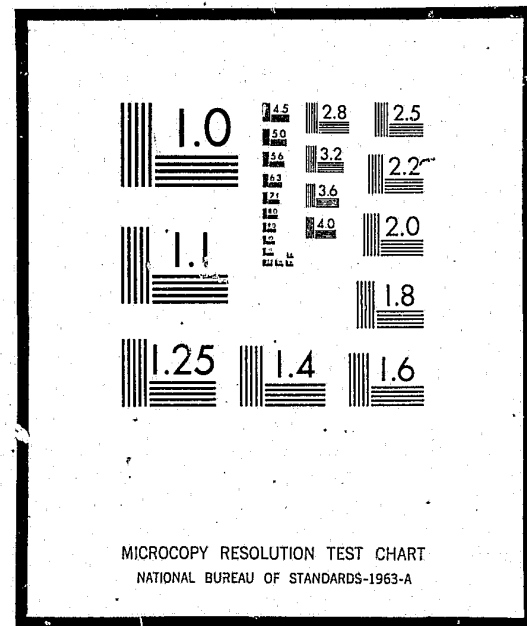


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Evaluation

Research and Planning
Organization and Process
in the Family Court

by David Duffee, Ph.D.
Kevin Wright, M.A.

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Research & Planning Organization
and Process in the Family Court

This report closes out the external evaluation efforts for 1974-5 on the Research and Planning Unit of the Philadelphia Family Court. An attempt has been made to bring the Governor's Commission up to date on Unit and evaluation activities that have been conducted since the submission of the refunding report, "Research and Planning in a Court Bureaucracy," which was submitted on February 28, 1975. The two major sections are (1) an analysis of research and planning process and its application to a court system, and (2) a report of a survey conducted in March and April 1975 on the attitudes of Family Court officials to the Unit's activities in the course of the grant period.

1. Research and Planning Unit Impact on Court Processes

The assessment of research and planning impact is not an easy task. It involves researching research, while trying not to evaluate the organization as the Unit itself should. Basically, inferences of impact can be obtained from two sources. First, recommendations can be evaluated in terms of their potential for influencing the organization. Secondly, inferences of impact can be obtained from observing changes in the Court and eliciting the perceptions of organizational personnel about such changes.

During the first stage of the evaluation the evaluators concentrated on the first source for information. The areas in which the Unit's products have potentially significant impact on the Court have been identified and discussed briefly. After this discussion, data on the perceptions of court executives about the Unit are presented. Five areas are listed, all of which can or may have had a significant effect on the processes and operations of the Philadelphia Family Court, and consequently, on the juvenile justice system.

A. Legalistic

1. Juvenile Court Act of 1972. In the preparation of procedures manuals, the R&P Unit has taken special precautions for the inclusion of the new act. The development of these documents has involved the explanation of how operations are carried out in a Unit or an area. This specification has allowed the R&P Unit to make recommendations for changes in procedures based on a comparison of the existing operational and newly legislated procedures. This factor has been relevant in the areas of transfers, detention, consent decree and particularly deprived cases.

2. Expungements. During the analysis of expungement procedures the R&P Unit identified several areas where blockages were occurring which prevented the judges' orders from being completely implemented. Recommendations were prepared which would alleviate this problem.

B. Client Services

1. Special Intake Procedures. In the area of intake involving sex cases, it was found that a complainant had to deal with a number of Court officials. In order not only to improve efficiency, but to minimize difficulties incurred by the complainant, a procedure was developed by the R&P Unit to reduce the complexity of the situation.

2. Continuances. One of the first projects undertaken by the R&P Unit was the study of continuances. It was found that in many of the instances where a case had to be continued, the problem was with the Court and not the client. Suggestions for better paperflow and earlier notification were recommended.

3. Date Certain Hearing Procedure. Following the issues raised in the above area, the R&P Unit has been involved in an examination of the possibility of date certain hearings. This project has identified the many problems involved in such a procedure. Recommendations which involve some major changes in the Family Court procedures were made.

C. Client Flow

The Philadelphia Family Court processes an extremely large number of individuals. With each individual there are usually a number of stages which must be passed, and a great deal of paperwork involved in each of the stages. Not surprisingly, the R&P Unit has spent a large portion of its time in improving client flow and paper

flow. Almost every project which has been undertaken by the Unit has dealt with the improvement of the system in this area by increasing the efficiency of client processing. However, it should be noted that efficiency has not been the only criterion considered in developing recommendations. The obligations of the Court to the clients, the law, traditions, potentiality for change and various other criteria have been taken into consideration.

D. Procedure Manuals

A large portion of the activity of the R&P Unit has also involved the development of procedures manuals for the various Units of the Court. Before the development of the Unit, procedures were defined by tradition or memoranda and were communicated at times unsatisfactorily. Such a procedure created a gross inefficiency in the training of some new employees. On-the-job training was in some cases the responsibility of peers and administrators. Any information which was not communicated in this process to the new individuals could serve to modify the system of informal ways or create a "bottle-neck." The development of procedures manuals has served to reduce this problem and provide for consistency in the processing of clients.

E. Data Collection

1. The Annual Report. The R&P Unit has served an instrumental role in the preparation of the Annual Report for the past two years. Last year the Unit redesigned much of the report with reference to the new Juvenile Court Act of 1972 and new data needs of the Court. The Unit has developed automated methods of data analysis which were previously prepared by hand.

2. Unit Record Processing of Data. The Unit Record Processing of Data is a significant part of the total information system which is being developed by the R&P Unit. This system provides for the collection of numerous variable concerning clients of the Court. There are two substantial benefits for the Court. The system provides for impromptu requests of information by judges and administrators concerning various attributes of Court clients. The system will also provide much of the data base for studies of Court effectiveness.

F. Survey of Executives on Research & Planning Operations

The data presented below is the results of a survey conducted in March and April, 1975, on the satisfaction of different Court and related officers with the work of the Research & Planning Unit. The appendix provides a list of the officials who were interviewed. The questions asked are provided in the text. Results reported as percent "agreeing" or "disagreeing" are the combination of persons responding favorably or very favorably, unfavorably or very unfavorably on a five point scale. The percentages were calculated from a base of 20 interviewees, who included Mr. Casey, Chief Voluntary Defender, and Mr. Mitrano, Chief Assistant District Attorney.

1. How many times have members of the R&P Unit come into your Unit, Division, etc. to study its operations?

Results of this question were very scattered from "never" to "many contacts" with the mode being 3-5 times.

2. Adequate initial contact was made by the staff of the R&P Unit before they began their study in the Unit, Division, etc.

Seventy-nine percent of the respondents agreed with this statement.

3. The head for this Unit welcomes the R&P study when it began (i.e. were in favor of its being undertaken).

86% of the respondents agreed with this statement, others were neutral.

4. The R&P Unit was careful to explain what it was going to do and for what purpose.

79% agreed with this statement, others were neutral.

5. The R&P Unit worked with you to develop the strategy by which your Unit would be studied.

93% of the respondents agreed with this statement. Conclusions from questions 2-5 would indicate that the Unit emphasizes strong introductory relationships prior to actual research operations, and that the great majority of managers are clearly informed and involved in the course of study to be pursued.

6. The R&P Unit study was badly needed in your Unit.

71% of the respondents agreed that the study was necessary. There was only one manager who disagreed with the statement.

7. The R&P Unit members have an adequate knowledge of the Court and its operations.

79% agreed, although several respondents also mentioned that it had taken some of the R&P Units a year or so to obtain that knowledge. Last year many interviewees commented about the lack of knowledge in the R&P Unit about basic juvenile process and Court operations. There has evidently been demonstrable improvement in this second year of the project.

8. The R&P Unit members have an adequate knowledge of research and planning strategies, methodologies, and processes.

86% of the respondents agreed with this statement, others were

neutral. This response should be interpreted cautiously, since the respondents probably knew little about research and planning. Clearly the Unit staff impress executives that they know what they are doing, and in addition, can articulate to line managers what they are trying to accomplish.

9. When gathering data in your Unit, Division, etc., the R&P Unit members tried to adapt their schedule to the schedule of your Unit in order that daily operations would not be disrupted.

93% agreed, again suggesting that Unit attention is high to protocol and cooperative relationships.

10. The data collected by the R&P Unit about your Unit was accurate.

86% agreed that the data were valid. Two respondents mentioned that inaccurate data were originally given to the Unit by the staff in the operational unit being studied, and that later contacts and review of preliminary documents corrected these situations.

11. The information collected by the R&P Unit was used in the manner you expected.

77% agreed with this statement. Several managers remarked that several impractical suggestions based on the data were modified in later reports. Others suggested the R&P Unit recommendations were by and large expected and necessary but that administration had held up implementation, which was unexpected.

12. The reports prepared by the R&P Unit accurately reflect the operations of your Unit.

71 % agreed with this statement, suggesting that operational managers at time have had more confidence in the accuracy of raw data than in Unit interpretations of that data.

13. The reports prepared by the R&P Unit have been helpful in improving the operations of your Unit.

86% of the respondents agreed with this statement. Contrasting the responses to statements #13 and #12 we would conclude that implementation of certain recommendations has suggested better results to the managers than they would have anticipated.

14. You were consulted before the R&P Unit reports were widely distributed.

79% of the respondents agreed with this statement. Only one respondent disagreed, others said that the R&P Unit study of their operations had not yet reached the report stage.

15. You do not find the R&P Unit reports threatening.

86% agreed, others said they had not made up their minds. Overt resistance to change based on Unit reports was not expressed.

16. After reports have been prepared by the R&P Unit, and recommendations accepted, the communication about implementation between your Unit and the R&P Unit have been good.

64% of the respondents agreed with this statement. There was no disagreement. Several respondents said that they had not yet reached the implementation of recommendations. It should be noted that since the refunding report in February, many of the documents produced by the R&P Unit are specifically addressed to implementation problems, especially on bench warrant procedures and the Medical Branch evaluation.

17. The recommendations of the R&P Unit have been helpful in improving the operations of your Unit.

86% of the respondents agreed. No one mentioned particular recommendations that were not helpful. Most respondents said reco-

mmendations were significant rather than trivial in impact. No respondent could recall a single recommendations that had been explicitly turned down, although several mentioned that actions were pending -- particularly in instances that required judicial approval.

18. What percentage of the R&P Unit recommendations which involve your Unit have been implemented.

57% claimed that at least 80% had been implemented. Three respondents reported that recommendations were yet to be decided upon. In general, the line managers perceive greater success at implementation for Unit recommendations than does the Unit itself, although several recommendations were acted upon after we polled the Unit staff and prior to our poll of the line managers.

19. The R&P Unit does not understand the problems involved in changing your unit.

57% did not agree with this statement. This was the least favorable response. Three respondents agreed that the Unit did not understand the problems in changing their operations; several others were either unsure or would make a statement. This response is consistent in the top administration perception of problems in this area with frustration on the part of Unit staff concerning implementation.

20. Your relationship with the R&P Unit is good.

92% of the respondents agreed to this very general statement.

21. a) When the R&P Unit has studied your unit, conflict has arisen within your Unit.

79% disagreed with this statement.

b) Conflict has arisen between your unit and the R&P Unit.

71% disagreed with this statement.

c) Conflict has arisen between your Unit and another subdivision of the Court.

57% disagreed with this statement. It would seem apparent from those three responses that pressure points arising during the administration of research and/or planning studies are more likely to occur at the interfaces of line units than within any single unit, or between the target unit and R&P. In other words it would seem that resistance to change is stronger when no one is clearly in charge or clearly involved in a cooperative effort (i.e. between one line unit and the R&P Unit) than when authority relationships are clear or cooperation arrangements clearly established. This condition should be expected, and might imply as well that part of the difficulty in changing line operations based on Research and Planning recommendations is explained by the complexity involved in inter-unit coordination.

22. Taking everything together, I would say that the output of the R&P Unit has been very beneficial.

92% of the respondents agreed, validating in part the very favorable response to statement #20.

23. I feel that the R&P Unit has had too much freedom to define their own work, when they were involved in my Unit.

79% disagreed with this statement.

24. Do you feel that top Court administration limits the potential of the R&P Unit?

25% of the respondents agreed, and an equal number disagreed, the rest were unsure. Many suggested that there were financial constraints which were unfortunate but unavoidable. One responded that the R&P Unit needed more "clout" when dealing with outside agencies that influenced

Family Court operations.

25. The problems and issues which the R&P unit have addressed so far appear to be the most critical to the improvement of the Court.

57% of the respondents agreed with this statement, and there was considerably more variance in these responses than to others. Major disagreements involved the expressed need for study of effectiveness in services delivered by various units to clients of the Court.

26. I feel that the work done by the R&P Unit in other parts of the Court has been very good.

50% of the respondents agreed and the 50% were unsure. This latter 50% stated that they simply did not know of the kind of work done in other areas.

27. As far as I am concerned the worst problem with the R&P Unit has been...

56% said there had been no problems. Other comments were:

a) "There was a communication problem with myself and the head of R&P which has been corrected."

b) "Getting the Unit started up has been time consuming."

c) "There has been a communications problem, but of no fault to the Unit. There have been no meetings as a group (i.e. line managers and R&P Unit) and communication has not been natural. We need on-going and regular meetings with the R&P group. There has been a problem in the time lag between research and implementation."

d) "In this unit, the R&P group did not cooperate and encouraged us to use our old system rather than modernize because it was convenient."

e) "They have attacked low priority problems in probation rather

than our important problems so far."

f) "The Unit needs more help to do their work."

g) "The R&P staff have limited knowledge about some Court units."

h) "I haven't heard complaints, but personally I do not think the Unit is qualified to look at treatment processes."

28. As far as I am concerned, the best thing about the R&P Unit has been ...

a) "They have supported my goals and viewpoints."

b) "They have simplified documentation and have integrated reporting procedures."

c) "They have attacked problems of reporting and systematizing. They have acted as middlemen between administration and probation."

d) "Their procedural manual (for my unit) is very accurate."

e) "They have located operational problems and developed solutions. They have facilitated communication among units."

f) "They have been able to revise the system."

g) "All their material taken together can be utilized as a manual which puts current policy and uniformity of process together for the entire building."

h) "The Unit is a good idea and badly needed. It has served as a connector between the Family Court and the rest of the Court system."

i) "They are a hardworking group with a good mix of staff who work well in the system and have high competence in their area."

h) "They have been a tremendous help."

k) "They have helped with communication."

l) "They have a systematic, uniform way of operating and have been very cooperative."

29. Do you have additional comments about the Unit,

- a) "There is not enough work for five people and there is not enough emphasis on processing data."
- b) "They should provide a manual type format for all project reports - constant revisions make difficult reading."
- c) "The head of the Unit is especially good to work with."
- d) "The procedures manuals are excellent, but we need guidelines for implementation of suggested changes."
- e) "They should work on an operational manual for parole officers and court personnel."
- f) "They have done a very good job."
- g) "They have shared data and views with our unit, have asked us for information and have always emphasized that they are available."
- h) "They have done a magnificent job, but I think the judges need to be informed about their work."
- i) "They or we need a way of notifying judges when judges are causing a problem or not following proper procedure."

In general, we would conclude that the survey responses were very favorable. Areas that need attention in some way would appear to be:

- 1) Increasing the R&P Unit knowledge of probation and treatment practices and purposes, or
- 2) Increasing awareness of line managers with "social work" or "treatment" functions of the knowledge or competence the R&P staff may have in this area, and/or,
- 3) Increasing communications in this area with an emphasis on establishing understanding in line managers of difference between competence to do "treatment" work and competencies needed to research treatment work;
- 4) Establishing procedures for involving these line managers in setting parameters of research problems or suggesting crucial areas for investigation;

- 5) Studying reasons for conflict between units when R&P work is initiated in one of the units.

II. Research and Planning Process and Organization

Quite often, research and planning are considered two separate functions. Organizational planning is conceived as the conjecture of desirable future states and the identification of methods to achieve those states. Research, on the other hand, is conceived as the evaluation of some state or states. Yet, if research and planning processes are to produce optimal output, they cannot be considered separate entities, but as components of a single process: ideal organization engineering. Research and planning should have the combined goal and function of moving the organization toward the ideal state defined for it. Logically, ideal states can never be achieved or they would cease to be ideals, yet through a combined research and planning process an organization can approximate such a state.

However, implementing a program or unit to accomplish these ends is not easy. A group of individuals within a court structure cannot simply be assigned the function of "ideal organization engineering" and be expected to accomplish their goals. One must take into consideration that courts are socio-political systems of a special type. Research and planning in such a system will therefore be bounded by the peculiar constraints that exist in that system. Similarly, research and planning processes must also fit into a large collection of processes which comprise organizational decision making. The authority and maneuvering space of research and planning unit must be defined within the decision making network. The development of research and planning within a court, if it is to be effective, must be designed as it will be operationalized in a "real" system.

A. The Role of Research and Planning

Defining the role of research and planning in an extremely difficult task. Let us begin by analyzing the situation within any organization and then funneling attention toward courts. Clearly, the major function of a research and planning unit must be information oriented. Data necessary to the management of the organization must be collected and analyzed. The organizational activities comprising management have been defined by Katz and Kahn (1970: pp. 42-43) as follows:

These systems comprise the organized activities for controlling, coordinating, and directing the many subsystems of the structure. They represent another slice of the organizational pattern and are made up of cycles of activities cutting across the structure horizontally to deal with coordination of subsystems and the adjustment of the total system to its environment.

By affecting managerial processes, research and planning are capable of influencing in substantial ways both the nature and the direction of the organization.

A central question is how the role of management and that of research and planning are to be distinguished. A natural response to this problem would be to state that there is no distinction, and research and planning are that function of managerial activity concerned with adaptation. Essentially, this response would be correct, since managerial functions have been conceived as those of production, support, maintenance, and adaptation; and adaptation must concern changes in the former three (Katz and Kahn, 1966: pp. 39-42). However, such a rejoinder avoids the subtleties of the question; how does a research and planning unit derive its authority,

how does it "fit" into the organizational structure, and in what manner is the unit responsive to the individual who is held responsible and accountable for the actions of the organization?

Beer (1966) has stated that research and planning must be independent of other organizational structures and must be given a freedom in the development and analysis of problems. Such a situation is imperative if the unit is to be able to define problem parameters accurately and develop an unbiased solution. However, Beer raises an extremely pertinent point with reference to such an orientation:

At this the manager might well say that (research and planning) is trying to arrogate to itself a managerial function and prerogative. If there is no factor known to the manager that was unknown to the scientist, then (he may ask) what decision is there left for the manager to take?

The answer to this is really quite simple. (Research and planning) exists to try and eliminate, or at least reduce, guess work. Sometimes it succeeds; and when it does so entirely, there is no managerial decision left to take. No-one should be more pleased about this than the manager... Value judgements are the decisions that management really has to take. Once it has fully specified its set of values, a unique scientific solution should become possible. Sometimes the values can be quantified in advance and built into the study. In this case, the manager has exercised his prerogatives before the work begins, and can stand by to await a unique solution in the knowledge that he has already done his job. At other times, it takes (a research and planning) investigation to isolate clearly the value judgements that have to be made, and in this case the manager is left with a decision at the end. (1966: pp. 67-68)

The role of research and planning is therefore to serve as an organizational intelligence group.

"High - quality intelligence designates information that is clear because it is understandable to those who must use it; timely because it gets to them when they need it; reliable because diverse observers using the same procedures see it in the same way; valid because it is cast in the form of

concepts and measures that capture reality; adequate because the account is full; and wide-ranging because the major policy alternatives promising a high probability of attaining organizational goals are posed or new goals suggested" (Wilensky, 1967: pp. viii-ix).

Research and planning takes on a special nature as it serves an organization intelligence function within a court, the court structure being bi-dimensional, operationally. On one dimension there are the personnel involved with hearings and the decisions about clients, and on the other dimensions are the personnel concerned with the maintenance of the client before and after the trial. Generally, the personnel involved in each of these dimensions are distinguished by organizational structure, although some overlap exists. The head of the hearing dimension is a judge, while the head of maintenance dimension is a court administrator. In number, most personnel are responsible to the administrator. Research and planning is therefore in a unique position within the court. It must be responsive to the court administrator but must also relate and have access to the judicial elements of the organization.

Certainly one function of research and planning within a court involves documenting, analyzing, and suggesting change in the client-processing system. Such action can only be initiated with concurrence of the court administrator, but quite often must also involve judges. Because of the independent status of these individuals, the operationalization of a research and planning unit must involve a compromise with the judges. The analysis in the next section of how decision making and planning are operationalized will explicate this point.

B. Decision Making and Planning.

Planning in its purest form would be based on a rational deliberation which has been described as follows:

Instrumental rationality is an open selection of means to serve a goal. In much of the work on administrative analysis and practice, the prevailing image still seems to be that of an actor who becomes aware of a problem, carefully weighs alternative means to its solution, and chooses among these according to his estimates of their respective merits in terms of the state of affairs he prefers (Etzioni, 1968: p. 254).

As various students of decision making have pointed out, rationality as such is impossible to implement (Etzioni, 1968 and 1967; Dror, 1968; Dahl and Lindblom, 1953; Braybrooke and Lindblom, 1970, and March and Simon, 1958). Frequently there is a lack of consensus as to what the goals should be. In most decisions, there are several groups who have vested interests in the implications of goal selection and these interests are usually competing. This point is particularly relevant in a court. The judges, the public defenders, the district attorney, the police, the client, the probations officers, and so on, have their own goals and values, which are quite often incongruent.

Although competing values and goals are detrimental to uni-dimensional decision making, they do serve a functional purpose. As long as an equilibrium is maintained, social life tends to remain stationary with little change. Conflict of values predisposes change. That is, if a collective relationship of people is to be maintained, social change or adaption must occur in response to conflict. Change may be "good" or "bad", but nevertheless conflict is one of the primary factor of such a process.

The point is that there seldom exists one goal which can be considered the "best" of all alternatives. Goals are therefore subject to change and are as dynamic as the system for which they provide direction.

Man is also limited in his ability to identify and analyze alternatives. As Dahl and Lindblom (1953: pp. 51-92) have indicated, man makes decisions with limited knowledge. Not only is this phenomena caused by uncertainty of the future, but by man's inability to "process and interpret large quantities of information." Problems are caused by a multiplicity of factors, some of which are known, some unknown. Compounding this limitation is the fact that we cannot "do only one thing" (Hardin, 1973). The planner's ability is therefore "bounded" and predisposed to operate within a simplified model of the real world (Berry: p. 16).

The problem of selecting a goal and working toward it is compounded by shifts in technical ability, increased knowledge, changes in the environment, market fluctuations, and public impatience. All of these factors act in combined fashion to mediate the implementation of decisions and thus redesign an organization. It should therefore be fruitful to explore how decisions are made.

Dror (1968: pp. 81-83) has provided an extremely comprehensive and useful list of how organizational decisions are made:

- (1) Decision making is usually not a structured process dictated by formal rules.
- (2) Even if there are officially accepted and dictated methods by which decisions are to be made, decisions are not made by the specified process but by other means.

- (3) Most officials do not have an understanding of how decisions evolve and the factors impacting this process. Those individuals who have "tacit" understanding of the process are able to successfully manipulate the situation to varying degrees.
- (4) Decision making processes are partially "structured by traditions, power relations, formal divisions of labor and so on"; therefore, despite factors 1, 2 and 3 there is an informal, non-random process by which decisions are made.
- (5) A number of "subdecisions" throughout an organization usually combine to create an organizational decision.
- (6) The impact of a unit's subdecision on the organization is made up of a number of variables such as "the unit's relative power, the image of the issue, the effectiveness of communication between the units, and the unit's image of its interest and involvement in the decision."
- (7) The process of decision making revolves around the relationship of units of the organization. Compromises, bargaining, and "give and take" are integral variables of the process.
- (8) "Organizational decision making usually proceeds without clear operational goals, with little data, and with very limited search for alternatives."
- (9) "Organizational decision making tends to follow the line of least resistance; innovation and originality are rather scarce."
- (10) "Decision making resources are concentrated on acute and pressing issues. Long term considerations are neglected."
- (11) "Organizational decision making tends to try to minimize risks and achieve defensibility."
- (12) Organizations do not admit to "uncertainty and ambiguity; therefore, decisions are based on well-defined "subjective expectations."
- (13) "Decision making in organizations that survive is adaptive, adjusting itself slowly to new needs and technologies, and to the feedback of its activities."

There is a general concurrence with Dror's perception of decision making in the field of policy science, and it is felt that these specifications are generally applicable to any organization. The operationalization of planning strategies in their purest form within a court therefore seems improbable. Given the unlikelihood of some prodigious change, decision making will remain basically the same for some time in the future. This factor and the urgency of solution that some problems require, negate the possibility of simply waiting until the decision making changes.

The limitations of planning and decision making which have just been discussed, do not totally eliminate the utility of the methodology for redesigning an organization. They simply place constraints on the method and predispose the consideration of other alternatives.

One body of theory which must be considered is that which centers around the concept of "disjointed incrementalism." The small band of individuals who have supported the strategy since Gunnar Myradal, John Dewey, and David Hume began setting the stage for such a theory (Etzioni, 1968) have been subjected to a violent barrage of criticism. Some of the academic attack is with merit, but aspects of disjointed incrementalism are extremely important to the development of a viable strategy to solve the problems with which we are faced in the future.

Lindblom, whose work is most significant in the presentation of incrementalism, has suggested that the rational strategy is to be the preferred process of decision making (Dahl and Lindblom, 1953), yet because of the various factors influencing the system, rationalism is not possible. The decision maker should therefore proceed by effecting

"small" changes. "Small" is a relative term, varying with the novelty of the change to be made (Braybrooke and Lindblom, 1970). Such a strategy is based on the utility of "successive limited comparisons," whereby decisions become more exacting with time (Lindblom, 1959).

Etzioni (1967) has suggested that there are two problems basic to incrementalism. First, the theory fails to consider "fundamental" decisions which lead to social innovations. For example, although a period of muddling through may have preceded the Supreme Court did make a decision that capital punishment as it was implemented was not legal. Secondly, incrementalism "legitimizes" drifting; that is, action without direction.

Etzioni (1967 and 1968: pp. 282-290) has proposed a third strategy of decision making, "mixed scanning," as a mediation between the advantages and disadvantages of the rational and incremental strategies. Mixed scanning posits that solutions to macro problems should be approached through incremental type steps based on a rationalistic conception of the problem. In other words, alternatives should be scanned but not exhausted, and a series of consecutive steps with feedback and learning as integral components should be implemented to explore the alternatives to the solution. It is on such a theoretical basis that a model for research and planning will be based in the next section.

C. A Model of Research and Planning

Figure 1 presents an Organizational Research and Planning Operational Model. Since ideal organizational engineering is a process, it can be depicted by a flow-chart of consecutive stages, which at decisive points may take one of two directions. Each stage is also a process since some action must be taken at each point. Since each stage involves some activity, an explanation of each process label will be beneficial before explicating the model.

Documentation of Existing Organization -- this process involves the identification of the structure of the organization of interest, the function of each of its units, their operations, and the inter-relationship of the various units, at a particular point in time.

Model Existing Organization -- a mapping of the operations, including the elements documented in the above process, of the entire organization is conducted by this process. In essence, the objective of this stage is to "photograph" the organization as it presently exists, but to generalize from the concrete actions of the documentation stage to a smoothed out or extremity free version of the organization, in its present state.

Abstraction of Organizational Goals of Output, Values, Function and Purpose -- this process involves the collection and analysis of information which will provide the substantial basis for the ideal model. The process concentrates on the perceived ideal goals of output, values, function and purpose of the administration of the organization, but cannot neglect the same perception of organizational members and the environment.

Identification of Organizational Ideal -- the information collected in the above process is negotiated and factored into a concise conceptualization of the reason for the organization's existence. Both "what the organization does" and "how it does it" should be identified for optimal situations.

Model Ideal Organization -- a mapping or photograph of what the ideal organization should look like is conducted during this phase.

Test -- A test for disparity involves the comparison of the output of two processes for difference or consequence. For example, the model of the existing organization is compared to the model of the ideal organization. If they are found to be different, then steps need to be taken changing the existing organization so that it will look more like the ideal organization type.

Identification of Problems -- If a difference has been found between the ideal model and the existing model, then the problem areas where such differences lie are identified during this process. In other words, the apparent or assumed areas of divergence are identified. Additional research is necessary to test whether indeed the assumed problems are the real sources of disparity.

Information Gathering -- This process involves the collection of information relevant to change of the existing organization in order to alleviate the problems which have been identified in the preceding stage.

Long-term Change Goals - The positing of long-term change goals serves as a macro-approach to organizational change. In essence, the process identifies a plan which will be implemented over some specified length of time in order that an organization can be changed from its existing state to a more desirable state in the future. It is necessary at this point to test whether the ideal model might also have changed or need to be changed.

Priority Assessment -- After a series of long-term goals have been identified, the organization must decide on priority, implementation of goals. Two criteria are importance and feasibility. That is, the need for a given change and the probability of accomplishing that change, given the existing status of the organization and its environment, must be considered in the identification of tasks.

Assessment of Organizational-Unit Performance -- This process resembles a pre-test. The unit of the organization which has been perceived as needing change is assessed in terms of its current operations.

Develop Short-Term Change Goals -- Given that an organizational unit is operating at some level of performance and it is perceived that change is needed to change that level, short-term goals of change are posited in this stage.

Design and Construct System for Change -- This process involves the development of a strategy for implementation of the short-term change goals.

Implement Change -- The changes which have been identified by the short-term goals are implemented under the strategy developed in the above stage.

Monitor -- After a change has been implemented it should be monitored over a period of time until that change has been integrated into the organization, or until evaluation of the implementation suggests the change is not feasible or not desirable.

Internal and External Environment -- This element is not a process, but does continually influence an organization and therefore must be considered during the research and planning process. The internal environment are those factors which are internal to the organizational structure but external to the recognized organizational processes, and which affect the operation of the organization as a whole. The external environment lies outside both the organizational structure and processes, yet also impacts upon the organization and its processes.

The first thing to be noted about the Research and Planning Operational Model is that it is a dynamic process which will be operationalized in a dynamic system. That is, since the organization of interest will be continually changing, then planning and research outputs must be continually changing.

The research and planning process begins on two dimensions, simultaneously, that of examining how the organization exists and how it should exist. It should not be expected that either of the two models be completely comprehensive or accurate initially. Rather, the models should be very general and only after several reiterations of the process in which additional information is collected should the models assume a comprehensive nature. Such an operational strategy will prevent research and planning from becoming "bogged down" in their initial stages and neglecting needed changes within the organization of interest.

After models of the existing and the ideal organization are developed, a test for disparity is conducted. If no differences are found,

which is highly unlikely; then only monitoring of present operations is necessary. If a difference is found, then steps to change the existing model should be taken. Problems with the existing organization are identified with reference to the internal and external environments of the organization. Information is gathered about the problems, and long-term goals of organization change are posited. These goals must be made with special consideration given to the organizational goals of output, values, function; and purpose.

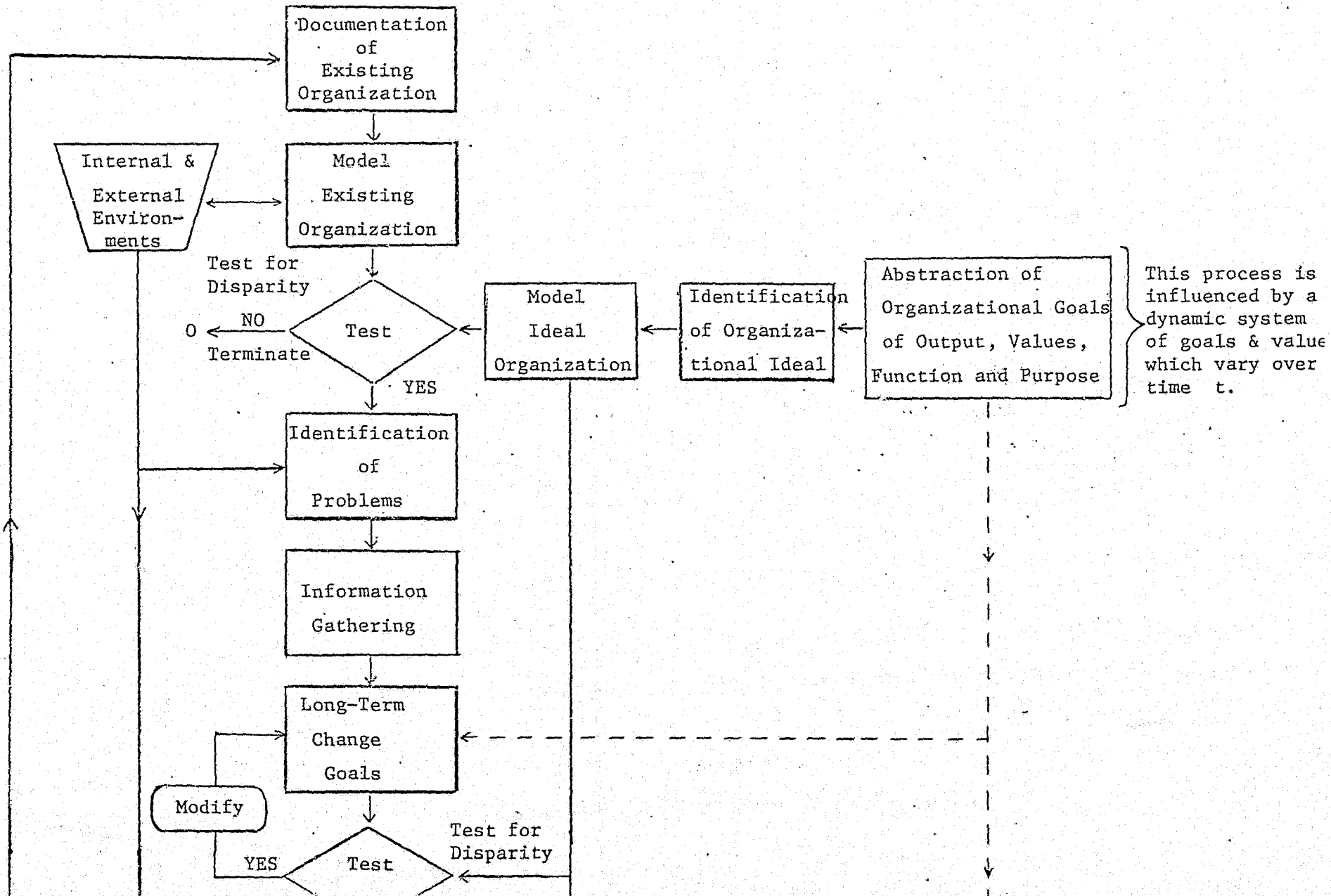
A second test for disparity is performed between the formulated long-term goals and the model of the ideal organization. If a difference is found, then one or the other or both must be modified, so that congruence with the ideal type will be established. If no difference is found between long term strategies and the ideal type, then additional steps toward the solution of the problems may be taken.

The last step of the planning stage is the assessment of the priorities of organizational changes. Both the internal and external environment and the organizational goals of output, values, function; and purpose must be used during this process. The environmental variables affect primarily the feasibility of change, while the organizational goals affect importance. Both issues together determine priorities. Once this listing has been developed, the organization is ready to begin to research and implement change. Such a process is usually concentrated in sub-units of the organization, but changes in sub-units must be coordinated with each other and with the overall ideal and real models of the entire organization.

The implementation of change is conducted in four steps. First, an assessment is conducted of unit functioning at the present time. Secondly, short-term change goals can be developed which are hypothesized as the objectives whose achievement will reduce the disparity between unit achievement and organizational function for the unit. The final two steps involve developing a strategy for change and implementing that strategy.

After the change has taken place, a third test is performed between the performance of the change unit and the effect of that performance on the previous disparity (Test #1) in the mapping of the ideal and existent organizational models. If a disparity still exists, then the change process is modified and reiterated. If no disparity is found, then the change is monitored for a period of time until the change has become internalized by the organization, or the environments have changed, or the ideal model needs alteration.

At this point in the process, reiteration occurs in two directions. First the process returns to the listing of priorities and selects the next problem area to be changed. Secondly, the process returns to the documentation of the existing organization and the entire process is started again with consideration of those changes which have just been implemented and those which have occurred exogenous to the planned change process.



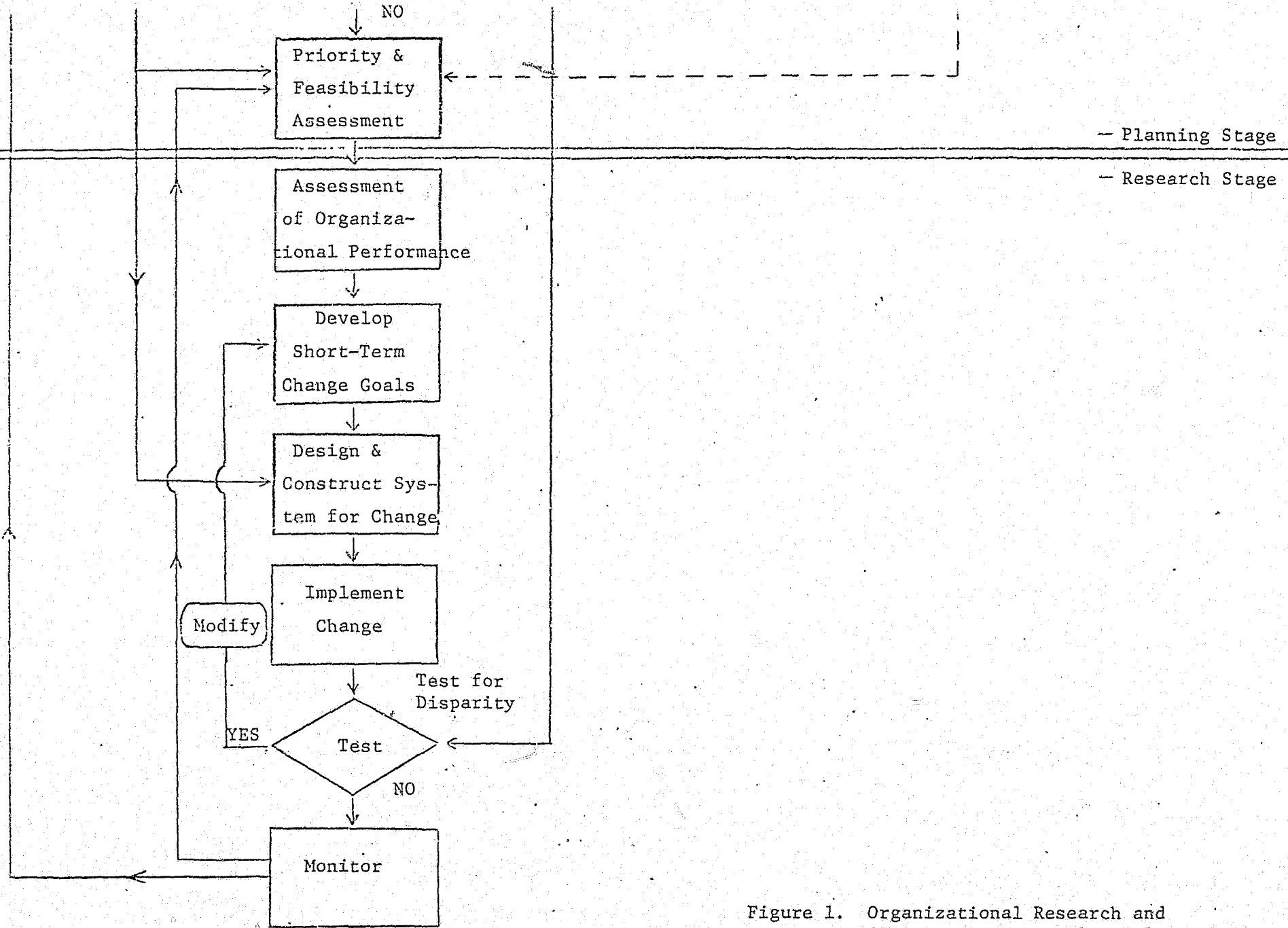


Figure 1. Organizational Research and Planning Operational Model

D. Organizational Climate for Research and Planning.

1. Three general research and planning problems

Research and planning, or other similar managerial functions, always take place in a viable organization. In smaller and less complex organizations, research and planning may be done in the chief executive's head during a golf game. Under more complex and more changing circumstances, top line management will probably devote a good deal of time to thinking about the future, about present problems or states of operations, and how to map desired future states into on-going organization. But there is usually a point in time when organization is too complex and other managerial duties so time consuming that the kind of process for research and planning discussed above becomes not only a cost-effective endeavor, but a necessary one. At this stage, the organization is confronted with redesigning these adaptive functions of management so that they receive their own share of resources and, importantly, formal legitimization in the organization decision making arena.

This redesign for the formalization of research and planning structure is always problematic in any organized enterprise. It is likely to be more difficult, however, in a court system, which, like other "human service organizations" is concerned with the processing of or changing of people rather than the manipulation of raw material, which is not proactive to the method or outcomes of processing. Simon (1957:244) suggests that the location of the research and planning function in the organization is relatively unimportant to the extent that the organization is "rational" (i.e. goal-directed). But when goals themselves are in question, the organizational location and authority of the planning function are all important.

Another dilemma confronting the design of research and planning is

discussed by both Katz and Kahn (1966) and Burns and Stalker. (1971). There is the problem on the one hand of locating planning, research, and design functions in sufficient daily proximity to line operations that the user's statement of his requirements can provide daily feedback to designers. Concomitantly, even valid research and development work can falter if the distance between users and designers is such that feedback from research and planning to the operational level is unlikely to be accepted. On the other hand, another problem of research and planning is the provision of sufficient freedom from the directives of top line management so that true problem solution strategies are available to a research and planning group. There must be enough "ivory tower" cloistering of the problem solvers that they are free to consider as part of the problem some aspects of policy or operation that line managers might perceive as givens, or as parameters of the problem (Katz and Kahn, 1966:255, Bradley, 1969:91-2). Burns and Stalker (1971:40-41)) go so far as to state that a satisfactory solution to this dilemma of organizational location is all important: it is the linkage between user and designer rather than their individual competencies that is important.

The last problem to consider in the phasing, if not the outright structure of research and planning, concerns the sequencing of research and planning efforts and the kinds of problems to which they have legitimate claim for investigation. This is perhaps the most difficult issue to articulate, because it likely is not manifested in particular top management statements or their cognitive understanding of research and planning activities. As the literature reports the initiation of research and planning units in various organizational settings, the problem might be restated as one of overspecialization of the research

and planning unit and the overadaptation of the organization to research and planning activities as they begin (Ritti and Funkhouser, 1975). To state it briefly, new research and planning units frequently find themselves locked into doing "the same old thing" because these units sought "success" narrowly defined and management bought that kind of success as the only solutions within the sphere of research and planning (Ritti and Funkhouser 1975 : 212-214). To place this phenomenon in Wilkins' (1973) terms, the reaction of research and planning and management together can make research and planning functionally obsolescent. That is, to the extent that research and planning addresses the most current pressing problems, the less likely will the solutions be relevant to future conditions.

2. Application to the Court

To this point we have discussed three typical problems confronting the formation and implementation of an organizational research and planning unit. These are (1) a problem with conflicting organizational goals, (2) a problem in locating the unit in close proximity to line operations, but divorcing it from line managers' perceptions of problem parameters, and (3) the problem of organizational overadaptation to initial research and planning efforts, locking the unit into increasingly outmoded design and development problems and strategies.

All three of these problems are relevant to the evaluation of and future planning for the Family Court Research and Planning Unit. We will discuss these problems briefly, drawing on conclusions and data from both the 1974 and 1975 final evaluation reports.

a. Multiple/Conflicting Goals

Human service organizations are likely to have more difficulty in

establishing and articulating goals than other kinds of enterprises because they function in a politically and culturally sensitive area: the processing of human beings. Street, Vinter and Perrow (1966) suggest that goals in such organizations are likely to remain flexible and frequently unarticulated for two basic reasons:

(1) goals are likely to be based on beliefs about effective or desirable ways of handling people rather than knowledge of outcome, and,

(2) articulated goals are likely to conflict with the beliefs of a significant portion of the salient public (see also Duffee and Ritti, 1975).

These problems will impact on research and planning in at least two ways. First, the activity which Simon (1957) labels "substantive planning" will be frustrated because the substantive, broad aim, future desired states of the organization will not be delineated clearly, nor is there likely to be a high degree of consensus in the organization concerning any particular version of these broad substantive aims. In the Court case it should be recalled that the 1974 interviews demonstrated little distinction in the minds of line managers between unit functions and Court goals. The 1975 evaluation demonstrated some degree of frustration on the part of Unit staff concerning long range administrative policy and goals for the Court.

What Research and Planning Unit staff may not understand in this regard is that in all likelihood their perceived exclusion from long range policy discussion or "substantive planning" is a function of the nature of Court vulnerability to attacks on substantive goal statements rather than a conscious choice by top management to keep Research and Planning out of this area. A consistent, although post hoc, explanation of several managers' unwillingness to have Research and Planning Investigate treatment operations and goals also involves this problem of multiple and/or conflicting

goals. We would predict that as the Research and Planning Unit does tend (even slowly) to take on substantive planning responsibilities - as would be entailed in any investigation of treatment/supervision effectiveness, that conflicts will arise between the unit under investigation and other units of the Court, or outside agencies.

We have no real solutions to this problem, except that of increasing R&P Unit awareness of this kind of problem, and of the socio-political dimension of court organization in general. Unfortunately, the apparent alternative to moving into the area of ideal-model building or substantive planning is to utilize the Unit for procedural planning only. However, as both Simon (1957) and Berry (1974) point out, procedural planning that is not directed by rational decisions on the substantive level amounts to no more than disjointed incrementalization (Etzioni, 1967). The probability of favoring this latter alternative is heightened by some organizational reactions that we will discuss in a moment, under the heading of Initial Tasks and Obsolescence.

b. Proximity to Operations/Freedom to Define Problems

Most of the indicators that we possess concerning the linkage of Research and Planning to line managers would suggest that this potential dilemma has been handled fairly well in the Family Court. Responses to the 1975 interviews suggest adequate pre-project communication and cooperation between the Unit and the line managers. The linkage at the other end of projects (i.e. on implementation problems) are apparently less adequate, but still satisfactory. There is some evidence, both in the interviews with managers and interviews with Unit staff that the linkage between user and designer is less easy to establish when the problem at hand really occurs between or among units. We would suspect that Research and Planning projects which are systemic in scope rather

than unit-specific will receive lesser priority. Satisfactory Unit endeavors involving these interface problems are probably dependent on the ability of top management to undo old traditions or protocols in the communication patterns at the interstices of organizational structure.

The issue of providing Unit staff with the freedom to define problem parameters is, again, a less crucial problem to Research and Planning than some others. There was some complaint by Unit staff concerning constraints in following a problem through, from one unit to another or from the Court to outside agencies. Managers, however are apparently satisfied with the maneuvering room allotted to research and planning. We would suggest that the apparent constraints that the staff have felt in this area are due not to managerial interference but are apparently related to the problem with multiple/conflicting goals, and problems in line unit-to-line coordination.

c) Initial Tasks and Obsolescence

To the extent that Research and Planning cannot delve into areas of substantive and long range planning, the more it is likely that their concentration of procedural planning will become dysfunctional for the Court. If the highly favorable reactions of managers to the past two years' activity of the Unit (which is apparent) are not tempered by or conjoined by Unit activities in the areas of long range planning, general policy and treatment effectiveness, there is ample evidence to suggest that the Unit may indeed get locked into procedural planning. If the Court is effective in terms of client outcomes, and if the Court successfully adapts to rapid environmental changes without Research and Planning Unit

contribution, there is no problem here in any case. But the Court, or the law, or the County of Philadelphia can at some point, change so quickly and drastically, that all the energy and resources spent on analysis and development in areas of topical concern will be outmoded. This problem is probably so time distant, that its probability will not give Court administration much cause for alarm. It would seem to be of logical concern, however, in the evaluation of Research and Planning.

III. E.E.O.C. Compliance

This brief section presents the evaluator's analysis of the Research and Planning Unit practices in regards to an affirmative action program. The evaluators have not yet had a chance to study the E.E.O.C. plan developed by the Court. While the full court plan, presumably filed in City Hall, has been requested for study by the evaluators, we have not received it. There is apparently some confusion as to whether the full plan should be studied by the evaluators as most of it would be irrelevant to analysis of recruitment to a unit with a professional staff of five and one secretary.

Without having the plan available, we can report that the level of minority hiring in the Research and Planning Unit project is in accordance with EEOC guidelines, in our estimation. The commission should remember that it is extremely hazardous to attach significance to divergence or to congruence between actual percentages and required percentages of minorities hired, when the project includes only six people.

According to 1974 population estimates provided by the Pennsylvania Field Research Laboratory of the Pennsylvania State University:

- 1) at least 45% of the project staff should be women.
- 2) at least 25% should be black.
- 3) at least 4% should be Spanish speaking.

In actuality.

- 1) three of the six project personnel, including two of the professional staff and the secretary are female (50%).
- 2) one of the five professional staff is black (20%).
- 3) there are no Spanish speaking employed.
- 4) of the two professional staff who are women, Ms. Mary Lou Alken holds a supervisory position as assistant to the director.

Whether such a small unit should or can be required to meet more exactly the population percentage requirements is not for the evaluators to determine. We feel that the employment breakdown appears resonable.

Appendix

List of Interviewees

Mr. James Stieber	Director, Data Center
Mrs. Marie Faunce	Supervisor, Statistics Unit
Mrs. Florence Drummond	Assistant Chief, Juvenile Branch
Mr. Brian O'Donnell	Supervisor, Enforcement Unit
Mr. Earl Harris	Supervisor, Southwest District
Mrs. Lois Brown	Supervisor, Pre-Hearing Intensive Supervision
Mr. Joseph Sudler	Supervisor, Parole Unit
Mrs. Blanche Gibson	Supervisor, Intensive Probation
Mrs. Barbara Hudson	Supervisor, Petition Room
Mrs. Charlotte Butler	Acting Juvenile Court Services Manager, Clerk of Quarter Sessions
Mrs. Agnes Simmons	Deprived Intake Interviewer
Mr. Robert Frost	Assitant Supervisor Northeast District
Mr. William Joyner	Supervisor, Central Dustrict
Mr. Clarence Watts	Training Director
Mrs. Anne Walowitz	Chief, Legal Liason Office
Mr. Aiphonso Albarelli	Supervisor, Adult Unit
Dr. Nicholas Frignito	Chief, Medical Branch
Mr. Lewis Mitrano	Chief Assitant District Attorney, Family Court Division
Mr. Joseph Casey	Chief Voluntary Defender, Family Court Division
Mr. Rocco Donatelli	Supervisor, Intake Unit Youth Study Center

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GOVERNOR'S JUSTICE COMMISSION
PROJECT EVALUATION SUMMARY

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EVALUATION INITIATED BY: Philadelphia Region, G.J.C.

PROJECT: RESEARCH & PLANNING UNIT CONTINUATION NO.: PH 263 74A

SUBGRANTEE: FAMILY COURT CURRENT NO.: _____

EVALUATION CONDUCTED BY: NAME: DAVID DUFFEE AND KEVIN WRIGHT

ADDRESS: 537 PUDDINTOWN ROAD, STATE COLLEGE, PA 16801

DURATION OF PROJECT: JULY 1, 1974 TO: JUNE 30, 1975

DURATION OF EVALUATION: SEPTEMBER 28, 1974 TO: JUNE 30, 1975

DATE OF REFUNDING REPORT: FEBRUARY 26, 1975

END