

Strategic Plan Narrative for Judicial Branch Education in North Dakota



Prepared by:

Judicial Branch Education Commission

North Dakota Supreme Court

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Acknowledgement

The following members of the Judicial Branch Education Commission participated in the development of the strategic plan. Justice Dan Crothers (chair, now past chair); Sally Holewa (state court administrator); Kirsten Sjue (district judge); Jason McCarthy (district judge); Trish Hodny (municipal court judge); Troy LeFevre (district judge); Brian Pappas (dean of UND Law School); Bev Demers (district court clerk); Scott Hopwood (juvenile court unit director); and John Tassava (director of technology)

Invited guests participating in the planning were Chief Justice Jon Jensen, Justice Jerod Tufte (now a member), Cathy Ferderer, Robin Johansen, Chris Iverson, Kelly Hutton, Linda Splichal, Carrie Hjellming, and Cammie Schock

Background

The process of developing a strategic plan for judicial branch education in North Dakota began in 2006 when a team from the Judicial Branch Education Commission attended the Leadership Institute in Judicial Education at the University of Memphis. The Commission adopted the first plan in 2007. In March 2012, the Commission again looked at the challenges facing the court system and began the process of revising the Strategic Plan to cover the period of July 1, 2012 through June 30, 2017. In 2016, the Commission revised the education plan for 2017-2022. The Commission met in September 2022 to develop a new 5-year plan to address the current training and development needs of the judicial branch.

Method

In preparing to draft the plan, the Commission reviewed the current in-person and online learning opportunities available for judicial officers and staff. The Commission considered the purpose of judicial branch education and the value it brings to the court system. The Commission looked at data regarding employee classifications, turnover rates and exit interview comments to help identify gaps and needs in the current training plan and barriers to addressing those needs. Members agreed to core values of the judicial branch and used a jury model to reach agreement on the following questions:

What is the purpose of the judicial branch education department today and what should it be in the future?

Should training and education be expanded beyond the current offerings? If yes, to whom and how should it be delivered?

Process

Work on the current strategic plan began at a planning retreat in September 2022. For the purposes of planning, an expanded committee was formed which included representatives from the trial court administrators, justices, staff attorneys, juvenile court officers, and the clerk offices.

The Commission reviewed the mission statement developed during the 2016 planning retreat and agreed upon a slight revision of the statement to include the word collaborative. From there, the members brainstormed the challenges facing the court system and how the Commission can help meet those challenges.

After a series of online meetings, the Commission agreed to a vision of building a learning environment within the court system, revised the mission statement, and adopted primary and secondary areas of focus for the new plan.

Vision Statement:

The Judicial Branch Education Commission will promote and support a culture of learning within the judicial branch that prioritizes the continued personal and professional growth of its judges and staff.

Revised Mission Statement:

“The Judicial Branch Education Commission will collaboratively provide innovative education and training programs to guide and inspire a unified Judicial Branch in an ever-changing environment.”

Primary Areas of Focus

- Clerk of Court office access to training and development
- Becoming a Judge: Orientation and Training for New Judges
- Educational Programming for Judicial Support Staff (attorneys, paralegal, reporter, recorder)
- Standardized technology training for all court employees

Secondary Area of Focus

- Leadership and faculty development

Core Values of the Judicial Branch

The planning group agreed on the following core values related to the judicial branch and judicial branch education: inclusive, fair, ethical, equal, continuous development, relevant, regular, consistent, organized, efficient, respectful, collaborative, and excellence.

Challenges to using these values to guide continuing education:

- Limited financial resources
- Generational differences
- Technology changes
- Assessment of training effectiveness
- Different learning styles
- Limited time
- Changing leadership
- Turnover
- Buy-in

Purpose of Continuing Education in the Judicial Branch

The purpose of continuing education is to communicate change in an organized and uniform manner. It promotes personal improvement and transfers institutional knowledge. It is an investment in employees and provides value to the individual and the organization. An educated branch builds public trust and confidence in the judiciary. Continuing education addresses skills training and both professional and personal development. Continuing education can provide employees with training on a variety of topics, including:

- **New technologies:** Training can help employees learn how to use new technologies, such as software or hardware.
- **New procedures:** Training can help employees learn new procedures, such as how to use a new system or how to handle a new type of process.
- **Customer service:** Training can help employees learn how to provide excellent customer service.
- **Management:** Training can help employees learn how to be effective managers.

Continuing education can also provide employees with training on soft skills, such as communication, teamwork, and problem-solving. These skills are essential for success in today's workplace. It can also address diversity and inclusion. This area of training can help employees understand the importance of diversity and inclusion in the workplace and how to create a more inclusive environment.

There are many benefits of continuing education for employees. Some of the most common benefits include:

- Increased knowledge and skills
- Increased career opportunities:
- Enhanced personal development
- Increased job satisfaction

Response to the Jury Questions Posed to Commission

What is the purpose of the judicial branch education department today and what should it be in the future?

- The purpose remained the same as the current definition and mission with the addition of the word collaborative. The revised mission is to collaboratively provide innovative education and training programs to guide and inspire a unified Judicial Branch in an ever-changing environment.

Should training and education be expanded beyond the current offerings? If yes, to whom and how should it be delivered?

- Recommendations were to expand training for deputy clerks, judicial assistants, new judges, and staff attorneys/paralegals. Suggested topic areas were leadership, strengths, fundamentals, technology, writing, and Odyssey

Information Considered in Developing Areas of Focus

Employee Overview

There are 362 Full Time Equivalent (FTE) employees in the judicial branch. That number will increase in the 2023-25 biennium with the addition of 3 new judgeships and other requested staff positions. In 2023, the largest groups are Judges and Justices (15.74%); Clerk Offices (30.11%); and Juvenile Court Officers (10.49%). There are 52 trial judges, 5 justices, 34 juvenile officers and 4 juvenile unit directors. There are 109 state-employed clerks. There are an additional 63 employees in the county-employed clerk offices.

The clerk's offices (state employed) make up about 44% of the trial court FTEs. Deputy clerks account for over half of the terminations within the branch in 2021 – with 28% of those terminating employment within the first 12 months.

Key stat: In exit interviews, 37% of deputy clerks indicated they did not receive adequate training.

Current Educational Opportunities

In person - Judicial Officers (twice a year), Municipal Judges (annual), Clerks of Court (annual), Juvenile Officers (twice a year) Court Reporters (annual). Also, Court Management Program as funded. New Employee orientation (twice a year), Leadership/faculty development (goal is every 2 years).

Online - Live@Lunch programs offered as needed for judges, juvenile officers and clerk offices. Branchwide topics offered in LiveAfterLunch programs.

On-demand – Course modules, video library and bench guides/resources in Learning Management System

Identified Needs/Gaps

Planning group members identified the following as educational needs or gaps in educational offerings:

- Court processes (how departments function)
 - Clerks offices – understanding the system and the why – big picture
 - Stages of a case - terminology
 - Inclusion of deputy clerks (contract and state) in more training
- On-demand and How-to Learning (specific tasks or functions)
- Formalize pass down knowledge (retirements – institutional knowledge – succession)
- Communication skills, Listening skills/De-escalation
- Accessing resources (manuals, guides, Wiki, Learning Management System)
- Fundamentals (writing skills, Microsoft office suite, court software basics)
 - Odyssey, Microsoft
 - Procedures and policies
 - Read and follow instructions (use self-help)
 - Courtroom technology (Zoom, document camera, D-10, phones, other electronics)
- Staff attorneys - part of judicial training, research and writing for the judicial branch

- Municipal judges – in-depth learning for non-law trained
- Unified processes – too many different ways of doing things – can be addressed by:
 - Training grids
 - Modules
 - Mentors
 - Subject matter experts/trainers
 - Micro-learning
- Leadership training
- Supervisor training on interviewing, retention and employee engagement
- Formalized process for software training for employees developed by IT (scheduled courses for employees)
- Odyssey training (beginning and advanced) developed by IT (internal for staff and judges – also for external users)
- Curriculum for new judges, court officers and clerk office staff
- Providing a safe learning environment and encouraging self-directed learning

How Do We Meet the Needs?

- Change perspective – turn challenge into opportunity
- Cultivate leaders – get support at all levels for continuing education
- Utilize Partners – share/maximize resources
- Mentors – peer to peer learning, generational learning, cross-unit job exchange
- Cross pollination – break down silos, cross training, observation
- Build a learning organization – growth mindset

Below is further discussion regarding some of the proposed methods of addressing educational needs within the judicial branch.

Mentoring:

There are many reasons why organizations should invest in mentor programs. Here are a few:

- Mentor programs can help employees develop their skills and knowledge. Mentors can provide guidance and support to mentees, helping them learn new things and improve their existing skills.
- Mentor programs can help employees build relationships with more experienced colleagues. Mentors can provide mentees with access to a network of people who can help them advance their careers.

- Mentor programs can help employees feel supported and connected to their organization. Mentor programs can help employees feel like they are part of a community and that they have someone to turn to for help.
- Mentor programs can help organizations attract and retain top talent. Employees who feel supported and valued are more likely to stay with their organization.
- Mentor programs can help organizations improve their diversity and inclusion efforts. Mentor programs can help employees from underrepresented groups connect with mentors who can provide them with support and guidance.

Technology Training:

Software training for employees has many benefits, including:

- Increased productivity: When employees are familiar with the software they use, they can work more efficiently and get more done.
- Improved quality: Employees who are trained on the software they use are more likely to produce high-quality work.
- Reduced errors: Employees who are trained on the software they use are less likely to make mistakes.
- Improved customer satisfaction: Employees who are trained on the software they use are better able to provide excellent customer service.
- Increased employee satisfaction: Employees who are trained on the software they use are more likely to be satisfied with their jobs.
- Reduced turnover: Employees who are trained on the software they use are less likely to leave their jobs.

Software training can be provided in a variety of ways, including in-person training, online training, and self-paced training:

Learning Organization:

The Commission discussed learning organizations and how to create a culture of learning that would benefit the judicial branch. Below is a summary of those discussions.

Members used the following terms to describe the ideal organization:

Open-minded, flexible, consistent, non-judgmental communication, clear lines of communication, accountable, mistakes are owned, respectful, self-assessment, outward focused, growth minded, less rigid, leadership from all levels, experimentation, exploration

What is the Outcome of a Learning Organization?

- A “we” not “I” mindset
- improved efficiency and productivity
- psychological safety
- buy-in
- increased public confidence
- positive morale
- loyal and interested employees
- better support
- competent employees
- fulfilled mission
- satisfaction