



AMERICAN BAR ASSOCIATION
JUDICIAL ADMINISTRATION DIVISION

NATIONAL COLLEGE OF THE STATE JUDICIARY

UNIVERSITY OF NEVADA • RENO, NEVADA 89507 • TELEPHONE (702) 784-6747

ERNST JOHN WATTS
Dean

December 11, 1974

RECEIVED
STATE OF NEVADA

DEC 13 1974

CRIME COMMISSION
CARSON CITY, NEVADA

Mr. Carroll T. Nevin, Director
State of Nevada
Commission on Crime, Delinquency, and
Corrections
Room 41, State Capitol
Carson City, Nevada 89701

RE: L.E.A.A. Grant 71DF ~~99~~ 1090
Final Narrative and Financial Report

Dear Mr. Nevin;

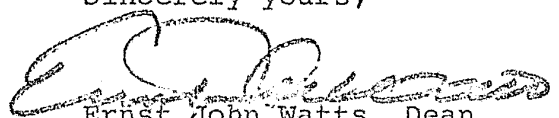
Enclosed is a copy of the final report related to
the subject grant.

By separate cover, we have mailed the original and
two copies of same to Mrs. Pauline Smith of your office.

We are most appreciative of your offices' assistance
during the period of the grant.

If you have any questions concerning this report,
please let me know.

Sincerely yours,


Ernst John Watts, Dean

cc: Mrs. Pauline Smith
Mr. H. Eugene Heine, Director
ABA-Fund for Public Education

'jr

NCJRS

AUG 7 1980

ACQUISITIONS

69798

Tom C. Clark, *Chairman Emeritus*
Supreme Court of the U.S.
Washington, DC 20543

Edward L. Barrett, Jr.
University of California School of Law
Davis, CA 95616

David Brofman
P.O. Box 5548, T.A.
Denver, CO 80202

C. A. Carson, III
United Bank Building
Phoenix, AZ 85012

Thomas O. Craven
District Court
Reno, NV 89505

Walter Foster
Supreme Bench of Baltimore City
Baltimore, MD 21202

James D. Hopkins
Supreme Court, App. Div.
Brooklyn, NY 11201

William M. McAllister
Supreme Court
Salem, OR 97301

Bernard S. Meyer
551 Fifth Ave. Suite 1600
New York, NY 10017

Edward L. Wright
2200 Worthen Bank Bldg.
Little Rock, AR 72201

FINAL FINANCIAL REPORT

ON

EDUCATION PROJECT FOR JUDGES

American Bar Association Fund for Public Education
National College of the State Judiciary
University of Nevada
Reno, Nevada 89502

Law Enforcement Assistance Administration
Discretionary Grant Number 71-DF-99-1090



U. S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE
ADMINISTRATION

REPORT OF EXPENDITURE AND STATUS OF
DISCRETIONARY GRANT FUNDS

From: (Name and Address of Subgrantee)
ABA-Fund for Public Education
National College of the
State Judiciary
Univ. of Nev., Reno, NV 89507

Short Title of Project:
Education Project for Judges
Evaluation Project

LEAA Grant No. 71-DF-1090 71-DF-1090	Date of Report 12/9/74	Report No. Final
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Type of Report

Regular Quarterly
 Special Request
 Final Report (detailed schedules must be attached)

Report is submitted for the Period: October 1, 1974 through November 30, 1974

Major Program Category: Court Improvement Required matching contribution: _____ %

Section I. Status of Federal Grant Funds

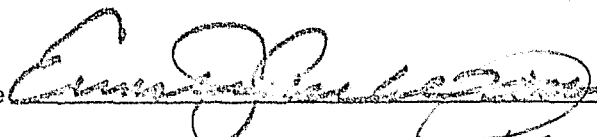
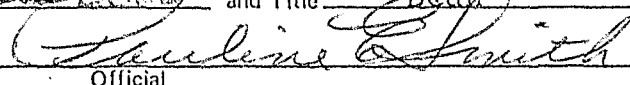
1. Amount of Grant Award.	\$ 28,585.00	4. Amount Expended During Report Period.	\$ 1,668.00
2. Total Advances Received to End of Report Period.	\$ 28,585.00	5. Total Amount Expended to Date (Total of items 3 and 4).	\$ 28,585.00
3. Amount Expended to Beginning of Report Period.	\$ 26,917.00	6. Unexpended Cash Balance at End of Report Period (Item 2 minus item 5)	\$.00

Section II. Expenditure by Object Class

Object	Budget - Total Approved	Total Project Expenditures		Federal Grant Fund Expenditures to Date
		During Period	To Date	
Personnel	\$	\$	\$	\$
Professional Services	19,860.00	1,668.00	19,860.00	19,860.00
Travel	8,725.00		8,725.00	8,725.00
Equipment				
Supplies and other operating expenses				
TOTAL	\$ 28,585.00	\$ 1,668.00	\$ 28,585.00	\$ 28,585.00

NOTE: Furnishing of false information may constitute a violation of applicable State and Federal law.

CERTIFICATION: I certify that the above data are correct, based on the grantee's official accounting system and records, consistently applied and maintained, and that expenditures shown have been made for the purposes of, and in accordance with, applicable grant terms and conditions.

Signature:  Typed Name Ernst John Watts
and Title Dean
Received by Grantee State Planning Agency:  Date 12-13-74
Official _____

NATIONAL COLLEGE OF THE STATE JUDICIARY

L.E.A.A. Grant 71 DF-99-1090

SCHEDULE A

EXPENDITURES FOR CONSULTANT FEES AND OUTSIDE SERVICES

I. Consultant Fees

<u>Name</u>	<u>Organization</u>	<u>No. Days Devoted to Project</u>	<u>Total Fees Paid</u>
I. R. E. Schulman	Menninger Foundation	70.50	\$ 9,517.50
2. A. Green	Menninger Foundation	60.75	8,201.00
3. Lloyd McCorkle	John Jay School of Criminology	15.00	2,025.00
4. Hans Falck	Menninger Foundation	12.25	<u>1,653.50</u>
			\$21,397.00

II. Outside Services

1. Secretarial	Menninger Foundation		<u>2,260.00</u>
			\$ <u>2,260.00</u>
Total Consultant Fees and Outside Services			\$23,657.00
Less excess over budget transferred to private grant funds			<u>(3,797.00)</u>
Total Schedule A			<u>\$19,860.00</u>

NATIONAL COLLEGE OF THE STATE JUDICIARY

L.E.A.A. Grant 71 DF-99-1090

SCHEDULE B

EXPENDITURES FOR TRAVEL

<u>Last Name of Traveler</u>	<u>Dates of Travel</u>	<u>Point of Origin and Destination</u>	<u>Trans- portation Charges</u>	<u>Other Travel Allowances</u>	<u>Total Travel Costs</u>
1. Russell	05/20-05/26/3	Nev. - Kansas	\$248.18	273.73	\$ 521.91
2. "	10/04-10/06/3	Washington - Nev.	126.36	75.75	202.11
3. "	10/18-10/19/3	Washington - Nev.	105.97	53.00	158.97
4. Schulman	07/29-08/08/3	Kansas - Nev.	262.84	213.02	475.86
5. "	09/30-10/07/3	" "	252.88	135.56	388.44
6. "	11/30-12/02/3	Kansas - New Mexico	128.06	75.00	203.06
7. "	02/06-02/10/4	Kansas - Calif.	269.86	100.00	369.86
8. "	05/05-05/12/4	Kansas - Nev.	267.70	150.00	417.70
9. Green	07/29-08/03/3	Kansas - Nev.	252.86	119.95	372.81
10. "	10/04-10/07/3	Kansas - Nev.	256.88	81.39	338.27
11. "	11/30-12/02/3	Kansas - New Mexico	169.15	75.00	244.15
12. "	02/06-02/11/4	Kansas - Calif.	276.66	100.00	376.66
13. "	05/07-05/12/4	Kansas - Nev.	269.20	150.00	419.20
14. McCorkle	10/04-10/06/3	New Jersey - Nev.	361.98	75.00	436.98
15. "	11/30-12/02/3	Virginia - Nev.	298.19	75.00	373.19
16. "	02/07-02/10/4	New Jersey - Calif.	335.95	100.00	435.95
17. "	05/07-05/12/4	New Jersey - Nev.	370.30	102.03	472.33
18. Hazlett	05/08-05/12/4	Kansas - Missouri	268.04	125.00	393.04
19. Bogan	05/08-05/12/4	Maryland - Nev.	364.85	125.00	489.85
20. Smoke	05/08-05/12/4	Colorado - Nev.	180.40	125.00	305.40
21. McCauley	05/08-05/12/4	Michigan - Nev.	311.91	125.00	436.91
22. Falck	05/09-05/12/4	Kansas - Nev.	266.20	100.00	366.20
23. Hilliard	05/08-05/12/4	Texas - Nev.	331.80	125.00	456.80
24. Shingler	05/08-05/12/4	Florida - Nev.	365.04	100.00	465.04
25. Alberti	05/08-05/12/4	Conn. - Nev.	402.15	125.00	527.15

Less - Excess over funds transferred to
private grant funds.

(922.84)

Total Schedule B

\$8,725.00

FINAL NARRATIVE REPORT

ON

EDUCATION PROJECT FOR JUDGES

American Bar Association Fund for Public Education
National College of the State Judiciary
University of Nevada
Reno, Nevada 89502

Law Enforcement Assistance Administration
Discretionary Grant Number 71-DF-99-1090

FINAL NARRATIVE REPORT

Grant Number 71-DF-99-1090

I. THE GRANT

The original grant in the amount of \$180,896 was approved October 7, 1971, and consisted of four programs. Program I provided funds for judicial education programs for judges of limited jurisdiction. Program II provided funds to conduct seminars for judges of general jurisdiction. Program III provided funds to conduct resident education programs in criminal law and sentencing for graduates of the National College's four-week course of instruction. Program IV provided funds to employ an accounts clerk.

By Grant Adjustment Number 6, dated December 18, 1972, the grant was extended to April 12, 1973, in order to allow for proper evaluation.

Upon termination of the grant, \$28,585 of LEAA funds remained unexpended. By Adjustment Number 8, dated April 5, 1973, the grant was extended to April 12, 1974, to permit further evaluation and revision of the Special Court Judges curriculum; and the unexpended funds, \$28,585, authorized for use in this endeavor.

By Adjustment Number 11, dated March 19, 1974, the grant was extended to September 30, 1974, "to allow for extensive follow-up testing by Menninger Foundation staff and completion of instruction during the regular two-week course."

Final Narrative and Fiscal Reports for Programs I, II, III, and IV were submitted to LEAA on June 27, 1974.


This is the final narrative report pertaining to the \$28,585 authorized for further evaluation and revision of the Special Courts Curriculum by Adjustment Number 8, dated April 5, 1973.

II. THE REPORT

The National College entered into an agreement with the Menninger Foundation, Topeka, Kansas, to provide consulting services in evaluating and revision of the special courts curriculum and to prepare a final report of their findings and recommendations.

The comprehensive report from Menninger Foundation has just now been received. A copy of the report is attached as Exhibit A. While complete analysis of the report has not been made because of the time

factor, it appears from preliminary examination that many helpful and useful changes will result in the curriculum of the course of study for judges of courts of special jurisdiction. This evaluation is in keeping with the policy of the National College to utilize every competent source to improve the quality of instruction given at the institution. It is anticipated that the results of the study will not only be beneficial to the Special Court Program, but that it will provide ideas and methods for improving all National College education and training activities.



Ernst John Watts
Dean

EJW/eed

EXHIBIT A
FINAL REPORT
MENNINGER FOUNDATION

ON

EDUCATION PROJECT FOR JUDGES

American Bar Association Fund for Public Education
National College of the State Judiciary
University of Nevada
Reno, Nevada 89502

Law Enforcement Assistance Administration
Discretionary Grant Number 71-DF-99-1090

F I N A L R E P O R T

A PROPOSAL TO THE NATIONAL COLLEGE OF THE STATE JUDICIARY
FOR AN EXPERIMENTAL SPECIAL COURT PROGRAM, INCLUDING A
SOCIAL AND BEHAVIORAL SCIENCE THRUST

Prepared by

Hans Falck, Ph.D.
Alvin E. Green, A.C.S.W.
R.E. Schulman, Ph.D., J.D.

The Menninger Foundation
November 15, 1974

I. REVIEW AND PURPOSE

A. Purpose:

The purpose of this project undertaken by the National College of the State Judiciary (NCSJ) in cooperation with the Menninger Foundation (MF) was to develop and recommend social and behavioral science material for inclusion in a Special Courts educational program sponsored by the NCSJ.

This project grew out of an initial contact early in 1973 with Judge Thomas Russell, then Director of the Special Court Programs at NCSJ, as a reflection of his and NCSJ's interest in developing a significant and relevant social and behavioral science sequence to supplement and complement the educational curriculum for Special Court judges. Preliminary explorations were followed by mutual visitations. Judge Russell visited the MF to familiarize himself with the MF's resources and educational programs. This was followed with a visit by representatives of the MF to observe the Two-week Special Court Program (July 29, 1973) in order to become acquainted with the needs of the judges in training, to become familiar with the environment in which the educational process took place, and to consider the most appropriate ways in which the social and behavioral science content could be introduced meaningfully into the program. It was further agreed that the nature of our study, evaluation, and recommendation would relate to the educational thrust and learning sequence and not the particular individuals teaching in the program.

The educational sequence was examined in detail. The underlying assumption was that there are social and behavioral science concepts and principles drawn from the fields of sociology, psychology, and corrections which would be useful to the practicing Special Court judge. Specific attention was directed to content and lectures that would lend themselves to the inclusion of social and behavioral science input.

We were also interested in communicating informally with the judges to identify their interests and needs. In conjunction with informal discussion, a questionnaire was used to gain some preliminary measurements of judges' interest in the social and behavioral sciences and experiences with social and behavioral scientists (see Summary of Preliminary Effort to Determine Participant Judges Acquaintanceship with and Receptivity to Behavioral Science Personnel and Concepts).

Recommendations based upon evaluation of content, educational sequence and thrust, inquiries made of judges, and conferences with the NCSJ staff suggested sequential and systematic introduction of social and behavioral science content within the framework of the Two-week Special Court Program. In addition, we also considered development of a One-week Special Program in Social and Behavioral Science for judges of any jurisdiction as well as some ideas for the NCSJ's Three-day State Program. Following these initial considerations and evaluations, a preliminary document (Preliminary Report,

September 14, 1973) was submitted to the NCSJ staff and discussion of that document occurred on October 5 and 6, 1973 at NCSJ.

Throughout the project, the intention was that the NCSJ staff assume primary responsibility for the organization, implementation and management of the educational programs. Consequently, this meeting in October 1973 and subsequent meetings were designed to stimulate staff interest and responsibility for the project. The October meeting resulted in several modifications of the original proposal. First, the scope of the project was narrowed to include only the Two-week Basic Program for Special Court Judges. It was decided at this time that less attention be paid to the Three-day State Program or the One-week Special Court Program. Second, the need for consultation with teaching faculty was necessary since any proposed changes would directly affect that core faculty. In light of this, a meeting was scheduled for November 30 thru December 2, 1973 and faculty members were invited to consider proposed changes in the program (Revised Preliminary Report, October 29, 1973). The faculty that attended the November meeting included: Judges Roland Faricy; Francis J. Larkin; Philip M. Saeta; William E. Smoke; Martin I. Steinberg; and Richard L. Unis.

This meeting resulted in staff and faculty approval of the proposal in general. Specific attention was given to several areas. First, training of the faculty discussion leaders (FDLs). Agreement was reached that FDLs were an integral part of the educational process at NCSJ and these individuals needed special training in management of group discussions. Second, FDLs needed to have both an overview of lecture content and behavioral and social science linkages to that content prior to the program in order to be better prepared for their specific role. In light of this, the group charged the MF consultation team with responsibility of preparing a Source Book of behavioral and social science material and relevant questions to be used during the small group discussions which the FDLs would facilitate. Third, consideration was given to the need of the lecturers to also be aware of where their particular material fit within the entire educational lecture sequence. To satisfy this need, it was decided that a meeting with the entire group of lecturers who were participating in the Special Courts Program - Basic II would be required. Fourth, specific help would be made available by the MF consultation team to individual lecturers in the highlighting of behavioral and social science material already contained in their presentations.

Staff and faculty approved the format that the behavioral and social science material would be introduced and legitimized by the lecturers' inclusion of such material. The FDLs would facilitate the discussion of the behavioral and social science material introduced in the lectures. The intent of this effort was not to have the FDLs be responsible for the teaching of behavioral and social science content. Rather, the intent was to have the FDLs serve as the medium through which behavioral and social science issues or questions could be raised and related to legal issues and questions. The importance of the FDLs' role was further emphasized. It was at this meeting that a resolution was adopted to ask the NCSJ to consider the FDLs as "faculty" rather

than "faculty advisors." It was hoped that in this manner the important role served by the FDLs would be recognized by those individuals serving in that capacity, by the participant judges, and by the lecture faculty. The intended purpose was to provide equal status for the FDLs and lecture faculty.

The MF consultation team contact during the preliminary phase of the project had primarily been with the Special Court Programs staff and faculty. A general faculty meeting called by Dean Watts, February 1974, allowed the MF consultation team to generally present the scope of the project to the faculty-at-large of the NCSJ. The purpose of this presentation was not only to gain informal approval from the faculty-at-large, but to introduce the faculty to concepts included in this project. This same faculty meeting also provided an opportunity to gather together all the lecture faculty for the Special Court Program - Basic II in a plenary session to review the content of all the lectures that would be given in that program.

This was accomplished at the general faculty meeting and provided an opportunity for each lecturer, in outline form, to present his own material to his fellow lecturers and in this way gain some perspective as to where his particular material fit within the overall educational scheme. It also allowed the consultation team to become acquainted with the lecturers, to begin highlighting the basic behavioral and social science material already present in the lectures and to develop educational materials (Source Book and Questions) concerning these lectures which would then be made available to FDLs.

Following the general faculty meeting, three major steps of the project occurred:

- (1) The research and preparation for the source material. This was completed at MF.
- (2) In May 1974, a three-day workshop was provided for FDLs at NCSJ. The focus of this workshop was (a) identifying behavioral and social science content as it related to lecture materials, and (b) skill-training sessions in discussion group leadership.
- (3) A two-day training session just prior to the beginning of Basic II in July 1974 was completed at NCSJ and provided further information regarding content material as well as skill-training.

The foregoing reviews the primary steps involved in this cooperative project between MF and NCSJ. Subsequent sections of this report focus on FDLs training program, content and educational sequence, evaluation, and recommendations. Before moving to those issues, it is relevant to comment on the MF consultation team's experience at NCSJ and in so doing reflect the basic and general assessment of the NCSJ program.

II. THE MF EXPERIENCE AT NCSJ AND IMPLEMENTATION

A. Experience:

The Two-week Special Court Program (observed by MF consultation team August 1973) as conceived and executed by NCSJ staff and faculty was remarkably professional. The quality of the educational experience was high and the program reflected a good deal of thoughtful planning and preparation. Attention was paid to the details of learning as well as the personal needs of the judges so they could devote their attention to the educational process. On the whole lectures were stimulating, well prepared, and presented by individuals who had a genuine interest in the educational process. The participant judges were motivated, articulate, and grasped quickly the challenge of the task. Task orientation was consistently present throughout the program and one experienced the degree of devotion to hard work by the participant judges, lecturers, group leaders and staff of NCSJ.

B. Implementation:

The implementation of the proposed training program for FDLs and for carrying out the project in Basic II, July 1974, was well coordinated by NCSJ. Training of the FDLs was primarily the responsibility of the MF consultation team. In addition to training the FDLs, two individuals from the Speech and Communication Department of the University of Nevada, who have been working with the NCSJ Program for Judges of Courts of General Jurisdiction, were involved as participant observers.

During the implementation phase (July 1974), the MF consultation team was available to the FDLs as well as the lecturers during the entire two-week period. FDLs met daily during the implementation of the project with the MF consultation team to discuss content and group process issues. In every phase of the implementation of the project, the NCSJ staff provided organizational and tactical support as needed.

III. TWO-WEEK SPECIAL COURT PROJECT (Basic II, 1974)

A. Personnel:

1. Faculty discussion leaders (FDLs).

It was proposed that the College select FDLs who had graduated from the two-week program and who were believed to have the requisite skills necessary to be group leaders as well as having the time available to devote to the training and preparation for the new role of FDL. The MF consultation team would then train those selected FDLs in group leadership skills and provide them with content information relative to the behavioral and social science issues that would be arising during the lectures. The goals of these training sessions were two-fold:

- (a) To develop skill to facilitate group discussion; and
- (b) To acquaint and familiarize the FDLs with basic behavioral and social science information so that they would feel comfortable in dealing with behavioral and social science topics as they arose in group discussions.

Our experience based on our observations of the Basic Program during the summer of 1973 was that behavioral and social science issues indeed came up during the group discussions. The issues that came up were not of a highly technical nature. Frequently these behavioral and social science issues were postponed and not dealt with at all because of the group leaders' unfamiliarity with the topic and lack of confidence in being able to deal with the issues based on his own intuitive knowledge and skill. Our goal was to support the FDLs' intuitive knowledge and understanding of these areas to the point where they would feel comfortable in facilitating discussion around these issues in their groups. To facilitate this content training it was proposed that a Source Book and related questions be developed by the MF consultation team. This Source Book and Questions were to be for the use of the FDLs only.

Training sessions took place and a Source Book was developed. The first training session in May 1974 focused on content areas that would be presented during the lectures highlighting the behavioral and social science issues arising in each of the lectures. The training in group leadership skills included role playing, management of group process, and how to deal with the difficult group member.

The second training session which took place just prior to the implementation of Basic II in July 1974, reenforced the skills that had already been learned, delved into new content areas and focused intensely on the type and nature of stimulus questions that the FDLs could raise in facilitating discussion of relevant behavioral and social science content.

During the implementation of the program, daily meetings were held with the FDLs. These meetings focused on content, educational process, and group process as it developed during the course of a two-week program.

Evaluation of this phase of the project is difficult, requiring assumptions as well as comparisons that were not systematically made. Generally, evaluation was seen as an important issue for all phases of the project, but so problematic as to be beyond the scope and capacity of this project. It was agreed, however, that evaluations, descriptive and subjective as they might be, would be made wherever possible.

The FDLs and the participants were the primary evaluators of this aspect of the program. To place their evaluations in proper perspective, the

following assumptions are made:

- (a) This project involved the introduction of relatively more provocative material in the discussion groups than was true for other Special Court programs;
- (b) The introduction of behavioral and social science content, the facilitation and emphasis given these concepts by FDLs in the discussion sessions made the small group a more difficult experience for the participant.
- (c) If (a) and (b) are true, then the FDLs in the project group had a more difficult task to accomplish with a less receptive audience.

Assumptions (a) and (b) are based upon reports by participants and FDLs, and the general attitude participants maintained toward the behavioral and social science issues. That attitude was one of not wishing to delve in any depth into this area. In this sense, the FDLs were pushing the participants in a direction they felt uncomfortable with or did not wish to pursue. Considering these assumptions, we are well aware that they lend themselves to placing the FDLs and the project group in the position of having accomplished their task in spite of odds against successful completion. Although the assumptions may be true and the difficult nature of the tasks observable, any evaluation of the data can only be tentative, speculative and consequently only indicative of the need for refined evaluation techniques.

FDLs reported experiencing training in group leadership skills as very helpful. FDLs who had previous experience as group leaders noted greater skill and comfort as they performed their task during the project. Concerning content and knowledge of behavioral and social science issues, FDLs still felt a degree of inadequacy but thought that they handled these content issues better than if they had not been through the content training sessions.

Overall the participants held the group discussions in high regard. In spite of the emphasis on behavioral and social science material, the project FDLs' group discussions were rated as well as group discussions in Basic I.

The conclusion that can be reached is that the positive evaluations given to the FDLs by the participants indicates that the FDLs were successful in completing their task, and the project demonstrated that behavioral and social science material can be systematically introduced into the program without alienating or in other ways creating impediments in the participant judges' learning. This also suggests that while judges may pay lip service to disaffection with behavioral and social science ideas, if these ideas are presented in an integrated and meaningful manner, there may be more willingness by participant judges to accept this information and work with these concepts than is superficially apparent from their manifest stated attitude.

We recommend, with regard to this aspect of the program, that the training period for FDLs can be accomplished in the following ways:

- (a) A two-day training period be instituted prior to the two-week program;
- (b) One day of training be provided for FDLs at the time of the general faculty meeting, ordinarily during the winter months.

The purpose and necessity of this first training session, which would last one day, is to acquaint FDLs with their task and to work out some of the early reluctance that FDLs may experience in dealing with behavioral and social science content issues. This first meeting would also allow the FDLs to meet the lecturers and become acquainted with the lecture material by observing the lecturer's meeting (#2 of this section). Another benefit would be to help establish an "esprit de faculty" among all the teachers, that is to say, FDLs and lecturers.

Following the first meeting, FDLs then would be periodically sent content material relative to their future task. This would be pulled together in terms of content and group leadership skill training just prior to the program. This approach would be more economical than the project training program and would, we believe, still accomplish the goal stated above.

2. Lecture Faculty.

It was proposed that one meeting be convened with the entire lecture faculty during which time they would share with each other, in outline form, their presentations during Basic II.

This meeting took place with the lecture faculty during the general faculty meeting in February, 1974.

Evaluation of this procedure by the lecture faculty was that it was helpful and that they began to experience themselves as faculty rather than individuals making individual presentations.

We recommend that this procedure be continued, particularly if the goals of the College are to present an integrated, unified, educational experience in each of its programs. It was through this process with the lecture faculty that redundancy and overlap in presentations was minimized while permitting lecturers to plan their presentations and experience their efforts as contributing to an integral learning experience for the participant judges.

B. Content and Educational Sequence:

1. Behavioral and Social Science Content.

Our basic operating assumption with regard to the introduction of behavioral and social science content involved two primary considerations:

- (a) Behavioral and social science material would be introduced in the lectures. That lecture material as presented, either explicitly or implicitly, contained behavioral and social science issues. In this regard, our task was to highlight, sharpen, and make more explicit these issues and help the lecturers develop those themes in a limited way. At no time was there any suggestion or mandate to help the lecturers deliver behavioral or social science lectures; rather that they only use what was already in their presentations and underscore possible behavioral and social science issues. In this way, the lecturers would legitimate behavioral and social science topics which would then be picked up by the FDLs for group discussion. Any assistance that would be given to the lecturers would be given on a voluntary basis at the lecturer's request.
- (b) Discussion of behavioral and social science issues would occur in the small group discussions and, to this end, FDLs would be trained with respect to content issues as already described.

Consultation with the lecture faculty primarily occurred at the general faculty meeting in February, 1974. At that time individual meetings were held with the faculty members, but primarily the work was done through group sessions. In addition, some lecture faculty followed up this group consultation with requests for specific assistance in preparation of lectures. In one instance a special presentation was developed in cooperation with the lecturer at his request and initiative. This occurred in the civil law lecture sequence. The lecturer, with the assistance of the MF consultation team, developed a mock small claims court presentation which highlighted legal and behavioral and social science issues.

Our evaluation of this procedure is that for those individuals who participated and sought consultation, help was provided in terms of highlighting behavioral and social science content issues. The work done with individual lecturers facilitated the program, but since all lecturers did not participate to some degree there was a lack of coordination and integration in terms of the total scope of the program.

We recommend that the NCSJ staff have tighter control over the lecture material. Lecture material should be submitted far enough in advance of its presentation to be screened and modified when necessary by NCSJ staff. This would assure proper sequencing and avoid redundancy.

The FDLs acknowledged high quality discussions as related to behavioral and social science issues and in turn, viewed this as an outgrowth of their work and training.

The FDLs' positive experience and receptivity to their role suggests that if NCSJ wishes to pursue the introduction of behavioral and social science material it should be done with even more structured resource material for

the FDLs as well as the lecturers. A long range goal in this respect should be something equivalent to a bench book for judges which addresses itself to behavioral and social science concepts as they relate to the trial court judges' functioning. A recommendation by one of the FDLs is a reasonable short-term goal. It was suggested that the Source Book and Questions be combined, shortened and provide more explicit case examples. In so doing, this would provide the background for the bench book which would be a long-range goal for the College.

With regard to behavioral and social science concepts, certain key lectures and topics deserve specific considerations. There is an over-abundance of lecture material which places a heavy burden on the participants and at times makes it difficult to keep track of focal issues. Condensation of some material would be beneficial in terms of streamlining the educational experience and simultaneously allowing primary themes to be developed. A secondary benefit from such economizing of time would allow the employment of other learning modalities requiring more active participation by the judges.

To sharpen the program and economize time, we recommend:

- (a) The lecture on jury be deleted and included in the court community lecture. The jury presentation primarily relates to the "care and feeding" of the jury and this we believe is a court community topic that could be included in the court community lecture sequence.
- (b) Alcoholism be included in the traffic lecture sequence and not singled out as a separate topic. Alcohol use and abuse is a primary concern to the judges as a traffic related problem.
- (c) The lecture on drugs be included in the criminal law lecture sequence as a special criminal law issue in terms of investigation, prosecution, disposition and statutory considerations.
- (d) The lecture on the offender be included in the sentencing and sentencing alternative lecture sequence. This sequence would include the rationale of sentencing, difficulties of sentencing, including the difficulties presented by the offender per se and then sentencing alternatives and dispositions.

2. Videotaped Interviews with Jail Inmates.

The NCSJ has long recognized the educational potential derived from providing an opportunity for the judge/participant to visit and interview inmates. However, it was our observation (July 1973) that the educational potential of this "activity" was not fully realized since the inmate interviews were not integrated into the educational sequence or content as this was: (a) an "elective" activity resulting in only some judges participating and (b) there was no programmed opportunity to discuss and conceptualize the experience as it related to the formal educational program (lectures or discussions). Therefore, we recommended that the experience of the inmate interview, which offered a unique opportunity to examine the interface between the social and behavioral science material and the legal

issues presented in certain lectures (offender, sentencing and sentencing alternatives), be made available to all the judge participants in an educationally programmed manner.

In order to achieve this educational objective, the following procedure was implemented. The FDLs, during the training program in May, 1974, videotaped an interview with inmates in the Reno City Jail. The videotape was then edited and reduced to approximately fifty minutes by the MF consultation team. During the last two-day FDL Training Session which came immediately prior to the Basic II Program, the edited videotape was reviewed. This was followed by discussions as to its relevance and relationship to the substantive legal and behavioral science issues in preparation for the Small Group Discussion during Basic II. The tape was then shown during the implementation of this project to the entire group, and small group discussions followed. The showing of the videotape and the group discussions that followed were sequenced to coincide with the lectures on The Offender, and Sentencing and Sentencing Alternatives.

Since the same tape was shown during Basic I, a comparison was made using the evaluation forms pertaining to this program. The results suggest that the videotaped interview of the inmates was found to be of greater educational significance for those in Basic II than for those in Basic I. In response to the question "Do you think it was a good idea to include this in the program?", 81 percent of the respondents in Basic II answered Yes as compared with 65 percent of the respondents in Basic I. In response to the question, "How valuable was this to you?", with the forced choice range having the following numerical values: 1 - extremely little value; 2 - moderately little value; 3 - neutral; 4 - moderately great value; 5 - extremely great value; the average scores reported were 2.7 for Basic I (between little value and neutral) as compared with 3.3 in Basic II (between neutral and moderately great value).

We believe the findings are reflective of two principal differences between Basic I and Basic II. First, greater interest might have been generated in the experiment due to the participants in Basic II being able to identify more closely with the "exercise" since "their" FDLs were the interviewers. Second, the FDLs in Basic II had some preparation for facilitating a more meaningful discussion than did their counterparts in Basic I.

Based upon the results of this experiment, we offer the following recommendations. We believe the concept of utilizing a quality videotape that demonstrates some of the significant behavioral science issues is an educationally enriching endeavor. Ideally, such a videotape should include the FDLs conducting the interview so as to enhance the observer's identification with the interviewers and facilitate the FDLs own familiarity with the tape and the issues and processes that were involved. In any event, a videotape should be produced which purposefully seeks to illuminate certain agreed-upon principles that are to be addressed in the lectures. The videotape should then be jointly reviewed by the lecturer(s)

who will present the material on Sentencing and Sentencing Alternatives, and the FDLs. The objective would be for the FDLs to be prepared to facilitate discussion on the issues addressed in the videotape with the content of the lectures; and the lecturer(s) to more directly address themselves implicitly and explicitly to the issues illuminated in the videotape. In other words, the educational objective of the videotapes are clearly defined and planned for by the FDLs and the lecturers.

An alternative to having the FDLs develop the videotape would be for the NCSJ to independently arrange for the development of such a tape by someone other than an FDL. We believe that such a quality tape associated with careful joint preparation for its use by a lecturer(s) and FDLs should almost fully compensate for the absence of the "identification" factor of having FDLs participate as the interviewers.

3. Family Program.

The Judge/Spouse Workshop as proposed and implemented during Basic II, had its background in the positive reception Judge Donald Fretz received when the MF consultation team observed him address the wives of the judges of both Special and General Courts during the previous year's summer program. The basic theme of communication between spouse, judge and family raised the issue as to having a program centered around communication for the family of judges for the purpose of exploring the mutual responsibilities, expectations and feelings resulting from their position in the community. The proposed program involved an introduction of the topic by a judge followed by small group discussions with spouses and judges.

The program implemented during Basic II essentially received a negative evaluation. This may have been accounted for by:

- (a) Its being presented on Sunday evening;
- (b) The discomfort felt by the spouses and judges since neither had any preparation for it and it was experienced as outside the context of the program's "mission";
- (c) An uneven distribution of spouses and judges; and
- (d) The formal lecture setting not lending itself well for a program that sought to facilitate dialogue.

Although we believe that the educational objective was sound and continues to be important, the manner in which we would now recommend its implementation would call for a significant expenditure of time and resources. Included would be special separate programming for spouses and judges in order to introduce and develop, from their own perspectives and awarenesses, the issues that are involved. This would then be followed by programming that would include their joint involvement; including elements of both a formal presentation and smaller group discussion. Should such an effort be deemed warranted by the NCSJ, we would be prepared to develop

such a program, or we believe that resources on the University of Nevada campus could assist in this effort.

Although from the perspective of the educational objectives that were sought, a program for spouses only is less than optimal. Yet, we would encourage the continuation of the program for spouses as offered by Judge Donald Fretz. In addition, resulting from the strength of the discussions regarding ethical issues during Basic II's Judge/Spouse Workshop, this area suggests that consideration be given to this subject (ethics) being included as part of the Special Court Program.

4. Criminal Justice System Workshop.

The Police/Court/Corrections Workshop, as implemented in Basic II, was developed to overcome a poorly received similar educational effort during the previous year. An evaluation of last year's program by the NCSJ suggested that its poor reception may have been a consequence of its being viewed as "negative and destructive" since the program's panel members, consisting of a judge, police chief, prosecutor and correctional officer made twenty-to-thirty-minute presentations that were characterized by "gripes and grievances" of the other components of the criminal justice system. Although an attempt was made, towards the end of last year's program, to focus on constructive solutions, it was seen as coming too late.

In response to this evaluation, a different method was planned and implemented during Basic II. The educational objective was to increase the judges' knowledge and appreciation of the needs, feelings and issues within each of the major components of the criminal justice system (judges, police, corrections, prosecutors) and to then stimulate suggestions for the better management and/or resolutions of problems between these components. The program, as implemented during Basic II, provided the judges with a workshop format in which all the judges were personally involved. In four groups of approximately 20 participants in which judges were asked to assume the "role" of one of the four major components of the "system", their task was to identify with the perspectives of the roles they were assuming and to then share their respective points of view with the other representative groups. This was followed by an exchange of ideas as to how they might work to improve the working relationships between the components of the system as represented by the four areas.

An evaluation of the program by each of the leaders of the four workshop groups as well as a review of the participants' evaluation forms, suggests that the efforts this year were generally poorly received. This may be accounted for by the limited preparation given to the FDLs who led the four workshop groups which resulted in a lack of clarity of purpose and direction. Although some participants reported that the program was "fun and valuable," insufficient preparation and clarity of purpose caused many to view the experience as confusing, artificial and superficial.

The merits of such a program that puts the participants in the position of working at a problem in an active way needs to be underscored, especially in a two-week program where a good deal of the time the participants are passive recipients of information. Yet, the need for greater clarity, purpose and prior preparation by participants and faculty for such an endeavor is required. We believe one way this program's objectives could be better achieved by using a workshop format would be to:

- (a) Specify two or three "specific problems" that the College would want the judges to address;
- (b) Ask each judge, prior to this attendance at the summer session, to study the specific problems from the perspective of the various designated components;
- (c) Indicate that they should come prepared to share their "analysis" of the problems and possible management solutions with their colleagues during a workshop designed for this purpose; and
- (d) Devote a discussion group session to this subject in conjunction with material on criminal law and sentencing.

Since some of the issues involved in this study area speak to elements that are subsumed under the general heading of the lectures on courts and community, it would be advantageous to request that the lecturer on court and community specifically address this subject area to facilitate and further "legitimate" the importance of this educational effort.

C. Evaluation of Programs:

NCSJ's mission is to provide quality educational programs for judges. Programs are not only to be technically informative but designed to stretch the judges' perspective, provide new concepts, and generally contribute to continuing improvement and upgrading of the Judiciary. NCSJ has made significant strides in this direction and continues to revise its goals upward. Judges, teachers, and others familiar with NCSJ programs speak enthusiastically about the educational process.

These general goals are important but it is also important for NCSJ to concretely state what its expectations are in terms of judicial teaching and learning outcomes in terms of total program and specific components. What does a participant leave with in terms of concrete technical knowledge? How does a participant use this knowledge? How long does a participant retain this knowledge? Does the participant use the knowledge gained to make changes in his judicial functioning?

When these and similar educational objectives can be defined, NCSJ will be in a better position to assess the effectiveness of its programs. It is conceded that this is a complicated undertaking but it is a necessary one if NCSJ is to continually improve its educational programs and maintain the position of leadership in judicial education that it has enjoyed over the years. Once one establishes educational goals, then one can design methods for participant feedback into the evaluation procedure.

Our recommendation is that the complex nature of such an evaluation project requires that NCSJ seek outside resources to pursue this objective. A longitudinal evaluation program will require manpower, funds and organizational commitment. Specialized skills and training are required to plan and implement such an evaluation. At best, such evaluations are procedurally difficult, time consuming, and pose primary and, at times, difficult questions for the organization. The success of such an evaluation comes when the thrust of the evaluation stimulates future program changes.

IV. NCSJ STAFF DEVELOPMENT

A. Attorneys:

NCSJ should begin developing staff who can assume an increasing role in the teaching process. Near total reliance on outside teachers puts NCSJ in the position of having its educational goals compromised. It is important to use experts in certain topical areas, particularly those which are highly technical. Courses which deal primarily with theoretical and policy issues could be taught by NCSJ staff.

When outside teachers are utilized, NCSJ must be in the position to supervise and monitor the educational input. Teachers and NCSJ staff must view the experience of teaching at NCSJ as an honor and opportunity rather than a favor to the College. The monitoring process must be viewed and understood by all participants as a means of insuring uniform quality education in an integrated educational program.

B. Behavioral Scientists:

Staff development issues have also included the question as to whether a behavioral scientist should be on the NCSJ staff. This is best viewed as a long-range goal. The development of attorney staff members to participate in the teaching must be viewed as a first priority. The behavioral scientist can only function in NCSJ after there is core academic staff with whom that person could work. At the present time, behavioral science input and expertise can be contracted for within the local university setting or with other independent resources.

V. SPECIALTY COURSE

The original proposal set forth consideration regarding the pros and cons of a specialty course in behavioral and social sciences for judges. It also addressed itself to the Three-day State Programs in which NCSJ plays a part. The latter was removed quickly from consideration and did not appear as a focus of interest during the project. The issues related to a specialty course did keep appearing in discussion with staff, faculty and others associated with NCSJ and merit comment in this final report.

NCSJ presently offers a variety of specialty graduate courses for Special Court judges who have completed the basic two-week program and general court judges who

have completed the four-week program. These programs provide interested judges the opportunity to explore in depth a technical area of concern or, in some instances, an opportunity to look in depth at policy and social considerations. This established precedent supports the position that an offering by NCSJ in law and the behavioral sciences would attract the attention of interested judges across the country. A few such programs are offered to attorneys but none, at the present time, are specifically geared to meet the needs of the practicing judge. NCSJ could fulfill a need presently not being satisfied and this would be in keeping with NCSJ's tradition of pioneering in the field of judicial education. A specialty program in law and behavioral science would not attract a large number of judges, but would attract a number comparable to those attending other specialty courses.

NCSJ through this offering would provide a specialized course of instruction for judges. Certain judges, because of the nature of their dockets, hear cases in which behavioral and social science elements and issues are especially crucial and relevant. Judges with heavy criminal and domestic relations dockets would be prime candidates for such a course.

VI. CONCLUSION

This project represents an interesting and important experiment in cooperative judicial education. Judicial education is a complicated mix of legal technology, legal rules, logical analysis and human understanding. This project has demonstrated that NCSJ can positively contribute to the judges' understanding of the human, psychological and social aspects of judicial functioning. The human elements of the case before the court are always present, even if they are not in the foreground of the judge's attention. In some cases, social and behavioral science factors play an extremely significant role in the resolution of the legal issues. Thus behavioral and social sciences are generally present in all court proceedings and of particular importance in some cases.

At the conclusion of such a project, it is redundant to belabor the point that behavioral and social science issues and concepts are important for adequate, sufficient and ethical judicial functioning. Our purpose here is not to persuade but rather mainly to state the obvious. This project represents a beginning effort at identifying ways in which judicial education and behavioral and social science knowledge and technology can be interdigitated to facilitate judicial functioning. At this point in time, NCSJ has completed a pilot project and hopefully momentum can be maintained for future endeavors in this direction; future efforts which will allow for refinements and more specific application to judicial functioning.

Judges in this country should be leaders in reintroducing in a logical and systematic manner human considerations in the resolution of disputes between people. One faculty member noted that special courts are "people" courts and thus the education of Special Court judges was the appropriate place to initiate this project. All courts, however, are "people courts," and to lose sight of this is to lose sight of everything for which our system of justice stands.

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