal education. The objectives of the course are (1) to increase the confidence of the relatively new judge by giving him a deeper understanding of his judicial role and the entire judicial process, and to afford him an opportunity to learn those methods used by judges in other jurisdictions; (2) to give the experienced judge an opportunity to compare his methods with those used in other jurisdictions and an opportunity to re-examine his developing judicial philosophy and approaches to the various court problems in an academic atmosphere and with the assistance of his fellow-judges; and (3) to encourage the use of the

latest techniques to increase the efficiency of the trial courts, to improve the quality of justice, and to continue to seek means of bringing about speedy trials.

Seventy-six Pennsylvania trial judges have attended the National College of the State Judiciary over the past several years. The College is able to accommodate only a limited number from each state, and Pennsylvania hopes to upgrade its judicial system by affording this educational opportunity to as many jurists as possible.

III. Project Activities and Timetable

In 1973 the National College of the State Judiciary will conduct two basic four-week courses designed to meet the needs of judges of courts of general trial jurisdiction.

The 1973 sessions will be held at the University of Nevada, Reno Campus, on the following dates:

Session I (four-week resident session)	June 17 to July 13, 1973
Session II (four-week resident session)	July 17 to August 10, 19
Graduate Session II	June 17 to June 29, 1973
Graduate Session III	July 17 to July 31, 1973
Graduate Session IV	October 21 to November 2, 1973

Every effort is made to achieve a balance between judges from rural districts and those from metropolitan areas with as near geographical distribution as possible. All sessions will be national in scope. The College has indicated they will accept twenty (20) judges from Pennsylvania

at the Resident Sessions and ten (10) judges for the Graduate Sessions.

IV. Resources to Be Used

A conservative estimate of the daily salary for Pennsylvania jurists attending this course is \$70 per day. The applicant's in-kind contribution consists of his salary, which is paid by the Commonwealth of Pennsylvania to those judges who will be attending the resident and graduate sessions.

The cost of attendance at the National College relative to the registration fee, tuition, food and lodging, is set forth in the 1973 catalog. In addition, the travel expenses and off-campus meals (on weekends when the cafeteria is closed) would be reimbursed as follows:

	<u>Resident Session</u>	<u>Graduate Session</u>
Round-trip coach fare	\$ 298	\$ 298
Ground transportation	30	30
Food and lodging on campus	460	240
Meals off campus	105	45
Registration fee	<u>150</u>	<u>100</u>
	\$1,043	\$ 713

V. Evaluation Plan

The teaching methodology relies heavily upon discussion among the participants, with the faculty directing the discussions and serving as catalysts. One of the most valuable benefits of the courses is the opportunity for broad exchange of methods, experiences, ideas and procedure among judges from all parts of the nation.



Reinforcing classroom discussion, the program has incorporated a distinctive vehicle for learning. The evening seminar session, held five nights a week, has been acclaimed as highly significant to the learning experience. The seminar provides an opportunity for the judge-participant to play an active role in the teaching process. Guided by faculty advisers, judges are divided into groups of twelve to review that day's discussion and to prepare for the topics which will be covered the next day.

The teaching faculty includes eminent jurists, lawyers and professors of law.

STANDARD SUBGRANT CONDITIONS

APPLICANT UNDERSTANDS AND AGREES THAT ANY SUBGRANT RECEIVED AS A RESULT OF THIS APPLICATION SHOULD BE SUBJECT TO AND INCORPORATE THE FOLLOWING SUBGRANT CONDITIONS:

- 1) **Reports** - The subgrantee shall submit, at such time and in such form as may be prescribed, such reports as the G.J.C. may reasonably require, including financial reports, progress reports and evaluation reports.
- 2) **Copyrights and Rights in Data**. Where activities supported by this subgrant produce original computer programs, writing, sound recording, pictorial reproductions, drawings, or other graphical representation and works of any similar nature (the term computer programs includes executable computer programs and supporting data in any form), the G.J.C. and LEAA have the right to use, duplicate and disclose same in whole or part in any manner for any purpose whatsoever and have others do so. If the material is copyrightable, the subgrantee may copyright such, provided that the G.J.C. and LEAA reserve a royalty-free non-exclusive and irrevocable license to reproduce, publish, and use such materials, in whole or in part and to authorize others to do so. The subgrantee shall include provisions appropriate to effectuate the purposes of this condition in all contracts of employment, consultant's agreements or other contracts.
- 3) **Patents**. If any discovery or invention arises or is developed in the course of or as a result of work performed under this subgrant, the subgrantee shall refer the discovery or invention to the G.J.C. The subgrantee hereby agrees that determinations of rights to inventions made under this subgrant shall be made by the Administrator of LEAA or his duly authorized representative, who shall have the sole and exclusive powers to determine whether or not and where a patent application should be filed and to determine the disposition of all rights in such inventions, including title to and license rights under any patent which may issue thereon. The determination of the administrator or his duly authorized representative, shall be accepted as final. In addition, the subgrantee hereby agrees and otherwise recognizes that the G.J.C. and LEAA shall acquire at least an irrevocable non-exclusive royalty-free license to practice and have practiced throughout the world for governmental purposes any invention made in the course of or under this subgrant. The subgrantee shall include provisions appropriate to effectuate the purposes of this condition in all contracts of employment, consultant's agreements or other contracts.
- 4) **Discrimination Prohibited**. No person shall, on the grounds of race, creed color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under subgrants awarded pursuant of Public Law 90-351, as amended, or any project, program or activity supported by this subgrant. The subgrantee must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and regulations issued by the U.S. Department of Justice and the LEAA thereunder as a condition of award of Federal funds and continued subgrantee support. The subgrantee further must comply with the U.S. Department equal employment opportunity regulation in Federally assisted programs, to the end that discrimination in employment practices of law enforcement assistance agencies, and other agencies or offices administering, conducting or participating in any program or activity receiving Federal financial assistance, on the grounds of race, color, creed, sex or national origin, be eliminated. This subgrant condition shall be interpreted not to require the imposition in subgrant-supported projects of any percentage ratio, quota system or other programs to achieve racial balance or eliminate racial imbalance in a law enforcement agency. The U.S. and the G.J.C. shall reserve the right to seek judicial enforcement of this condition. Provided, that the subgrantee shall also comply with all state laws prohibiting discrimination on the basis of race, creed, color, nation origin sex, or age and hereby consents to jurisdiction by the Pennsylvania Human relations Commission to determine violations of such laws and to require affirmative action Programs, where appropriate. Failure of a subgrantee to establish and conform to any affirmative action plan required by the Pennsylvania Human Relations Commission may result in termination of subgrants and ineligibility of a subgrantee to receive additional funding from the G.J.C. until such affirmative action plan is approved by the Pennsylvania Human Relations Commission and complied with by the subgrantee.
- 5) **Allowable Costs**. The allowability of charges made to funds subgranted by the G.J.C. shall be determined in accordance with the general principles of allowability and standards for selected cost items set forth in the Office of Management and Budget Circular No. A-87 entitled Principles for Determining Cost Applicable to Grants and Contracts with State and Local Government and interpreted and amplified in the LEAA Financial Guide, as amended.
- 6) **Expenses Not Allowable**. Subgrant funds shall not be expended for: (a) items that are not part of the approved project budget or that are not separately approved by the G.J.C.; (b) purchase of land; (c) dues to organizations or federations; (d) entertainment. This list is not exclusive. See subgrant condition number 5 above.
- 7) **Fiscal Regulations**. The fiscal administration of grants shall be subject to such further rules, regulations, and policies concerning accounting and records payment of funds, cost allowability, submission of financial reports, etc. as may be prescribed by the G.J.C. consistent with the purposes and authorizations of Public Law 90-351, as amended by Public Law 91-644 including those set forth in the LEAA Financial Guide, as amended.
- 8) **Recording and Documentation of Receipts and Expenditures**. Accounting procedures must provide for accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances. Controls must be established which are adequate to insure that expenditures charged to subgrant activities are for allowable purposes and that documentation is readily available to verify that the charges are accurate.

## APPLICATION FOR SUBGRANT

Page 5a

- 9) Maintenance of Records. All required records shall be retained in Pennsylvania for a period of three years after completion of a project or until all audit findings have been resolved, whichever is sooner.
- 10) Inspection and Audit. The G.J.C., The Auditor General of Pennsylvania, Law Enforcement Assistance Administration, and the Comptroller of the United States or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers and records of the subgrantee or its contractor as provided by Section 521 of Public Law 90-351.
- 11) Utilization and Payment of Funds. Funds awarded are to be expended only for purposes and activities covered by subgrantees' approved project plan and budget.
- 12) Written Approval of Changes. Subgrantee shall obtain prior written approval from G.J.C. for project changes. These include: (a) changes in project activities, designs, or research plans set forth in the approved application; (b) changes in the project director or key professional personnel identified in the approved application; and (c) changes in the approved project budget.
- 13) Project Income. All interest or other income earned by the subgrantee through the use of subgrant funds or as a result of conducting the subgrant project (sale of publications, registration fees, service charges on fees, etc.) must be accounted for. Interest on subgrant funds must be returned to G.J.C. by check payable to 'Governor's Justice Commission' and other income shall be applied to project purposes or in reduction of projects costs.
- 14) Title to Property. Title to property acquired in whole or in part with subgrant funds in accord with approved budgets shall vest in the subgrantee so long as it is being used for purposes authorized by P.L. 90-351, as amended. Discontinuation of authorized use of such property shall subject it to divestment at the option of the G.J.C. or LEAA (to the extent of G.J.C. contribution toward the purchase thereof) at any time upon written notice by the G.J.C. Subgrantee shall exercise due care in the use, maintenance, protection and preservation of such property during the period of project use.
- 15) Third Party Participation. No contract or agreement may be entered into by the subgrantee for execution of project activities or provision of services to a subgrant project (other than purchase of supplies or standard commercial or maintenance services) that is not approved in advance by G.J.C. Any such Arrangements shall provide that the subgrantee will retain ultimate responsibility for the subgrant project, and that the contractor shall be bound by these listed subgrant conditions and any other requirements applicable to the subgrantee in the conduct of the project.
- 16) Obligation of Subgrant Funds. Subgrant funds may not, without advance written approval by G.J.C., be obligated prior to the effective date or following the termination date of the approved subgrant period. Substantial program implementation is required within 60 days of the date specified in the award letter. Failure to achieve such program status within such time limit may result in termination of the subgrant. Obligations outstanding as of the termination date shall be liquidated within 90 days. Such obligations must be related to goods or services provided and utilized within the subgrant period and for approved project costs.
- 17) Assumption of Costs. Subgrantee agrees to assume the costs of the project after the period of subgrant assistance ends. Nevertheless, the G.J.C., where appropriate, may consider continuation funding of the project provided the subgrantee demonstrates its intent to ultimately assume its complete costs.
- 18) Supplantation: Subgrantee agrees not to use herein granted funds to supplant local funds but to use such funds to augment the full local funds budgeted for criminal justice.
- 19) Timing of contributions. The full subgrantee matching share must be contributed no later than the date at which all of the subgrant funds have been expended.
- 20) Reporting Criminal Justice Statistics. When required, the subgrantee shall provide statistical information as requested by the Attorney General of the Commonwealth of Pennsylvania or his duly authorized agent, thereby complying with Act 188 of 1969, known as the Uniform Criminal Statistics Law.
- 21) Purchases. When required by applicable state statutes, government applicants shall purchase services, materials and equipment from the lowest bidder, after advertising for bids.
- 22) Termination of Aid. This subgrant may be terminated or fund payments discontinued by the G.J.C. where it finds a substantial failure to comply with the subgrant conditions or G.J.C. regulations in accordance with procedures set forth in Section 510 and 511 of P.L. 90-351, as amended by P.L. 91-644.
- 23) Criminal Penalties. Notice is hereby given the Federal law provides: Whoever embezzles, willfully misapplies, steals, or obtains by fraud any funds, assets or property which are the subject of a grant or contract or other form of assistance pursuant to this title (P.L. 90-351, as amended by P.L. 91-644), whether received directly or indirectly from the [L.E.A.A.] Administration, shall be fined not more than \$10,000 or imprisoned for not more than five years or both. Whoever knowingly and willfully falsifies, conceals or covers up by trick, scheme, or device, any material fact in any records required to be maintained pursuant to this title shall be subject to prosecution under the provisions of Section 1001 of Title 18, United States Code. Any law enforcement program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to this title, whether received directly or indirectly from the [Law Enforcement Assistance] Administration, shall be subject to the provisions of Section 371 of Title 18, United States Code.

## APPLICATION FOR SUBGRANT

Page 5a

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- 15) Third Party Participation. No contract or agreement may be entered into by the subgrantee for execution of project activities or provision of services to a subgrant project (other than purchase of supplies or standard commercial or maintenance services) that is not approved in advance by G.J.C. Any such Arrangements shall provide that the subgrantee will retain ultimate responsibility for the subgrant project, and that the contractor shall be bound by these listed subgrant conditions and any other requirements applicable to the subgrantee in the conduct of the project.
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- 23) Criminal Penalties. Notice is hereby given the Federal law provides: Whoever embezzles, willfully misapplies, steals, or obtains by fraud any funds, assets or property which are the subject of a grant or contract or other form of assistance pursuant to this title (P.L. 90-351, as amended by P.L. 91-644), whether received directly or indirectly from the [L.E.A.A.] Administration, shall be fined not more than \$10,000 or imprisoned for not more than five years or both. Whoever knowingly and willfully falsifies, conceals or covers up by trick, scheme, or device, any material fact in any records required to be maintained pursuant to this title shall be subject to prosecution under the provisions of Section 1001 of Title 18, United States Code. Any law enforcement program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to this title, whether received directly or indirectly from the [Law Enforcement Assistance] Administration, shall be subject to the provisions of Section 371 of Title 18, United States Code.



GOVERNOR'S JUSTICE COMMISSION  
**APPLICATION FOR SUBGRANT**

Page 5b

SUBGRANT NO. - FOR G.J.C. USE

- 24) **Release of Information.** All records, papers and other documents kept by subgrantees or their contractors, relating to receipt and disposition of subgrant funds shall be available for inspection by the public under the terms and conditions of the Federal Freedom of Information Act (5 U.S.C. 522).
- 25) **Information Systems.** In respect to programs related to Criminal Justice Information Systems, the subgrantee agrees to insure that adequate provisions are made for system security, the protection of individual privacy and the insurance of the integrity and accuracy of data collection. The subgrantee further agrees:
- a. That all computer software produced under this subgrant will be made available to the Law Enforcement Assistance Administration for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. Systems will be documented in sufficient detail to enable a competent data processing staff to adapt the system, or portions thereof, to usage on a computer of similar size and configuration, of any manufacturer.
  - b. To provide a complete copy of documentation to the cognizant Federal Regional Office, upon request, and a complete copy to the Systems Development Division, Office of Criminal Justice Assistance, Law Enforcement Assistance Administration. Documentation will include, but not be limited to System description, operating Instructions, User Instructions, Program Maintenance Instructions, input forms, file descriptions, report formats, program listings and flow charts for the system and programs.
  - c. That whenever possible all application programs will be written in ANS COBOL in order that they may be transferred readily to another authorized user. Where the nature of the task requires a scientific programming language, ANS FORTRAN should be used.
  - d. To avail himself, to the maximum extent practicable, of computer software already produced and available without charge. To insure that reasonable effort is extended in this area, LEAA publications and Federal Regional Systems Specialists should be consulted.
- 26) **Clean Air Act Violations.** In accord with the provisions of the Clean Air Act, 42 U.S.C. 1857 et. seq., as amended by P.L. 91-604; and the President's Executive Order 11602, subgrants or contracts will not be made to parties convicted of any offense under the Clean Air Act.
- 27) **Relocation Provisions.** The subgrantee shall assure to the G.J.C. that any program under which financial assistance must be used to pay all or part of the cost of any program or project which will result in displacement of any person shall provide that:
- a. Fair and reasonable relocation payments and assistance shall be provided to or for displaced persons as are required in such regulations as are issued by the U.S. Attorney General.
  - b. Relocation or assistance programs shall be provided for such persons in accordance with such regulations issued by the U.S. Attorney General.
  - c. Within a reasonable period of time prior to displacement, decent, safe and satisfactory replacement must be available to the displaced person in accordance with such regulations as issued by the U.S. Attorney General.

*For amplification of the Relocation Provisions see LEAA Guideline Manual M 1100.1, pages 28-30 and LEAA Guideline 4061.i.*

- 28) **Environmental Impact.** Any application for subgrants, subcontracts, etc. involving: (i) the construction, purchase or alteration of facilities; (ii) the implementation of programs involving the use of herbicides and pesticides; (iii) other actions determined by the LEAA Regional Administrators to possibly have a significant effect on the quality of the environment, must include either a detailed environmental analysis as required by Section 102(2)(c) of the National Environmental Policy Act or a substantiated declaration that the proposed action will not have a significant impact on the environment. Before accepting a negative declaration LEAA Regional Administrators shall review the subgrant application and verify that an environmental statement is not necessary. (See LEAA Guideline Manual M4100.1 pages 21-26).
- 29) **Use of Airplanes and Helicopters.** Airplanes and helicopters purchased in whole or in part with subgrant funds must be used for the purposes stated in the application and may not be used for non-law enforcement purposes by State and local officials.
- 30) **Education Support.** No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving G.J.C. financial assistance with the exception of the qualifications set forth in Title IX, Section 901(a) of Public Law 92-312 (86 Stat. 373).

GOVERNOR'S JUSTICE COMMISSION  
**APPLICATION FOR SUBGRANT**

Page 5c

SUBGRANT NO. - FOR G.J.C. USE

- 31) **Evaluation.** The subgrantee understands and agrees that an evaluation of this project may be required by the Governor's Justice Commission, with such evaluation being funded from the project budget. The Governor's Justice Commission reserves the right to select the individual or organization contracted to conduct such evaluation activities.
- 32) **Conditions Applicable to Large Construction Program Grants.** Funds for construction of facilities which require letting a contract amounting to \$100,000 or more to a private company or individual require a bid guarantee equivalent to 5 percent of the bid price, a performance bond on the part of the contractor for 100 percent of the contract price and a payment bond on the part of the contractor for 100 percent of the contract price.
- 33) **Conditions Applicable to all construction and Renovation Programs.** Funds for facilities construction or renovation, regardless of size require that architectural and other needed professional services shall be obtained upon the basis and consideration of professional competence to deliver the required services. Contractual fee obligations for such services shall be in accordance with the prevailing suggested schedules of recognized professional organizations.
- 34) **Construction Contracts.** The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the U.S. Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal government or borrowed on the credit of the Federal government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal employment opportunity clause:

During the performance of a contract, the contractor agrees as follows:

- a. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of the nondiscrimination clause.
- b. The contractor will, in all solicitation or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
- c. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- d. The contractor will comply with all provisions for Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- e. The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- f. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or Federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965 or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- g. The contractor will include the portion of the sentence immediately preceding paragraph (a) and the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in Federally assisted construction work: Provided, that if the applicant so participating is a State or local government the above equal employment opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

GOVERNOR'S JUSTICE COMMISSION  
APPLICATION FOR SUBGRANT

Page 5d

SUBGRANT NO. -- FOR G.J.C. USE

The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal employment opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from or who has not demonstrated eligibility for, Government contracts and Federally assisted construction contractors pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal employment opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

35) Applicability. By appropriate language incorporated in each contract, subcontract, or other documents under which funds are to be disbursed, the subgrantee shall assure that these standard conditions and where applicable, Part E special conditions, apply to all recipients of assistance.

The enumeration of these standard subgrant conditions and where applicable, the following special conditions for recipients of Part E funds, shall not relieve the subgrantee from complying with all other federal, state, or local requirements no matter wherein contained.

Special Conditions for Recipients of Part E Funds:

- 36) Control of Funds and Title to Property. The title and control of Part E funds and title to property may not be transferred to private agencies, profit-making or otherwise, even though these may be utilized in the implementation of Part E efforts including the purchase of services and Part E funds and property will not be diverted to other than correctional uses.
- 37) Personnel and Program Standards. The subgrantee assures to the G.J.C. that personnel standards and programs of the institution and facilities reflect advanced practices.
- 38) Building Access for Physically Handicapped. Any building construction funded for which there is an intended use that will require that such building or facility be accessible to the public or may result in the employment or residence therein of physically handicapped persons must be so constructed as to assure that physically handicapped persons will have ready access to, and use of such buildings.

GOVERNOR'S JUSTICE COMMISSION  
APPLICATION FOR SUBGRANT

Page 6

SUBGRANT NO. -- FOR G.J.C. USE

15. IN WITNESS WHEREOF, the parties hereto have caused this Subgrant Application to be executed, attested, and sealed by their proper officials, pursuant to due and legal action authorizing the same to be done.

Administrative Office of Pennsylvania Courts

February 26, 1973

Name of Public Body or Organization

SIGNATURE

BY /s/  
A. Evans Kephart

TITLE OF ATTESTING OFFICER

TITLE Court Administrator of Pennsylvania

(SEAL)

BY \_\_\_\_\_

TITLE \_\_\_\_\_

BY \_\_\_\_\_

TITLE \_\_\_\_\_

APPROVED:

SOLICITOR

CONTROLLER, WHERE APPLICABLE

APPROVALS

16. I certify that a Grant Award has been received from the Federal government, U. S. Department of Justice, LEAA, to pay the herein stated amount during the _____ Fiscal Year.	COMPTROLLER, DEPARTMENT OF JUSTICE	DATE
17. EXECUTIVE DIRECTOR, GOVERNOR'S JUSTICE COMMISSION		DATE
18. CHAIRMAN, GOVERNOR'S JUSTICE COMMISSION		DATE
19. APPROVED AS TO FORM AND MANNER OF EXECUTION		DATE

BY \_\_\_\_\_

DEPUTY ATTORNEY GENERAL

Project or Program being Evaluated:

Grant Title: (DS-345-73A) Development and upgrading of Basic  
(include grant number)  
Judicial Skills.Grantee: Administrative Office of Pennsylvania CourtsBrief Description: To provide post-graduate legal education for  
(both project and evaluation effort)  
law-trained judges in order to improve judicial administration  
and the conditions under which judges function thru interchange  
of ideas related to specific problems of the judicial system.Scheduled date of final Evaluation Report: March 28, 1974

Person to contact concerning the Evaluation:

Christine A. Fossett, Chief, Evaluation & Monitoring Unit(name)  
Governor's Justice Commission, Department of Justice(address)  
Box 1167, Harrisburg, PA., 17120717-787-1422(telephone)If completed, is Evaluation Report on file with NCJRS? yes  no 

Please mail completed form to:

Keith Miles  
Office of Evaluation  
LEAA-NILECJ  
Department of Justice  
Washington, D.C. 20530ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS  
317 THREE PENN CENTER PLAZA  
PHILADELPHIA, PENNSYLVANIA 19102A. EVANS KEPHART  
COURT ADMINISTRATOR  
CARLILE E. KING  
DEPUTY COURT ADMINISTRATOR  
GERALD W. SPIVACK  
DEPUTY COURT ADMINISTRATOR215 - MU 6-3578  
215 - LO 7-3071

June 10, 1974

Ms. Christine A. Fossett  
Chief, Evaluation and Monitoring Unit  
Governor's Justice Commission  
P. O. Box 1167  
Harrisburg, Pennsylvania 17108

Dear Ms. Fossett:

Re: Final Evaluation Report - National College of the  
State Judiciary - DS-345-73ASenator Kephart has asked me to reply to your letter of  
May 24th in which you ask us to respond to specific questions  
concerning the above-captioned evaluation report. Unfortunately,  
your letter of May 24th did not come to my attention until June 3rd,  
and I have been away from the office much of the time.Our response to the specific questions raised in your letter  
of May 24th are as follows:

1. The evaluation reports are factually accurate in all basic respects. The only exceptions would be that participation by Pennsylvania trial judges is difficult to increase, and the reasons for this are given below. The federal project DS-344, relating to the annual meeting of the Pennsylvania Conference of State Trial Judges, is incorrectly referred to as a possible alternative to the National College. The evaluation committee was not aware that there are biennial judicial orientation seminars for newly elected and appointed Pennsylvania trial judges, which have been conducted jointly by the Pennsylvania Conference of State Trial Judges and this office for the past six years.

2. We agree with the following recommendations and findings and have indicated the action which is being contemplated in order to implement these recommendations:

# Supreme Court of Pennsylvania

ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Ms. Christine A. Fossett

-2-

June 10, 1974

Finding No. 2 (page 20). We agree that there is a pressing need in Pennsylvania for in-depth training and continuing education of the state judiciary. We are presently working with the National College of the State Judiciary in Reno to develop a state seminar program for Pennsylvania. We are pursuing the possibility of developing a State Training Center for members of the Pennsylvania judiciary and utilizing the existing facilities of law schools in Pennsylvania as well as the outstanding faculty members of the National College at Reno. The development of such a plan has been proposed to the Judicial Council of Pennsylvania. If approved, we intend to file an application for federal funding to institute such a program and will request state funds for the continuation of the assumption of this financial responsibility.

Finding No. 3 (page 22). The judicial orientation seminars, presently being conducted for new judges, utilize as part of their faculty members many of those judges in Pennsylvania who have previously attended the National College at Reno.

Finding No. 4 (page 22). Facilities of the National College of the State Judiciary in connection with the two-week course for magistrates and district justices were utilized at one time, but have been discontinued for reasons already expressed by Deputy Court Administrator Gerald W. Spivack.

We disagree in part with the following recommendations and findings:

Finding No. 1 (page 18). A major criticism of the project was the small number of Pennsylvania judges participating. We believe there is a substantial impact on the state judicial system even if, theoretically, only one judge attended and benefited from the National College at Reno. For the reasons explained below, it is not always practicable to increase substantially the number of participants.

Finding No. 5 (page 22). This is substantially a repeat of Finding No. 1, in which the evaluators indicate that the most serious defect in the project is the apparent inability to encourage

# Supreme Court of Pennsylvania

ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Ms. Christine A. Fossett

-3-

June 10, 1974

sufficient attendance of sitting judges. This will be discussed below.

During the summer of 1973 approximately 50 percent of the judgeships in the Pennsylvania trial courts were contested for election, either on a first-term basis or for retention. Judges who have not been elected for a full ten-year term are frequently reluctant to attend such courses since they are serving by appointment only. In fact, there is a serious question as to whether or nor the Administrative Office should sponsor appointed judges at the four-week session in view of the fact that their tenure could be very brief. The majority of judges are permitted to take not more than a four-week vacation. If they plan on attending the National College for one of the regular sessions, this is considered as their vacation period. The four-week resident session is an intensive course, occupying most of the participants' day and some of the evening. If married, the judge is encouraged to have his spouse and family accompany him, all of which is at his own personal expense. Thirty-nine of the 67 judicial districts have only one or two judges. Therefore, if a judge in any of these judicial districts wishes to attend, it is necessary to make arrangements for judicial help in the event of an emergency. Even in the multijudge judicial districts, vacations must be planned over a twelve-month period, with the senior judges given priority as to their preference. It is therefore frequently impractical for a younger judge to select the three summer months for his vacation preference. The majority of the courts of common pleas now operate twelve months out of the year, and it is difficult for a president judge to arrange his summer calendar so as to permit a large number of judges to be absent from the bench for an extended period of four weeks. For the foregoing reasons, it is difficult to plan on more than 10 percent of the authorized judges participating in such a program. We do, however, strongly encourage the older judges to attend the two-week graduate sessions, and the participation in these courses has increased over the past several years.

# Supreme Court of Pennsylvania

ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Ms. Christine A. Fossett

-4-

June 10, 1974

The recommendation of the evaluation team that training programs be developed at a state level is excellent, and will be implemented as indicated above. We hope that this proposal will also have the financial endorsement of the Governor's Justice Commission.

The evaluation team was unaware of the existence of the judicial orientation seminars which have been jointly conducted over the past several years by the Pennsylvania Conference of State Trial Judges and the Administrative Office (see DS-345). This is not intended as a substitute for the National College, but is rather a more intensified curriculum on particular substantive problems affecting the Pennsylvania judiciary. The faculty at these seminars for the most part consists of active trial judges, many of whom have attended the National College.

Under the present arrangements, the National College sends literature each year to every trial judge in Pennsylvania, acquainting him with the programs offered by the National College and soliciting his enrollment. In addition, frequent announcements are made through the judicial newsletter and meetings of the Pennsylvania Conference of State Trial Judges, by which the judges are made aware of the availability of federal funding for reimbursement of their expenses in connection with participation at the National College. An examination of the brochure published by the College indicates that Pennsylvania has one of the largest number of graduates of the National College.

Your attention is also directed to the recommendations of the National Advisory Commission on Criminal Justice Standards and Goals - Standard 7.5 relating to judicial education.

If any other specific information or response is required, please let me know.

Sincerely yours,

A. Evans Kephart  
Court Administrator of Pennsylvania

*Carlisle E. King*  
By: Carlisle E. King  
Deputy Court Administrator

CEK:ig

# END