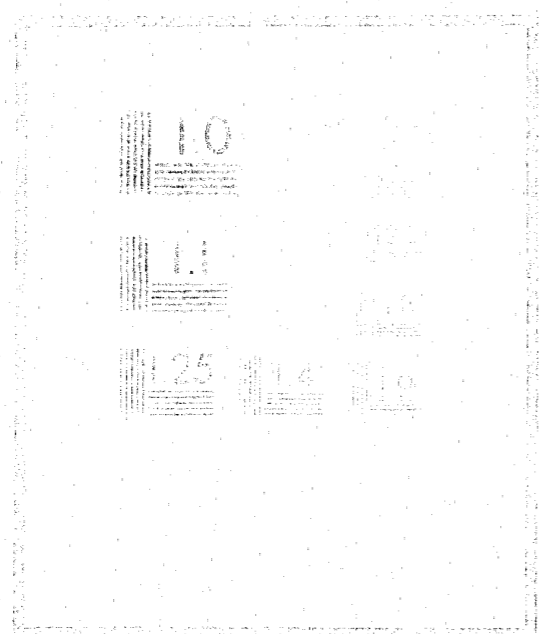


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SUMMARY OF CONTRIBUTIONS AND TRAINING NEEDS ASSESSMENT FOR NEW HARTFORD, CONNECTICUT COURTS

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THE AMERICAN UNIVERSITY
CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT
Institute for Advanced Studies in Justice
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A Program of the
Office of Regional Operations
(Adjudication Division)
Law Enforcement Assistance Administration
U.S. Department of Justice

SUMMARY OF CONFERENCE AND
TRAINING NEEDS ASSESSMENT FOR
NEW HAMPSHIRE MUNICIPAL AND DISTRICT
COURT CLERKS

September 1976

MAR 8 1977

Consultant:

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FOREWORD

During the spring and summer of 1976, the Criminal Courts Technical Assistance Project received requests from three states -- Connecticut, Michigan and New Hampshire -- to develop a methodology for assessing the training needs of court support personnel which might subsequently serve as the basis for an on-going educational program. Each of these requests differed in terms of the level of prior training development undertaken in the particular state, the scope of needs which had to be addressed and the organizational resources available to address these needs. It was felt, however, that, together, these requests represented the concerns of a number of other states and that the technical assistance provided could be of potential utility to a large number of jurisdictions.

In responding to these requests, the Project sought to draw upon the experiences and perspectives of persons who had practical knowledge and experience in developing staff support training curricula and who could work with the local officials involved to develop a training needs assessment which would be of immediate utility to the state involved as well as serve as a planning tool for other states contemplating development of an educational program for court staff. The consultants assigned to this task were: Francis Bremson and Melvin Mixner, both of the Cleveland Court Management Project, who had recently completed a large-scale needs assessment for all court support personnel in Cuyahoga County, and Dr. Dale Lefever, Associate Director for Faculty Development at the Association of American Medical Colleges. Dr. Lefever has worked extensively in developing and conducting support staff training programs, both for court personnel and other disciplines, and has spent a number of years working with court training programs in Michigan.

Messrs. Bremson and Mixner focussed their efforts primarily upon the Michigan assignment which required development of a comprehensive methodology for surveying the more than 5,000 court personnel involved. Since the State Court Administrator's Office had already launched a number of training programs for these court staffs, the focus of technical assistance was upon providing an analytic design for conducting the survey, evaluating the survey results, and subsequently developing a long-term educational program which would build upon the training efforts already begun. Dr. Lefever reviewed the design and provided comments particularly in regard to the pilot testing and implementation which are incorporated in the final report.

The Connecticut and New Hampshire reports are primarily the result of Dr. Lefever's efforts with review and comment provided by Mr. Bremson. The reports of these assignments are geared to utilizing questionnaires, group meetings and personal interviews as the major mechanisms for assessing clerk's training needs. The desirability of this approach was dictated by the relatively limited geographic areas of these states and the small number of court staffs involved.

For Connecticut, whose clerks number 114 and where relatively little information is currently available concerning job responsibilities and little prior clerks' training programs have been undertaken, the report provides a methodology for developing a statistical profile of the clerks, a compilation and analysis of the statutory duties of these clerks (including the impact of recently enacted court merger legislation) and an outline for a training program which will address clerk functions, job-related problems and clerks' preferences for education and training areas. An additional component of the Connecticut request was to provide

background and perspective regarding the potential design and substance a support staff program might take. In this regard, the Project staff met with the State Judicial Education Officer, Anthony Fisser, who had requested the assistance, to discuss the objectives the program would have and to identify relevant information which would bear on its design. In addition, the Project arranged for Mr. Fisser to participate in the planning sessions for the Michigan assignment, which further explored these program issues, and to meet with Sofron Nedilsky, Director of the Wisconsin Judicial Education Program.

A slightly different approach was used for the New Hampshire assignment. Unlike the Michigan and Connecticut requests, which were geared to gathering preliminary survey information prior to planning the educational program, the New Hampshire request required the development of a pilot conference program for the state's clerks which would both respond to their training needs as well as permit further assessment of these needs. The report, therefore, describes the format and content of a two-day conference and the approach utilized to provide immediate information from the participants concerning their training needs and to develop a consensus which could be the basis for subsequent training programs of general application to all district and municipal court clerks in the state.

The report which follows describes the methodology for assessing clerks' training needs in New Hampshire. The methodologies developed for Michigan and Connecticut are provided in separate reports of this project.

I. INTRODUCTION

This report presents a model for the assessment of the training needs of District and Municipal Court Clerks in the State of New Hampshire. It was developed in response to a request from the New Hampshire Administrative Committee of the District and Municipal Courts with regard to the initiation of a statewide clerk's training program.

The Administrative Committee and the Clerks Association designated September 8 and 9, 1976 as the dates for a pilot conference that would focus on the assessment of training needs.

The assistance requested in support of this conference was:

- 1) Help in developing both the format and content of the sessions,
- 2) Help in identifying and providing three-four resource persons who would conduct the sessions, and
- 3) Help in designing a methodology for assessing the long-term training needs of the district and municipal court clerks during the conference.

Mr. Samuel L. Hays, Secretary to the Administrative Committee and Mr. R. Dale Lefever, project consultant, met in Washington, D. C., on August 9, 1976 to begin the design of the two-day conference. It was decided at that time that officers in the Clerk's Association be involved in the planning and that the actual program use clerks as resources. Ms. Mary Kitson, President of the Clerk's Association, and Ms. Judy Johnson, Vice-President were asked and agreed to assist in this project.

Since this was the first conference of its kind, particular attention was paid to the design of the program. Mr. Hays and Mr. Lefever met in Boston, Massachusetts on August 20, 1976 and again in Hartford, Connecticut on September 3, 1976. At the last meeting Ms. Kitson and Ms. Johnson were also present. The conference agenda (See Appendix A) was developed at this time.

The focus of the conference was on self-perceived training needs. It was felt that greater commitment to future training programs would result from involving the clerks directly in the initial phase of the assessment. The remainder of this report will describe the format and content of the two-day conference and includes a description of clerk functions, problems, and preferences for training.

A. Analysis of Existing Situation

There are six different types of courts in New Hampshire. Five of them are state courts: supreme, superior, probate, district and municipal. The sixth court is the United States district court. This program included clerks from only the district and municipal courts.

A comprehensive system of judicial districts each with a district court was organized, constituted and established on July 1, 1964. The cities and towns of the state were divided into thirty-seven districts each with a district court. This system remained unchanged until the 1969 legislature established the Lincoln and New London district courts by revising the Plymouth (in the case of Lincoln) and Franklin and Henniker (in the case of New London) districts.

Each district court has a justice, special justice and clerk who are paid an annual salary which is established by the statutory formula (case-load) and paid by the municipality in which the court is located within the district. In Manchester, Nashua, Concord, Keene, Claremont, Portsmouth, Berlin, Dover and Laconia, sessions of the district courts are held not less than five days each week, and in the remaining cities not less than two days each week. Sessions of district and municipal courts located in towns must be held not less than one day each week, except in those courts where the annual number of cases for the last three years is one hundred cases or less.

These courts have original criminal jurisdiction, subject to appeal, of all crimes and offenses committed within the district in which such court is located which are punishable by a fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both. Provided that when a municipal court has been retained in a town within the district, the municipal court shall have original jurisdiction over offenses committed in that town, subject to appeal to the superior court. The district courts also have preliminary jurisdiction of felonies with authority to conduct preliminary hearings and to bind over or hold respondents for the superior court. These courts also act as juvenile courts.

The municipal courts, all located in towns, hold sessions weekly, or as the convenience of litigants may require. They have original jurisdiction of criminal offenses committed within the confines of the town in which such courts are located which are punishable by fine not exceeding five hundred dollars or imprisonment not exceeding one year, or both, subject in all such cases to right of appeal to the superior court and trial by jury. Traffic violations comprise most of the business of these courts. They also have jurisdiction of felonies with authority to conduct preliminary examinations and to bind over respondents to the superior court. The municipal courts also act as juvenile courts.

These courts have no civil jurisdiction except in landlord and tenant actions in which title to real estate is not involved, subject, however, to right of appeal to the superior court. Simplified procedure has been established for small claims in which the debt or damages exclusive of interest and costs does not exceed two hundred dollars and title to real estate is not involved.

Implicit in the above descriptions of the two courts is the issue of multiple clerk functions relative to size, nature, and frequency of court sessions. There are, therefore, three general classifications of clerks. There are full-time clerks in full-time courts, full-time clerks in part-time courts, and part-time clerks in part-time courts. While there are no written job descriptions associated with any of these categories, these divisions are relevant to actual functions performed.

The task of the conference was to identify the primary functions of clerks and how they differed, the problems clerks were experiencing, and the types of training programs they considered valuable.

B. Methodology for Assessing Training Needs

The determination of training needs requires careful digging of facts, frequently with inadequate tools. It is difficult, frustrating, and often conducted under pressure to get something, just anything, going. Consequently, many training efforts are begun without any goal, continued with no purpose, and end with no results.¹

The approach used in this project was an attempt to avoid the development of meaningless training programs and consisted of the following steps:

- Step 1. Presentation and exercise in group problem solving
- Step 2. Individual and group specifications of primary functions of clerks
- Step 3. Group specification of skills required in the conduct of primary functions
- Step 4. Individual and group identification of priority problems
- Step 5. Individual identification of preferences for training.

¹A paraphrase of a statement by William McGehee and Paul M. Thayer, Training in Business and Industry, (New York: John Wiley and Sons, Inc., 1961).

Step 1

These clerks were relatively inexperienced in working together in groups and were accustomed to the more traditional lecture-type presentations where they had only a passive role. Since this conference was to focus on individual needs and group consensus, a brief introduction to group concepts was included.

This involved a presentation on "What It Takes to Be a Group" where the following seven characteristics of a group were reviewed:

- 1) A common goal or task
- 2) A clear role for each member
- 3) The ability of each person to contribute
- 4) The potential for resolving an issue
- 5) Freedom to act
- 6) No single expertise
- 7) A meaningful task.

The emphasis was on their responsibility for contributing to the product and the need to consider everyone's input.

The participants were also asked to complete individually and as a group the NASA Space Exercise (See Appendix B). This exercise gave the participants (grouped by caseload)* the opportunity to work together and to see the potential for individual and group problem solving.

Step 2

In the absence of any written job descriptions or single classification of clerks, there was the need to make explicit the primary functions of the clerks.

The first step in this two-step process involved asking each individual to list their primary responsibilities. These were then discussed within each of the four groups.

The second step involved the identification of the five most important functions determined by group consensus. The summary of these four groups as well as an overall summary is provided in Appendix C.

These functions were discussed with the participants to guarantee sufficient specificity and to identify differences between groups.

*The participants were divided into four groups based on caseloads of (500-1,500), (1,500-2,000), (2,000-3,500), and (3,500+).

Step 3

This step was intended to prompt the participants in considering skills associated with the five primary functions agreed upon by their group.

This activity, however, was not particularly successful. While one reason was lack of time (only 15 minutes), other factors were apparently involved. Several comments from participants suggested that since everything was learned on the job, it was difficult to isolate specific skills. The limited results of this step suggest that it should either be eliminated or revised to make it more relevant to the process.

Step 4

Once the participants had identified, prioritized, and discussed their functions and related skills they were asked to focus on the difficulties they experienced in fulfilling their functions.

This step was completed using the "Nominal Group Process." This is a formal process which structures the identification and ranking of individual and group problems. The steps of the technique are:

- 1) The individual listing of problems
- 2) Round-robin listing of problems on a flip chart
- 3) Individual ranking of top five problems
- 4) Scoring of group totals
- 5) Discussion
- 6) Second ranking and weighting of top five problems
- 7) Final Scoring
- 8) Discussion.

The results of this step are listed in Appendix D. . It should be noted that the participants were not confined to problems they felt were addressable through training. Rather, they were simply asked to respond to the question, "What Are The Most Common Problems You Experience In The Conduct Of Your Work As A Court Clerk?"

Step 5

The final step was the translation of problems into individual preferences for training. Following a discussion of the priority problems identified by each of the four groups, each participant was asked to list up to ten areas where he or she desired training. The overall and the group results are listed in Appendix E.

This sequence of structured activities was used to produce a product in which the clerks would have confidence. There was a combination of individual and group input which reflected the need to represent individual needs as well as group consensus.

This model proved to be quite efficient, as opposed to mail surveys, in producing an immediate assessment of training needs. There were many other issues besides training that were also aired and discussed. A brief analysis of the various components is included in the following section.

C. Summary of Issues Raised

A thorough analysis of this conference should be conducted by Mr. Hays and members of the Administrative and Clerks Committee. The following comments are intended only to highlight some initial issues.

There was a high level of consensus concerning the primary functions of clerks. The only exception was the inclusion of personnel management functions by the larger courts (3,500+). The primary differences involved volume (caseload) and full-time or part-time employment. This consensus regarding functions is important in designing training programs with broad application to clerks.

The summary of the nominal group process indicated some greater distinction between courts. The smallest courts (500-1,500), for instance, were the only ones to list problems with police as a priority. One simple explanation is that smaller courts are in smaller towns where only one or two police are involved and may be less efficient. Salary was the key issue for the third group (2,000-3,500). This group was in the middle between medium and large and considered the caseload criteria inadequate for determining salary. While they worked in part-time courts, they worked full-time. The large group (3,500+) was the only group to list personnel management as a problem area. This is easily understood by the staffing patterns and simply strengthens the need to describe differences between clerks on the basis of size and not simply functions.

The preferences for training followed naturally from problems and indicated a good consensus on at least five topics. The preference for personnel management training again reflected the supervisory functions of clerks in the larger courts. A caution should be taken, however, not to assume that clerks in smaller courts have no future needs in this area. As courts continue to grow, staffing will increase and carry the associated responsibility for supervision.

The relationship that developed between functions, problems, and preferences for training was strong. With the exception of space/facilities, salary, and increased clerical assistance the opportunities for designing relevant training programs is clear. For clerks who are hired without any formal training, the needs represent direct and addressable issues. Their interest in improving their skills is strong. Prompt attention to the training needs identified should produce good results in individual as well as overall court efficiency.

II. RECOMMENDATIONS

One of the most obvious strengths of this project was the commitment on the part of the Administrative Committee to act on the results of the assessment. In keeping with this strong support it is recommended that:

1. The Administrative Committee review this report and distribute it or a summary to the clerks and their judges.
2. The individual judges meet with their respective clerks to discuss the problem areas for possible individual solutions.
3. The training programs developed be designed to include all district and municipal court clerks.
4. The first training program be held within the next six months, if possible, to capitalize on the interest generated by this program.

III. SUMMARY

The model used in this project for assessing training needs had several basic objectives:

1. To provide immediate information concerning training needs
2. To provide consensus concerning training needs that would result in programs having general application to all district and municipal court clerks,
3. To present training needs as the product of functions and job-related problems, and
4. To involve the clerks directly in the assessment process.

The model was successful with respect to these limited objectives. The real issue, however, is the extent to which this information will be useful to those who will design the actual training sessions. An evaluation at that time will provide the best judgment concerning the utility of this approach.

A P P E N D I C E S

APPENDICES

Appendix A: Conference Agenda

Appendix B: NASA Space Exercise

1. Individual Worksheet
2. Group Worksheet

Appendix C: Primary Functions of Court Clerks

1. Primary Functions/Responsibilities of Court Clerks
2. Summary of Primary Functions/Responsibilities of Court Clerks: Caseload 500-1,500
3. Summary of Primary Functions/Responsibilities of Court Clerks: Caseload 1,500-2,000
4. Summary of Primary Functions/Responsibilities of Court Clerks: Caseload 2,000-3,500
5. Summary of Primary Functions/Responsibilities of Court Clerks: Caseload 3,500+

Appendix D: Nominal Group Process Results of Clerks' Problems

1. Summary Report for Clerks with Caseload of 500-1,500
 - a. Prioritized List of Problems
 - b. Individual Problem Areas
2. Summary Report for Clerks with Caseload of 1,500-2,000
 - a. Prioritized List of Problems
 - b. Individual Problem Areas
3. Summary Report for Clerks with Caseload of 2,000-3,500
 - a. Prioritized List of Problems
 - b. Individual Problem Areas
4. Summary Report for Clerks with Caseload of 3,500+
 - a. Prioritized List of Problems
 - b. Individual Problem Areas

APPENDICES (continued)

Appendix E: Clerk Preferences for Training

1. Summary of Individual Clerk Preferences for Training
2. Individual Court Clerk Preferences for Training
 - a. Caseload 500-1,500
 - b. Caseload 1,500-2,000
 - c. Caseload 2,000-3,500
 - d. Caseload 3,500+

APPENDIX A

CONFERENCE AGENDA

APPENDIX A

CONFERENCE AGENDA

COURT CLERKS MEETING September 8, 1976
September 9, 1976

Wednesday, September 8

9:00 - 9:30 Registration and Coffee

9:30 - 9:45 Welcome and Overview of Seminar
Samuel L. Hays

9:45 - 11:45 Review and Discussion of Court Rules
Administrative Committee
(Coffee in Meeting Room)

11:45 - 12:00 Introduction of Training Needs Assessment. Dale Lefever

12:00 - 1:30 Lunch

1:30 - 2:15 Presentation and Discussion of Group Problem Solving

2:15 - 2:45 Presentation and Discussion of Individual Clerk Needs and Court Goals

2:45 - 3:15 Group Discussions of Responsibilities and Functions of Court Clerks

3:15 - 3:45 Plenary Discussion and Ranking of Clerk Functions

3:45 - 4:15 Group Identification of Skills Required for Clerk Function

4:15 - 4:30 Plenary Discussion of Skills Required for Clerks

Thursday, September 9

9:00 - 9:15 Introduction of Training Need Assessment Techniques

9:15 - 10:30 Small Group Identification of Job Related Problems

10:30 - 11:00 Plenary Discussion of Job Related Problems

11:00 - 12:00 Small Group Identification of Training Needs

12:00 - 1:30 Lunch

1:30 - 2:30 Plenary Discussion of Priority Training Needs and Preference for Programs

2:30 - 3:00 Alcohol Safety Action Program

3:00 Adjournment

APPENDIX B

NASA SPACE EXERCISE

1. NASA EXERCISE INDIVIDUAL WORKSHEET

INSTRUCTIONS: You are a member of a space crew originally scheduled to rendezvous with a mother ship on the lighted surface of the moon. Due to mechanical difficulties, however, your ship was forced to land at a spot some 200 miles from the rendezvous point. During landing, much of the equipment aboard was damaged, and, since survival depends on reaching the mother ship, the most critical items available must be chosen for the 200-mile trip. Below are listed the 15 items left intact and undamaged after landing. Your task is to rank order them in terms of their importance to your crew in allowing them to reach the rendezvous point. Place the number 1 by the most important item, the number 2 by the second most important, and so on, through number 15, the least important. You have 15 minutes to complete this phase of the exercise.

- _____ Box of matches
- _____ Food concentrate
- _____ 50 feet of nylon rope
- _____ Parachute silk
- _____ Portable heating unit
- _____ Two .45 calibre pistols
- _____ One case dehydrated Pet milk
- _____ Two 100-lb. tanks of oxygen
- _____ Stellar map (of the moon's constellation)
- _____ Life raft
- _____ Magnetic compass
- _____ 5 gallons of water
- _____ Signal flares
- _____ First aid kit containing injection needles
- _____ Solar-powered FM receiver-transmitter

2. NASA EXERCISE GROUP WORKSHEET

INSTRUCTIONS: This is an exercise in group decision-making. Your group is to employ the method of group consensus in reaching its decision. This means that the prediction for each of the 15 survival items must be agreed upon by each group member before it becomes a part of the group decision. Consensus is difficult to reach. Therefore, not every ranking will meet with everyone's complete approval. Try, as a group, to make each ranking one with which all group members can at least partially agree. Here are some guides to use in reaching consensus:

1. Avoid arguing for your own individual judgments. Approach the task on the basis of logic.
2. Avoid changing your mind only in order to reach agreement and avoid conflict. Support only solutions with which you are able to agree somewhat, at least.
3. Avoid "conflict-reducing" techniques such as majority vote, averaging, or trading in reaching your decision.
4. View differences of opinion as helpful rather than as a hindrance in decision-making.

- _____ Box of matches
- _____ Food concentrate
- _____ 50 feet of nylon rope
- _____ Parachute silk
- _____ Portable heating unit
- _____ Two .45 calibre pistols
- _____ One case dehydrated Pet milk
- _____ Two 100-lb. tanks of oxygen
- _____ Stellar map (of moon's constellation)
- _____ Life raft
- _____ Magnetic compass
- _____ 5 gallons of water
- _____ Signal flares
- _____ First aid kit containing injection needles
- _____ Solar-powered FM receiver-transmitter

APPENDIX C

PRIMARY FUNCTIONS OF COURT CLERKS

1. Primary Functions/ Responsibilities of
Court Clerks

1. Manage Court Correspondence/Inquiries
 - o Small Claims
 - o Civil Writs
 - o Waivers
 - o Motions
 - o Abstracts
 - o Continuances
 - o Notice of Hearings

2. Schedule Court Activities
 - o Criminal and Civil Dockets
 - o Juvenile Hearings
 - o Small Claims Hearings
 - o Arraignments
 - o Judges

3. Attend Court Sessions
 - o Call Court To Order
 - o Read Defendant Rights
 - o Read Complaint
 - o Read Disposition

4. Maintain Court Records
 - o Number
 - o Docket
 - o File
 - o Dispose

5. Manage Court Monies
 - o Collection
 - o Accounting
 - o Depositing
 - o Disbursement (Payment of bills, witness fees)
 - o Installments
 - o Monthly Reports

2. Summary of Primary Functions/Responsibilities
of Court Clerks

Date: September 8, 1976

Group Identification: Caseload 500 - 1,500

Number of Participants: Seven

1. Maintain All Court Records

- o Numbering
- o Docketing
- o Filing
- o Disposition

2. Manage All Court Monies

- o Collecting
- o Accounting
- o Depositing
- o Disbursement (Payment of bills, witness fees)
- o Installments
- o Monthly Reports

3. Schedule Court Activities

- o Criminal and Civil Dockets
- o Juvenile Hearings
- o Out-of-Town Judges
- o Small Claim Hearings
- o Bail Arraignments

4. Manage Court Correspondence/Inquiries

- o Small Claims
- o Civil Writs
- o Waivers
- o Motions
- o Abstracts
- o Continuances
- o Notices of Hearings

5. Attend All Court Sessions

- o Call to Order
- o Read Defendant Rights
- o Read Complaint
- o Read Disposition

3. Summary of Primary Functions/Responsibilities
of Court Clerks

Date: September 8, 1976

Group Identification: Caseload 1,500 - 2,000

Number of Participants: Five

1. Maintain All Court Records

- o Numbering
- o Docketing
- o Filing
- o Disposition

2. Maintain Accurate Receipts and Disbursement of Court Monies

- o Collecting
- o Accounting
- o Depositing
- o Disbursement (Payment of bills, witness fees)
- o Installments
- o Monthly Reports

3. Schedule Court Activities

- o Criminal and Civil Dockets
- o Juvenile Hearings
- o Small Claim Hearings
- o Arraignments

4. Submit Abstracts To Motor Vehicle

5. Act As Liaison Between Court, Police, Attorneys and
Public

4. Summary of Primary Functions/Responsibilities
of Court Clerks

Date: September 8, 1976

Group Identification: Caseload 2,000 - 3,500

Number of Participants: Eight

1. Complete Responsibility For Managing Court Activities
 - o Maintenance of Records
 - o Submission of Reports
2. Schedule Court Cases
 - o Criminal and Civil Dockets
 - o Juvenile Hearings
 - o Small Claims Hearings
 - o Arraignments
3. Maintain Receipts and Handle Disbursement of All Court Monies
 - o Collecting
 - o Accounting
 - o Payment of Bills
 - o Installments
 - o Monthly Reports
4. Public Relations/Intermediary Between Judge and Public, Media, and Attorneys
5. Manage Court Correspondence/Inquiries
 - o Abstracts
 - o Writs
 - o Continuance
 - o Hearings

5. Summary of Primary Functions/Responsibilities
of Court Clerks

Date: September 8, 1976

Group Identification: Caseload 3,500+

Number of Participants: Eleven

1. Assist Judge In Court

- o Make Sure Complaints Are In Order
- o Read Defendants Rights
- o Read Complaints
- o Read Disposition
- o Collect Fines

2. Personally Carry Out or Supervise the Implementation of Court Procedures

- o Criminal Trials
- o Civil
- o Small Claims
- o Juvenile Hearings

3. Hire and Train Personnel

4. Ensure Statutes Pertaining to Clerk Functions Are Carried Out

- o Monies Disbursed
- o Statistical Reports
- o Financial Reports
- o Abstracts
- o Dockets

5. 5. Serve As Liaison Between Court and Police, Attorneys, and Public

APPENDIX D

NOMINAL GROUP PROCESS RESULTS OF
CLERKS' PROBLEMS

APPENDIX D

1. Summary Report of Nominal Group Process Meeting
on District and Municipal Court Clerk Problems

Date of Meeting: September 9, 1976
Task Statement: What Are The Most Common Problems You Experience In The Conduct Of Your Work As A Court Clerk?
Group Identification: Caseload 500 - 1,500
Number of Participants: Seven

a. PRIORITIZED LIST OF PROBLEMS

<u>Priority</u>	<u>Problem</u>	<u>Points</u>	<u>Weight</u>
I	Collection of fines by installment	23	160
II	Processing small claims (Out of proportion compared to other cases)	15	70
III	Late submission of complaints by police	11	60
IV	Incomplete information on complaints written by police	7	40
V	Collection of defaults in motor vehicle cases	5	40
VI	Increase in frequency of continuances	5	35

APPENDIX D

1b. Individual Problems for Court Clerks

Caseload 500 - 1,500

Problem Areas

1. Collection of defaults in motor vehicle cases
2. Inadequate space
3. Collection of fines by installment
4. Inadequate time to complete job
5. Lack of understanding of civil writs
6. Late submission of complaints by police
7. Police do not understand forms
8. Processing small claims
9. Failure of lawyers to file notice of appearance
10. Associate justice fails to follow procedures established by justice
11. Too many continuances of cases
12. Variance in sentences between justices and appointed justices
13. Attitude that courts should make money for the municipality
14. Failure of attorneys to file writs prior to return date
15. Incomplete information on complaints written by police
16. Police abuse of witness fee payments
17. Failure of attorneys to pay filing fee when civil writ is entered.
18. Civil cases take inordinate amount of time
19. Can't get police dispatcher to deliver messages to police
20. Inadequate filing space.

APPENDIX D

2. Summary Report of Nominal Group Process Meeting
on District and Municipal Court Clerk Problems

Date of Meeting: September 9, 1976
Task Statement: What Are The Most Common Problems You Experience In The Conduct Of Your Work As A Court Clerk?
Group Identification: Caseload 1,500 - 2,000
Number of Participants: Four

a. PRIORITIZED LIST OF PROBLEMS

<u>Priority</u>	<u>Problem</u>	<u>Points</u>	<u>Weight*</u>
I	Lack of knowledge concerning civil proceedings	19	185
II	Insufficient time to discuss court problems with judge	10	55
III	Inadequate storage facilities	8	50
IV	Inadequate methods for determining classification of civil cases	5	30
V	Lack of timely information concerning new legislation affecting courts	4	20
VI	Limited legal background	4	20

APPENDIX D

2b. Individual Problems for Court Clerks

Caseload 1,500 - 2,000

Problem Areas

1. Insufficient time to discuss court problems with judge
2. Getting police to get signed complaints to clerk before the day of court
3. Inadequate office facilities
4. Lack of timely information concerning new legislation affecting courts
5. Lack of knowledge concerning civil procedures
6. Limited legal background
7. Getting police officers to deal directly with clerks instead of going to judge with complaint
8. Knowing alternative procedures that would permit best choice
9. Inefficient method for collecting fines
10. Determining time limit for time payments
11. Inadequate storage facilities
12. Inadequate (easy) method for determining classification of criminal cases (felony, misdemeanor, violation)
13. Inadequate (easy) method for determining classification of civil cases
14. Getting lawyers to give adequate notice in request for continuance
15. Inadequate pay in relationship to time required to do job
16. Inadequate benefits (other than salary) from town for being town employee
17. Getting police and lawyers to deal directly with clerk regarding scheduling cases
18. Lack of timely response from administrative committee after requesting information
19. Getting police cooperation in not releasing clerk's home phone number

3. Summary Report of Nominal Group Process Meeting
on District and Municipal Court Clerk Problems

Date of Meeting: September 9, 1976
Task Statement: What Are The Most Common Problems You Experience In The Conduct Of Your Work As A Court Clerk?
Group Identification: Caseload 2,000 - 3,500
Number of Participants: Five

a. PRIORITIZED LIST OF PROBLEMS

<u>Priority</u>	<u>Problem</u>	<u>Points</u>	<u>Weight</u>
I	Inadequate salary using caseload formula as criteria	21	215
II	Lack of standards (caseload) for determining when clerks qualify for clerical assistance	16	115
III	Lack of a handbook that could be used to complete forms or other common tasks	15	65
IV	Insufficient preparation (orientation) or training for job	10	45
V	Too many unnecessary forms to complete	8	25

APPENDIX D

3b. Individual Problems for Court Clerks

Caseload 2,000 - 3,500

Problem Areas

1. Inadequate salary using caseload formula as criteria
2. Inadequate parking facilities
3. Lack of standards for determining when clerks qualify for clerical assistance
4. Inadequate position classification (part-time, full-time) using court days as criteria
5. Lack of handbook as guide for completing forms or other tasks
6. Lack of a specific resource (supervisor) for answering clerk questions regarding new rules or problems
7. Cumbersome reports/statistics
8. Time consuming waivers
9. Lack of commitment/authority to authorize from administrative committee
10. Inadequate forms
11. Lack of proper facilities/tools
12. Too many unnecessary forms
13. Inconsistency across courts/too decentralized
14. Inadequate time factor for completing duties as clerk as provided by present RSA's
15. Late notification by administrative committee of new changes
16. Lack of uniform bookkeeping procedures
17. Dealing with budget committee/selectmen
18. Control from various sources (e.g., administrative committee, budget committee, selectmen)
19. No formal training in preparation for job.

APPENDIX D

4. Summary Report of Nominal Group Process Meeting
on District and Municipal Court Clerk Problems

Date of Meeting: September 9, 1976
Task Statement: What Are The Most Common Problems You Experience In The Conduct Of Your Work As A Court Clerk?
Group Identification: Caseload 3,500+
Number of Participants: Seven

a. PRIORITIZED LIST OF PROBLEMS

<u>Priority</u>	<u>Problem</u>	<u>Points</u>	<u>Weight</u>
I	Personnel management (Supervisor/Relationship with subordinates)	14	110
II	Lack of necessary information (guidance) to establish new court procedures that reflect current legislation	11	55
III	Insufficient clerical assistance	10	90
IV	Lack of applicable legal knowledge/terminology	9	70
V	Insufficient court facilities (space)	8	70
VI	No standards for accurate record keeping	7	50

APPENDIX D

4b. Individual Problems for Court Clerks

Caseload 3,500+

Problem Areas

1. Interruptions during work
2. Lack of applicable legal knowledge
3. Lack of respect to due age and sex
4. Late entries
5. Understanding civil process
6. No court facilities
7. Personnel management and relationships with subordinates
8. No communication with judge
9. Backlogs caused by continuances
10. Time problem in informing pro se of court procedures
11. Lack of clerical assistance
12. No standards for accurate record keeping
13. Obtaining acting judges
14. Handling complaints regarding judges' decisions
15. Lack of information necessary to establish new court procedures
16. Referral of problems beyond clerk's jurisdiction
17. Handling complaints about lack of uniformity in fines, court procedures, etc.
18. Lack of full-time judge to process cases
19. Difficulty in conforming to differences in judges
20. Separation of court personnel from police and others
21. Time payment of fines
22. Abuse of witness fees
23. Inability of attorneys to conform to special requirements.

APPENDIX E

CLERK PREFERENCES FOR TRAINING

APPENDIX E

1. Summary of Individual Clerk Preferences
for Training

<u>Priority</u>	<u>Preferences</u> <u>Description</u>	<u>Frequency</u>
I	Instruction in Civil Procedures	17
II	Improved Bookkeeping Procedures	11
III	Orientation in Legal Process/ Terminology	10
IV	Presentations on New Rules, Legislation, and Court Decisions	9
V	Methods for Improving Records Management	7
VI	Personnel Management	5

APPENDIX E

2. Individual Court Clerk Preferences
for Training

a. Caseload 500 - 1,500

Preferences

1. Civil Proceedings
2. Legal Knowledge/Terminology
3. Orientation to Relevant District Court Statutes
4. Review and Revision of District Court Rules
5. Orientation to Relevant Supreme Court Rulings Affecting District Court Clerks
6. Refresher Course in Bookkeeping
7. Legal Aspects Relevant to Writs, Claims, and Civil Cases
8. Legal Knowledge, ability to use law library
9. Civil Proceedings
10. Efficient Methods for Keeping Records
11. Division of Clerk and Judge Responsibilities
12. Efficient/Simple Methods for Keeping Records
13. All Civil Matters
14. Mini courses to assist in understanding lawyer and police functions such as: prosecution, RSA, arrest.

APPENDIX E

Individual Court Clerk Preferences
for Training

2b. Caseload 1,500 - 2,000

Preferences

1. Court Filing Procedures
2. Bookkeeping
3. Legal Terminology
4. Markable System of Court Forms
5. Criminal and Civil Procedures
6. Bookkeeping
7. Legal Aspects/Terminology
8. Civil Procedures
9. Development of Uniform Record System
10. Legal Background re: RSA's, civil and small claims procedures
11. Civil Procedures
12. Alternative Methods for Processing Cases
13. Better Information on New Laws That Affect Court and Clerks
14. Civil Matters

APPENDIX E

Individual Court Clerk Preferences
for Training

2c. Caseload 2,000 - 3,500

Preferences

1. Instructional Sessions Introducing New Rules and Implications for Clerks
2. Development of Handbook
3. Criminal and Civil Procedures
4. Bookkeeping
5. Court Filing Procedures
6. Public Relations
7. Civil Docketing System
8. Legal Training/Terminology
9. Civil Court Procedures
10. Detailed Examples and Instructions in Civil Procedures
11. Procedures for Annulment of Criminal Records
12. Bookkeeping Procedures
13. Application of New Legislation Passed Each Session
14. Bookkeeping
15. Discussion of New Rules and Changes in Existing Rules
16. Development of a Handbook Reflecting Successful Methods Used in All Courts
17. Civil Procedures
18. Interpretation of Statutes and Court Decisions
19. Legal Terminology
20. Civil Cases
21. Bookkeeping.

APPENDIX E

Individual Court Clerk Preferences
for Training

2d. Caseload 3,500+

Preferences

1. Bookkeeping
2. New Court Procedures, Laws
3. Civil Procedures e.g., types of writs, petitions, time limits, landlord and tenant writs
4. General Legal Knowledge
5. Personnel Management
6. Office Management
7. Bookkeeping/Accounting
8. Improving (More Efficient) Record Keeping
9. Methods for Managing Installments
10. Bookkeeping
11. Records Management
12. Time Management
13. Personnel Management
14. Legal Training
15. Update on New Legislation Affecting Court
16. Bookkeeping
17. New Methods for Efficient Processing of Cases
18. Civil Procedures
19. Small Claims Procedures
20. Personnel Management
21. Civil Law as It Pertains to the Processing of Civil and Landlord and Tenant Writs
22. Standards for Uniform Record Keeping

Caseload 3,500+
Preferences (continued)

2

23. Personnel Management
24. Prompt Information of Changes in Laws; Supreme Court Decisions
25. Personnel Management, Relationships with Subordinates

END

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