

REPORT

of the

JUDICIAL BRANCH EDUCATION STUDY
COMMITTEE

to the

CHIEF JUSTICE OF THE NORTH CAROLINA
SUPREME COURT AND THE NORTH CAROLINA
JUDICIAL COUNCIL

June, 2002

**Judicial Branch Education Study Committee
2000-2002**

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Robert Mosteller, Duke University School of Law
John Rubin, Institute of Government
Kathy Shuart, Trial Court Administrator, Durham County
Tommy Thompson, Clerk of Superior Court, Henderson County
Teri White, Administrative Office of the Courts
James Williams, Public Defender, Orange County

In addition, Cindy Bizzell, the Administrative Office of the Courts and Jessica Smith, IOG also met with the Committee and participated in the Committee's discussions. Debra Henzey and Donna Warner served as facilitators for the Committee.

Judicial branch personnel will have the training and education necessary to excel daily in providing justice.

This vision, while not yet a reality, can be achieved. The Judicial Branch Education Study Committee (Committee) has spent nearly eighteen months studying the current system of providing Judicial Branch Education (JBE) to determine what needs to be done to achieve this vision. This is the Committee's report. It describes the Committee's activities, chronicles the advantages and shortcomings of the current system and provides recommendations that it believes will, over time, achieve this vision.

In brief, the recommendations fall into three categories. The first is structural. The Committee recommends that a Judicial College (College) be established to provide administrative focus, planning and accountability for JBE in this state. The College will provide accountability for the JBE program, greatly improve coordination among those who provide JBE services, reduce unnecessary costs and provide a place for the fostering of new ideas and practices that will improve the court system. Second, it recommends that all JBE be conducted in manner that is consistent with adult education principles discussed in Recommendations 2-5 of this report. Those principles will improve the quality of the educational program for judicial branch personnel. They deal with the kind of curriculum JBE should cover and the methods of delivery and evaluation it should use. Finally, the Committee makes some additional recommendations about JBE's funding, its relationship to other educational programs that benefit the courts, and transitional matters.

These recommendations would help the court system at any time, but they are especially important now. The State Judicial Council is grappling with issues generated by a statutory mandate to consider the advisability of adopting performance standards for North Carolina's courts. The world served by the courts is changing rapidly. North Carolina's population is growing rapidly and becoming increasingly diverse in lifestyle, culture, religion and language. Public confidence in the court system as an institution that is fair and effective in resolving disputes has been declining in recent years. The Judicial Council is focusing its energies on that issue as well. The social problems that face the courts—child and elder abuse, family breakups, domestic violence, substance abuse, to name a few—are becoming more difficult to address. The need for predictable, reliable, and fair forums for the structuring of commercial transactions (and the resolution of subsequent disputes) in a global economy has never been greater. If the courts are to have the trust of the public, there must be a common understanding of and appreciation for a neutral, detached, effective court system. JBE is an essential part of a court system that provides justice in a manner that is worthy of a high degree of public trust. It is an essential part of any effort to promote performance standards or to address public confidence issues. The stakes are high. Simply put, the courts will not provide the quality of justice its citizens deserve without an improved JBE program.

Committee's Charge

The Committee was established in the fall of 2000 by then-Chief Justice Henry Frye and Tom Ross, who was serving as Director of the Administrative Office of the Courts (AOC) at that time. The Committee's task was to review the current JBE system and make recommendations for improving it. Specifically, the Committee was asked to look at the following issues:

- What is the purpose of the judicial branch education? Is the existing program serving that purpose?
- Is the judicial branch education program organized in the most effective way to meet the needs of the courts? If not, how can it be improved?
- Are the resources available to the judicial branch education program sufficient to meet the needs of the courts? If not, can reallocations be made to address the unmet needs? If not, what additional resources would be needed to meet those needs?
- What gaps are present in the current judicial branch educational program? How can they be addressed?

These questions are answered in detail in this report's recommendations.

The Committee's title contains two important statements that need emphasis. The first is that the Committee's study was about education for the judicial branch. Education in this context is a carefully chosen word. It includes activities commonly thought of as "training," which is usually defined as teaching knowledge and skills necessary to perform a specific task. Education, as it applies to adults, refers to attempts to instill new knowledge of increasingly complex and abstract concepts that require the use of higher level thinking skills. Education is not always associated with the ability to immediately perform a task, but it is often thought of as a way to inform a person's intellect, attitude and worldview. Continuing professional education combines "education and training to convey abstract knowledge, concrete information, skill development, and personal development—learning opportunities throughout individuals' professional lives to enhance them intellectually, emotionally and spiritually, improve the execution of their job responsibilities, and acculturate them in their profession or organization." It is with this understanding of "education" that the Committee did its work.¹

The second matter is that the target of the Committee's mandate is the "Judicial Branch". It includes all those who work in the Judicial Branch, with some limited exceptions discussed in the report. It is not limited to judges, however, so the less inclusive phrase "judicial education" was not appropriate for the Committee's title.

In engaging in the study, the Committee reviewed the current JBE program and investigated national trends and "best practices" in JBE. Before reviewing the Committee's recommendations, it is useful to summarize the Committee's findings in those two areas.

¹ These definitions are from the JERITT Bulletin, Vol. 12, No. 4., Oct. 2001.

Current JBE program in North Carolina

The current JBE program is well established. Nearly all judicial branch officials have the opportunity to attend educational programs designed to help them improve their ability to perform their jobs. The Committee believes the current JBE program is working effectively in many areas. It does a good job of training court officials in legal and technical aspects of their jobs. It meets the mandatory training requirements for all officials. It provides quality orientation programs for most elected officials and for many support staff and non-judicial officials who work in the court system.

The current program has some gaps, however. It does little to help groups within the courts to work effectively as a team, to understand others' roles, or to appreciate the benefit of working to achieve systemic goals. It does relatively little to educate the "whole person," which would require more opportunities for reflection on the values and attitudes that undergird the daily work of the courts. Its programs for developing interpersonal skills are not well developed or available to most employees. It does not have programs specifically designed to address the needs of officials at all stages of their careers. For some groups, it provides far too little training even in basic job skills. The most glaring example is the lack of training for assistant and deputy clerks of court. Finally, the current program does not adequately equip court officials to deal effectively with the changing world in which they must work.

To put the Committee's recommendations in perspective, it is important to understand how the current JBE program is structured. Currently, the Institute of Government (IOG), the AOC, the District Attorneys Conference, and various associations of court officials conduct JBE programs. Each of those groups makes significant contributions to the overall JBE program.

Institute of Government. The Institute has several faculty members and program coordinators who work full or nearly full time in JBE programs. They work with judges, clerks, magistrates, prosecutors, public defenders and some support staff members in designing and implementing programs for groups of court officials. The officials they work with on an ongoing basis are the superior and district court judges, clerks of superior court and their employees, magistrates, district attorneys and their employees, public defenders and their employees, judicial support staff, and family court staff. They also work with other groups on an occasional basis.

The educational programs are varied, but most fall into two categories. The first are sessions for new officials. They typically take place immediately before or shortly after an official takes office. There are such sessions for judges, magistrates, assistant district attorneys and public defenders and, occasionally, elected clerks of court. They range in duration from two days to two weeks. The second are conferences aimed at a specific class of officials, conducted in conjunction with the related association of court officials. It is typical at those conferences for all of the people in the association to be invited to participate (i.e., all of the elected clerks of court for the clerks' conference, all of the

district judges for the district judges' conference). Most continuing education is offered through these conferences.

In all of these programs, the IOG works with the appropriate employees of the AOC and the affected associations in planning and implementing the programs.

These programs are funded jointly by the IOG and the AOC. The Institute pays for the faculty, and most of the time of the program coordination staff, and the AOC pays for the out-of-pocket expenses in running the events. Those costs include travel and subsistence for participants, printing, room and equipment rental and other such costs. The AOC's portions of those funds come from state funds or from grants. The IOG is partially state funded (60%) and the remainder of its funds comes from revenues it raises from schools and conferences, publication sales and consulting fees. The funds it uses to support the JBE program come from all those sources.

Administrative Office of the Courts. The AOC is the primary provider of educational programs in many specialized areas in which their employees have expertise such as computer use, record keeping, and personnel issues. In addition, that office provides instruction in more general human resource areas such as team building, supervision skills, and other matters related to the management functions of the courts. It also provides some courses for assistant and deputy clerks of court on specific subject matter areas such as estate administration or the law of foreclosure. Most AOC training efforts are available to any interested judicial branch employees, but some of the events are of interest to only one group, like the programs for assistant and deputy clerks.

In addition the AOC offers specialized educational programs for employees in programs run out of that office. These programs include Guardian Ad Litem programs, drug treatment courts, family courts, and Sentencing Services programs.

The AOC's program expenses are paid by the agency, either from state funds or grant funds dedicated to pay those expenses.

Conference of District Attorneys. The Conference of District Attorneys is responsible for the educational programs for district attorneys and their staffs. They sponsor conferences for prosecutors, seminars to help prosecutors develop trial and other skills, and programs for victim-witness assistants and other support staff. The IOG sponsors programs for new prosecutors each year, and its faculty members often teach at Conference-sponsored educational events.

The Conference's program expenses are paid by the AOC, either from state funds appropriated to the agency for the support of the Conference, or from grant funds.

Indigent Defense Services Commission. In 2000, the General Assembly created an Indigent Defense Services Office and directed that a Commission be established to guide the work of that office. That Office does not currently directly sponsor educational activities. However as it determines how best to provide direction to the indigent defense

program in North Carolina, it will have to face the issue of providing educational support for that system.

The Office is funded by an appropriation from the General Assembly, and from revenues it receives from reimbursements from defendants who are represented by attorneys paid by the Office. It has no dedicated funding source for educational programs.

National Trends in JBE

This is a time of ferment and change in Judicial Branch Education. To investigate the state of JBE nationally, the Committee heard from Maureen Conner, the Executive Director of the Judicial Education Reference, Information, and Technical Transfer Project, at the Michigan State University School of Criminal Justice. She reported on the trends her organization has identified in JBE. Those trends are instructive in understanding the challenges that will face North Carolina's JBE program in the near future. Among them:

- JBE is focusing on new subject matters such as the restoration of public confidence, the role of the courts in modern society and changing roles of judges.
- JBE is concerning itself with education of its learners for their entire career, in ways that are most appropriate to the changing stages of the careers.
- JBE is concerning itself with outreach efforts to assist the public in better understanding the courts.
- JBE is providing more extensive and more formal mentoring opportunities for its participants.
- JBE is expanding its scope to address the personal development of the people it serves, in ways that make the learners more effective in doing their work, more satisfied, and therefore, more likely to continue in service.
- JBE is increasingly involved in education for court officials before they take office.
- JBE programs are increasingly being offered as seminars, focused on a small number of topics and involving participants from a variety of jobs. As a result, the traditional method of using conferences aimed a single kind of official and focusing on many topics is not being used as much as it has previously.
- JBE programs are including more groups than was the case in the past. JBE is not just for judges anymore.
- JBE programs are increasingly using self-directed learning opportunities, especially as technological improvements make the delivery of those programs more effective.
- JBE programs have a reduced shelf life, as the pace of change accelerates both within and outside the legal system.
- Evaluation of JBE programs is assuming greater importance as competition for resources intensifies among governments.

The factors that have led other states to deal with these issues are present in North Carolina. Consequently many of the Committee's recommendations respond directly to the issues presented by these trends.

Recommendations

The Committee has several recommendations that it believes will substantially improve the JBE program in North Carolina. Each one is worthy of consideration on its own, and would be beneficial. The Committee believes that all are necessary for the state to obtain the maximum benefit for its JBE dollars and to have a JBE program that effectively promotes the court system's ability to deliver justice to the citizens it serves.

1. A Judicial College should be established to provide administrative focus and direction to the overall educational program of the judicial branch. The current system is not a system at all, but a series of independent entities, each of whom does a good job in the things it does. There is no entity responsible for thinking about JBE as a whole. A Judicial College would do that.
 - a. In advocating the creation of a Judicial College, the Committee is not suggesting that the entities now involved in JBE should stop their training activities. On the contrary, there is every reason to believe each of them (AOC, DA's conference, IDS Office, IOG) should do more. The role of the College would be to provide an overall direction to the efforts. There are too many instances in which events sponsored by organizations compete with each other for the same students, or in which courts schedules are adversely affected because adequate coordination does not occur, or in which the same course of instruction is offered multiple times to separate groups, instead of offering it once to all of the interested groups.
 - b. The College would be led by a director, who would become the single person most responsible for directing and encouraging the development of the JBE program in the state. Additional necessary staff should include persons knowledgeable in adult education principles and use of technology in educational settings, and administrative support personnel. An advisory committee representative of the groups affected by JBE would assist the director.
 - c. The College would be housed at the IOG. That placement builds on the long-standing relationship between the courts and the Institute. It would preserve the benefits of that relationship—continuity in programming, political neutrality and quality of faculty. The College will not be a freestanding building or entity; it will instead be an administrative unit within the IOG.
 - d. Since many programs are offered by organizations other than the College, one of the College's important duties will be to be aware of the training activities of the AOC, the DA's conference, and others. It will need to insure that those activities are coordinated with each other. For this idea to work, the AOC must be supportive and involved, and the College must

- work closely with the appropriate AOC officials. It must also communicate effectively with the Conference of District Attorneys and the Office of Indigent Defense Services about their educational programs.
- e. The College should serve all judicial branch officials, although district attorneys and public defenders, as advocates in the courts would have a different relationship to the College than others. Both of those groups have different roles than other court officials, and they have permanent, statutory bodies with administrative responsibilities to assist the work of the personnel in the field. The Judicial College would not provide advocacy training for those groups, but their members should be eligible to participate in the College's programs where it is appropriate.
 - f. A detailed description of the College recommendation is included in this report.
2. All JBE programs should use educational principles that promote the continuing professional development of those served by the program. As one commentator puts it, "A training program is most successful when the right participants receive the right knowledge, attitudes, and skills, taught by means of the right methods, media, and instructor at the right time and place so as to meet or exceed the organization's expectations."² Those principles include the use of:
 - a. The needs of the learners as the basis for program planning
 - b. Appropriate selection criteria for participation in the program
 - c. Educational formats that respond to the diverse learning styles of adult professionals
 - d. Program planning criteria that are conscious of different learning needs at various stages of the learner's careers
 - e. Learning objectives and performance outcomes that the program is designed to achieve
 - f. Appropriate physical surroundings to insure that the opportunity for learning is maximized
 3. All JBE programs should be guided by a "curriculum" that systematically addresses the needs of the people served by the program. The Judicial College should take the lead in developing the curriculum, working with the AOC and other affected groups. That curriculum should include these basic components:
 - a. Basic Law and Procedure
 - b. Court Roles and Structures, and the Impact Each Role Has on the System as a Whole
 - c. Skills in Using Technology
 - d. Communication Skills
 - e. Basic Job Skills
 - f. Cultural Competency and Diversity Issues
 - g. Societal Issues
 - h. Court Administration & Management

² *Conducting Impact Evaluation for Judicial Branch Education*, JERITT Monograph 11, at page 1, quoting David Parry.

- i. Employee/Personal Development
 - j. Dealing with Change
 - k. Leadership Development
 - l. Trainer Development
4. JBE programs should be delivered in formats that maximize the opportunity for the participants to learn and develop the knowledge and skills they need to perform their jobs. The methods chosen will vary depending on the audience and the subject matter, but the principles that should guide those choices include:
- a. Valuing the opportunity for interactive learning experiences
 - b. Insuring that basic information is delivered efficiently and effectively
 - c. Providing opportunities for learners to develop a sense of community
 - d. Using available resources efficiently
 - e. Adapting the mechanism to the audience and program content

The Committee believes that the use of conferences of single groups of officials is valuable in promoting a sense of community among groups of officials with similar jobs. However, there are educational formats that offer better opportunities for learning to occur and provide educational experiences that single group activities cannot provide. For example, one important educational goal—the development of programs to help those who work in the courts to understand how the system is affected by their work—cannot be achieved in single group meetings. Those additional formats should be used as appropriate, but should not be used in ways that completely eliminate the opportunities for community building that conferences provide. If necessary, some funds now allocated to conferences should be diverted to other types of programs. In addition, delivery methods such as regional meetings, distance learning (using technology to teach in multiple locations, and self-directed (e.g., Internet-based, use of specialized materials for individual learning such as programmed learning manuals, designated reading materials, etc) learning activities should be used as appropriate, either by diverting existing funds or using those methods as new funds become available.

5. Evaluation is critical to the operation of a successful JBE program. It should cover more than the extent to which the participants like the course content or instructors. It should also begin to assess if the programs lead to any changes in behavior or in improvements in the way in which the court system does its job. It should be built into all programs, and should be consistent with the overall curriculum goals and educational principles that provide direction to the JBE program in North Carolina. In framing evaluation strategies, two questions should be considered: “What should learners know, and what should they do with that knowledge?”. In addition:
- a. Specific programs should be regularly evaluated as they are delivered.
 - b. The Judicial College should develop evaluation tools and instruments to assist those responsible for evaluation of programs.

- c. On a periodic basis, the overall program of each regular provider of judicial branch education should be evaluated by an independent outside evaluator.
6. The JBE program recommended in this report will need substantial additional funds to do its job. Simply put, the JBE education program now in place is a “bare bones” operation, meeting many basic needs, but not adequately addressing many important issues. The funding that is currently allocated to JBE must continue, but substantial additional resources will be necessary. The Committee did not have the expertise or time to prepare a detailed budget. Its estimate however is that at least \$500,000 would be needed to establish and operate a Judicial College. The committee’s recommendation is that adequate funding be provided to do that. In addition it makes the following specific recommendations.
 - a. The General Assembly should be asked to assign the issue of financing a Judicial College to a legislative study commission at its earliest opportunity. The committee is aware of the difficult budget situation facing the state in the spring of 2002, and it does not recommend any budget increases in the short term. However, this is a permanent need that should be addressed when funds are available.
 - b. If the General Assembly considers raising court costs in 2002, it should be asked to consider the appropriateness of allocating a portion of that increase to the funding of a Judicial College.
7. Support of other organizations providing training to JBE personnel. The Conference of District Attorneys currently provides nearly all of the training provided to district attorney’s personnel. That arrangement is likely to continue. Adequate funding for those activities is important not only to that organization, but to the court system, and the Committee recommends that it be made available. Prosecutors who are not trained in the law, or district attorneys who are not skilled in management cost the state money. Public defenders who are not skilled have the same effect. The Office of Indigent Defense Services is just beginning its work. It does not currently have any staff working on the education of those who defend indigents. It does work with the AOC and the IOG to provide educational programs for public defenders, and in a limited way, to private attorneys. The Committee does not have any recommendation about the mechanism the Office should use, but it does strongly recommend that adequate funding be provided to that Office to provide training and education for those it serves.
8. Pending the acceptance and implementation of these recommendations, the Chief Justice should appoint a working group to advocate for the implementation of the Committee recommendations. That group could be a subcommittee of the State Judicial Council. When the Judicial College’s advisory committee is appointed, this working group should cease to exist.

The North Carolina Judicial College

As noted in Recommendation No. 1, the Committee recommends that the JBE program be directed by a Judicial College. This section discusses the recommendation in more detail.

Mission. The North Carolina Judicial College will provide effective learning-centered education and training to judicial branch personnel to develop the abilities and values necessary to provide justice.

Mandate. The North Carolina Judicial College, working cooperatively with the AOC, the Chief Justice of the Supreme Court, and the judicial officials served by the College is responsible for developing, overseeing and evaluating a comprehensive educational program for judicial officials and their support staff. Its ability to meet that responsibility is dependent on the College's receipt of adequate funds.

Educational programs that address the unique advocacy needs of the district attorney personnel are the responsibility of the conference of district attorneys. Educational programs that address the unique advocacy needs of public defender personnel served by the Indigent Defense Service are the responsibility of that office. In areas of common need, the Judicial College will cooperate and will collaborate in sponsoring educational programs with both of these organizations.

The educational activities of the AOC in human resources, information technology, and in other areas are an integral part of the education program. The College and the AOC should take all reasonable steps necessary to insure that all programs by the College and the AOC are delivered in a coordinated manner. Those steps could include the appointment of liaisons to promote communication and the appointment of AOC personnel to the College's advisory committee. The existence of the Judicial College does not, however, affect the responsibility or authority of the AOC to provide educational services to all judicial department personnel in its areas of expertise and responsibility. It does, however, make it important that the work of the AOC is coordinated with the work of the College.

The College will, in addition, provide policy direction on JBE in matters related to the educational programs it conducts. It will have policy authority to determine priorities in its curriculum development, program offerings, designations of target audiences, and location and duration of programs. It will have the authority to determine requirements and policies instructors must follow and other educational administrative matters such as advocacy policies, requirements for written materials or other similar matters. It will coordinate with the appropriate officials in the AOC to insure that the programs do not have an adverse impact on the capacity of the court system to conduct its business.

It will recommend to the Chief Justice, the Judicial Council and/or the Director of the AOC any policies it deems appropriate. Those matters may include mandatory continuing education requirements, reimbursement and priority for determining eligibility

for out-of-state training events, and vacation policies for officials attending College events or out-of-state training events or other similar matters.

Governance. The College is part of the IOG, which is an administrative unit of the School of Government of the University of North Carolina at Chapel Hill. It is advised by a thirteen-member advisory committee. The committee is constituted as follows:

1. Supreme Court Justice or Court of Appeals Judge, appointed by the Chief Justice
2. Superior Court Judge, selected by the Superior Court Judges Conference
3. District Court Judge, selected by the District Court Judges Association
4. Clerk of Superior Court, selected by the Clerks Association
5. Magistrate, selected by the Magistrates Association
6. District attorney, selected by the Conference of District Attorneys
7. Indigent Defense Services representative, selected by the Indigent Defense Services Commission
8. At-large member from the courts - representing employees from judicial support services and other support staff, appointed by the Chief Justice
9. Trial court administrator, selected by the Court Administrator's Association
10. AOC Director or Senior Deputy Director
11. AOC staff member designated by the director of the AOC
12. Adult educator, appointed by the Chief Justice
13. Member of the public representing the customers' perspective, appointed by the Chief Justice

The advisory committee members will serve three-year staggered terms. If a person who serves in a representative capacity resigns, retires, or is removed from the position he or she held at the time of the appointment, a vacancy is created and the appointing authority may select a successor to serve the remainder of the term.

The College is led by a Director, who is an employee and faculty member of the IOG. The Dean of the School of Government, after consulting with the Chief Justice and the Director of the AOC, appoints the Director. The College will have staff support as resources allow. It may use subcommittees to advise and conduct specific programs or groups of programs as appropriate.

The Director of the College will report on a regular basis to the Chief Justice, the State Judicial Council and the Director of the AOC on the needs, activities and programs of the Judicial College.

Budget. The College, if it is fully funded, will support its programming costs, including curriculum development, preparation of instructional materials, program evaluation, on-site program costs, travel and subsistence for faculty, staff, and any other expenses. Those funds may come from resources provided to the IOG, from the AOC through its contracts with the College, or from other sources as appropriate. The AOC will continue to provide travel and subsistence funds for participants. Significant present sources of income for the College that must continue are the funds provided by the AOC to the IOG in the contracts between those organizations and the resources currently provided by the IOG to pay for the faculty and staff assigned to work with judicial officials, and the costs

to support their work. As demands on the College increase, those sources of funds or others will need to be increased to support the higher level of activity by the College. Other sources of revenue could include direct state funding from the General Assembly or funds from federal, private, or foundation sources.

Governing educational principles. The educational programming of the College will, when fully developed, include pre-service and orientation learning opportunities for new officials and employees to help them make the transition to public service, continuing education programs for all, and specialized learning experiences for officials and employees as they develop in their careers. The College will utilize educational principles that promote effective adult learning in all its programming. Among those principles are the following:

1. Education and training that is focused on the learner's needs, and takes into account the fact that in any group a variety of learning styles are likely to be represented.
2. Educational programs that provide life-long educational opportunities throughout the stages of a person's career, and that are timed to provide the opportunity to learn when it is most appropriate.
3. Intentionally designed curricula, designed after a systematic determination of the core competencies each group of officials needs and an assessment of each group's educational needs in meeting those competencies.
4. Systematic evaluation of the extent to which the participants in educational programming are gaining the knowledge, skills and abilities they need to do their jobs.
5. Design of educational programs to insure that the participants interact with the teachers, and with each other, in appropriate settings.
6. Insuring that educational programming provides opportunities for informal sharing of experiences with colleagues and others.

Development and support of the faculty, both employed by the College or volunteers, who provide the instruction and leadership to the educational programs.

Curriculum. The College will develop a curriculum that addresses the needs of its learners. When fully in place, it will have an annual plan and course schedules. The curriculum will address the following areas:

- Law
- Basic Job Skills
- Cultural Competency and Diversity Issues
- Societal Issues (scientific, human relations, medical, psychological, etc.) that affect the courts.
- Court Administration & Management
- Employee/Personal Development
- Dealing with Change
- Leadership Development

Program Delivery Methods. The educational programming may include conferences, seminars, regional and local programs, distance-learning activities, or individualized learning programs, or any other formats, as appropriate. Some programs will focus on the work of one occupational group, but others may involve people from many different positions. The College will determine the best methods for delivering an effective program and, over time, the specifics of the delivery system will change to meet the needs of the courts.

Faculty. The College will utilize the services of IOG faculty, AOC personnel, judges and other court officials, and other appropriate persons as faculty members in the College's educational programs. It will provide faculty development and other activities to support the work of its faculty.

Transition to a Judicial College. Moving from a decentralized system like the current one to the kind of coordinated education program contemplated by the Judicial College will take time, resources, and a sustained commitment to the new system by the AOC, the Chief Justice of the Supreme Court, the IOG and the judicial branch officials in leadership positions in their respective organizations. A lack of will to make the system effective by any one of those groups can easily undermine or prevent a College from being successful.

In the short term, programming is likely to continue to be similar to the current programming. Over time as curricula are developed and resources become available to implement them, the educational programming will change as those developments warrant. This provides a structure that can work toward the goal of developing a coordinated, comprehensive, consistent, and effective educational program, but it is not a specific recipe for achieving the goal.

Conclusion

The court system, as one of the three branches of state government has a critical role in determining the quality of life in this state. The Committee believes that if the courts are to provide justice effectively, all of the people who work in the courts must have the opportunity to develop as professionals throughout their careers in the courts. When people have a chance to develop they are more effective in doing their jobs and are less likely to leave prematurely. It makes economic sense to have an effective educational program for those who work in the courts.

Some of the Committee's recommendations will take money to implement. All will take time, since these recommendations in some ways challenge the accustomed ways of doing business in the JBE world. All will take sustained commitment and leadership from the Chief Justice, the Judicial Council, the AOC, the IOG and the leaders of the associations of court officials. It is an ambitious task, made much more difficult by the budget crisis in place as this report is issued. Budgetary problems may affect the timing

and the speed with which the recommendations are implemented, particularly the establishment of a Judicial College, but the Committee believes the task is too important to let it fall victim to a short-term budget shortfall.

Apart from the establishment of a Judicial College, most of the recommendations in this report can be begun with little or no additional funding, although the full benefit of the practices recommended cannot be realized without the support the Judicial College will provide. The recommendations involve the methodology by which JBE programs are planned, implemented and evaluated. Examples of practices that would be consistent with the recommendations, and which could be implemented in the existing structure with existing funds, are more programs that involve multiple court groups, regional programming, or substitution of seminars for some of the single-group conferences. The Committee believes the principles articulated in those recommendations should be incorporated in the programs of all providers of JBE in North Carolina as soon as possible.

It is with that appreciation for the importance of the courts' mission that these recommendations are offered. They all involve long-term, permanent changes in the approach that North Carolina takes in providing JBE. The culture of the courts is uniquely resistant to change; no institution venerates precedent more. The Committee is aware that changing the expectations and culture of the courts about what quality education means is, to steal from Judge Learned Hand's famous quip about effecting change in the courts, not for the "short-winded." For the JBE program to meet the needs of the courts today and tomorrow, it will always be adapting and improving its product. Developing an effective JBE program is a process that never ends. These recommendations will begin that process. There is no better time to start.