

PROJECT REPORT:
STRENGTHENING RURAL COURTS

Report on a prototype seminar project conducted by The Justice Management Institute in collaboration with the National Association for Court Management and the National Judicial College

With

Curriculum Materials

By Aimee Baehler and Barry Mahoney

June 2005



**The Justice Management Institute
1888 Sherman Street, Suite 410
Denver, Colorado 80203
Telephone (303) 831-7564
Fax (303) 831-4564
www.jmijustice.org**

PROJECT REPORT:

STRENGTHENING RURAL COURTS

Report on a prototype seminar project conducted by The Justice Management Institute in collaboration with the National Association for Court Management and the National Judicial College

With

Curriculum Materials

By Aimee Baehler and Barry Mahoney

June 2005



**The Justice Management Institute
1888 Sherman Street, Suite 410
Denver, Colorado 80203
Phone: 303-831-7564 Fax: 303-831-4564
www.jmijustice.org**

SJI

This document was prepared pursuant to a grant from the State Justice Institute to The Justice Management Institute (No. SJI-03-N-065). Points of view expressed herein are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute.

Copyright © 2005
The Justice Management Institute
1900 Grant Street
Denver, Colorado 80203

CONTENTS

Introduction	1
I. Background	2
II. Planning for the Prototype Seminar	4
III. Seminar Sessions	6
IV. Follow-up Activities – Evaluation and Initial Implementation of Action Plans	10
A. Evaluation of the Seminar	10
B. Implementation of the Action Plans	11
V. Future Directions: Recommendations for Strengthening Rural Courts	14
A. Key Substantive Issues and Possible Approaches to Addressing Them	15
B. Common Themes: Leadership, Collaboration, Education	18
C. Possible Projects and Initiatives	20
APPENDICES	
Appendix A – Seminar Agenda	24
Appendix B – Instructions and Guidelines for Team and Small Group Sessions	28
Appendix C – Vignettes and Hypothetical Problems	36
Appendix D – Evaluation Form	42
Appendix E – Advisory Board Roster	44
Appendix F – Roster of Seminar Participants	46
Appendix G – Principal Faculty for the Seminar	51

STRENGTHENING RURAL COURTS

Report on a Prototype Seminar

Introduction

This report is the final product of an education project conducted by the Justice Management Institute (JMI) that focused on strengthening the ability of state court systems and rural court leaders to improve court operations in their jurisdictions. The project, which was funded by a grant from the State Justice Institute (SJI) to JMI, was undertaken in collaboration with the National Association for Court Management (NACM) and the National Judicial College. It brought together leaders of rural courts who have been active in national and state-based court improvement efforts including the presidents or former presidents of NACM and the Conference of State Court Administrators (COSCA). The primary activity of the project was the development and presentation of a prototype seminar on *Strengthening Rural Courts* that was conducted in April 2004 for teams from eight states—Idaho, Kansas, Missouri, Nevada, North Carolina, South Dakota, Utah, and Wisconsin.

The April 2004 seminar provided a way for rural court leaders from eight states to get together to discuss unique issues faced by rural courts, and to learn from each other. The approach used in planning the seminar was adapted from the approach that JMI has taken in working with leaders of urban courts in developing a national Urban Court Managers Network, with the seminar itself structured to enable peer-to-peer learning by participants. This report provides an overview of the planning process, the seminar sessions, and the follow-up activities that have taken place in states that were represented at the seminar.

The report is organized in five main sections and includes a set of appendices. Section I provides basic background information on the state of rural justice in order to develop a baseline understanding of issues facing rural courts across the nation. Section II provides an overview of the seminar planning process. Section III describes the basic design of the seminar and the presentation of the program, with particular attention to the topics covered in the plenary sessions and the small group sessions that constituted the core of the workshop. Section IV discusses follow-up activities, notably the independent evaluation results and the progress of jurisdictional teams in implementing action plans developed at the seminar. Section V addresses future education, building upon what has been learned through this project.

One of the objectives of the project was to develop a curriculum approach and materials that could be used by rural court leaders and state judicial branch educators in presenting similar programs for jurisdictional teams. The appendices contain materials that include the agenda for the 2½ -day seminar (Appendix A); the instructions used for small group exercises at the seminar (Appendix B); vignettes and hypothetical problems faced in rural courts that can provide a basis for discussion of key issues facing rural

courts (Appendix C); and a seminar evaluation form (Appendix D). All of these materials can be adapted for use in future workshops or seminars at the state, regional, or national level.

In planning and conducting this prototype seminar, JMI has been aided enormously by the work of members of an advisory board that was formed at the outset of the project and expanded slightly as planning for the seminar moved forward. Members of the advisory board are listed in Appendix E. The National Judicial College—which provided the use of its facilities in Reno, Nevada, and arranged for its President and other College staff members to participate in the seminar—also provided great assistance. All of the seminar participants were actively engaged in the program and contributed thoughtful ideas and suggestions. Rosters of the participating teams are in Appendix F. Short bio-sketches of the principal faculty members for the seminar may be found in Appendix G.

I. Background

According to U.S. Census Bureau estimates, the rural population of the United States was approximately 62 million in March 2004. Roughly one in every four Americans lives in a rural community. A large percentage of citizens experience the justice system and form their impressions of the judiciary from rural courts. There are rural courts in every state. The legal system in the United States is mainly county-based, and nearly 80 percent of the counties are rural. There are 2,450 counties with populations of less than 50,000, including 1,580 counties with populations under 20,000. It is common for rural counties to have part-time circuit or district judges who serve a multi-county area. In limited jurisdiction courts in some states it is also common to have non-attorney judges, and part-time prosecutors, and for there to be a marked shortage of attorneys to handle family law cases or serve as counsel for indigent defendants in criminal cases.

In recent decades, most of the attention to justice system issues has been focused on urban areas. There is very little literature on rural courts¹ and most of the experimentation and innovation aimed at improving court management over the past thirty years has taken place in urban courts. However, the programs and methods developed for use in large urban courts are often inappropriate for rural jurisdictions because fundamental differences exist between urban and rural courts. While all courts

¹ Leading articles and monographs from earlier years include Keith Stott, Theodore J. Fetter, and Laura Crites, *Rural Courts: The Effect of Space and Distance on the Administration of Justice* (Denver: National Center for State Courts, 1977); Kathryn Fahnestock and Maurice Geiger, “Rural Courts: The Neglected Majority” in *1982 Court Management Journal*; and Kathryn Fahnestock, Maurice D. Geiger, and John F. Daffron, *Rural Courts: An Agenda for Action: Report of a National Conference of the Judiciary on Rural Courts* (March 1987). More recently, the National Center for State Courts has published two short essays on rural court issues on the internet. See Don Cullen, “Rural Courts: What Makes Them Unique?” (Williamsburg: National Center for State Courts, 2000), available at http://www.ncsconline.org/D_ICM/readings/icmerroom_cullen.pdf and Janice Walker, “Rural Courts: Expanding the Discussion” (Williamsburg: National Center for State Courts, 2003), available at http://ncsconline.org/D_ICM/readings/icmerroom_walker.pdf.

deal with a wide range of common issues, there are some special factors that separate rural courts from their urban counterparts. These include:

- A relatively small number of lawyers and judges in rural areas.
- Lack of accessible social services for defendants and others in need of counseling, substance abuse treatment, mental health treatment.
- Lack of information technology and accompanying IT support staff.
- Concerns about impartiality and avoidance of conflicts, in an environment in which everyone knows everyone else and there is a high likelihood of social contacts involving judges, lawyers, litigants, witnesses, and court personnel.
- Professional and social isolation of judges and court staff, as they endeavor to avoid conflicts or the appearance of conflict.
- Large geographical distances and dispersed citizen populations, with poor or non-existent public transportation.
- A complex set of tasks for courts staffs that are small in size, requiring virtually all staff members to be able to perform multiple tasks.
- Pressures for consolidation of services and closing of courthouses (thus increasing the distance between citizens and their courts), as local governments seek to cope with shrinking budgets.
- Lack of readily available in-service education and training programs for court personnel.
- Lack of technical assistance support targeted for rural justice system needs.

Rural court issues are qualitatively different from those faced by urban courts. The dynamics of the entire legal system are very different in rural areas from what they are in urban areas. The effects of isolation are compounded by the fact that rural court practitioners rarely get to meet with their counterparts in other rural courts to discuss common problems and share solutions. In-state judicial conferences and other educational programs sometimes provide opportunity for practitioners from within the same state to meet and discuss common problems, but there is very little opportunity for rural court leaders from different parts of the country to meet together and learn from each other. Practitioners can be enormously valuable resources for each other.

The seminar designed and conducted for this project was conceived as a vehicle for initiating long-overdue discussion among court leaders from different states about issues and priorities for rural courts. The planners felt that simply as a stand-alone program, the seminar would be valuable for the participants, but they also hoped that the seminar could have more of a long-term impact. It could be an initial step in developing a network that could enable rural court leaders to (a) draw attention to the challenges faced by rural courts and the regional diversity of rural America; and (b) have a forum for the exchange of information about innovative techniques and exemplary programs to solve problems particular to this segment of the court community. The ultimate objective of such a network would be to strengthen the ability of rural court leaders to improve the effective administration of justice throughout rural America and improve access to justice and public trust and confidence in the court system.

II. Planning for the Prototype Seminar

The main activity of the project was a two and a half day prototype seminar for judges and administrators at both the state level and in local trial courts who work in or with rural courts. All of the persons who participated in the seminar have leadership roles in their states and/or in national court organizations. The project's advisory committee members were involved in most aspects of the project's development and implementation. In the months between December 2003 and April 2004, JMI staff implemented detailed plans for the workshop, following consultation with the advisory board committee via e-mail and during several board conference calls. There were several main activities during this period, including the following:

1. In the late summer and early fall of 2003, JMI selected six advisory board members based on their geographical locations, knowledge of rural justice, leadership positions within the courts, and their ability to be instrumental in catalyzing changes in the jurisdiction and at a national level. During October 2003, JMI staff conducted telephone interviews, generally 30-40 minutes in length, with members of the advisory board. The interviews followed a common format, seeking the board members' advice and suggestions about top priority topics to be addressed at the seminar, innovative practices to be highlighted, potential faculty members, approaches to inviting participation to the seminar, and ways to ensure that the ideas and innovations identified throughout the project could be sustained into the future. Following the interviews, JMI staff prepared the initial draft agenda for the seminar that incorporated suggestions of advisory board members. In addition to serving in an advisory capacity, advisory board members put together teams for the seminar and also led seminar sessions as faculty for the program.
2. The advisory board members expressed keen interest in a number of different topics, including judicial independence and accountability, the implementation of problem-solving courts and the use of strategies and techniques pioneered in these courts in rural settings, pro se assistance programs, inter-branch relationships, obtaining and utilizing interpreter services, the use of technology to help overcome the problems of distance and isolation faced by rural court practitioners, and issues of court security and disaster preparedness. JMI incorporated these topics into the agenda. After successive reviews, the advisory board approved the agenda. A copy of the agenda is included in Appendix A of this report.
3. Planning for the seminar was built around having teams from the advisory board members' states, which included Idaho, Kansas, Missouri, North Carolina, and South Dakota. One early decision of the advisory board was to hold the seminar at the National Judicial College in Reno, Nevada. The President of the College served as a member of the advisory board and was an active participant in telephone conferences and meetings held by the advisory board. Additionally, advisory board members expressed an interest in having a team from Nevada, where work on rural court issues was in progress following publication of a report

completed early in 2004 by the Nevada Commission on Rural Courts. The Nevada state court administrator was invited to join the advisory board and to organize a Nevada team to attend the seminar. JMI invited two additional states, Utah and Wisconsin, to participate because they expressed an interest in the seminar and a commitment to bringing about change in their jurisdiction. Teams from a total of eight states participated in the seminar. Six of the teams had three members each, one team (Nevada) had four, and one (Wisconsin) had two members. All of the teams included at least one trial judge and one trial court administrator. In all, there were ten trial judges, five of whom were chief or presiding judges in their judicial districts, seven trial court administrators, two state court administrators, two deputy state court administrators, one state judicial branch educator, one elected clerk of court, and one district chief court services (probation) officer. A copy of the seminar roster, organized by teams, is attached as Appendix E of this report.

4. JMI compiled resource materials for the seminar based upon the staff's review of publications on rural courts and on issues of particular salience to rural courts as well as recommendations from advisory board and faculty members. JMI also developed vignettes describing problem situations that were used to focus discussion on common problems. The vignettes described hypothetical situations involving ethical conflicts, judicial independence issues, and court security and disaster preparedness, asking participants how they should handle the scenarios. Copies of the vignettes are included, along with other materials used at the seminar, in Appendix B of this report. A hard copy of the entire resource book prepared for seminar participants is being sent to SJI.
5. During March 2004 JMI developed two pre-seminar questionnaires, one for trial court judges and administrators and the other for state court administrators and AOC staff. JMI used these questionnaires to develop basic information about the organization and operations of the courts and state court systems represented at the seminar. Specifically the questionnaires asked about jurisdictional size, organization of the court and justice system, use of technology, calendaring practices, use of interpreters, and other views concerning major challenges and aspects of their operations that are functioning well. JMI staff discussed the questionnaire responses on the first morning of the seminar.
6. The seminar was held in Reno at the National Judicial College (NJC), April 5-7, 2004, preceded by a combined advisory board meeting in which other seminar faculty also participated. For the seminar, NJC contributed the use of its facilities and equipment as well as the time of the President and several staff members who participated in some of the sessions. During February and March, JMI staff worked closely with staff from NJC in making logistical arrangements for the seminar.

III. Seminar Sessions

Consistent with the original grant application submitted to SJI, the workshop had four main objectives:

1. to identify and explore the unique problems faced by rural courts in implementing basic concepts of effective court management and addressing issues common to all courts;
2. to share information about promising justice innovations and exemplary programs that will help rural courts address these issues and improve their performance;
3. to develop strategies, approaches, and curriculum materials that national organizations, state judicial branch educators, and state administrative offices of courts can use to provide effective education and technical assistance for rural court judges and court personnel; and
4. to lay the groundwork for the development of a national network of rural court leaders – judges and court administrators – who can be resources for each other (and for national and state-level organizations) in improving court operations and strengthening public trust and confidence in the administration of justice in rural areas.

The workshop's basic format was a combination of plenary sessions, small group break-outs with structured problem-solving exercises, and a team action planning session. The *plenary sessions* covered basic concepts and conveyed information and ideas relevant to all participants. At the plenary sessions the formal presentations were brief. JMI asked the session leaders to discuss their own experience with regard to particular topics and issues in order to catalyze discussions involving all members of the group. The *small group sessions* (which included mixed groups of judges and administrators from all of the participating teams) enabled practitioners to discuss concepts and ideas of concern to them with each other in a more intimate session. *The team session* took members of each of the eight teams through a structured planning exercise focused on action planning aimed at improving some aspect(s) of rural court operations in the participant's home states. The final product of the team session—action plans that would guide each team's post-seminar activities—provided the basis for team members' post seminar work in their states and for follow-up contacts made with participants by JMI staff after the seminar.

There was a good mix of institutional positions among participants. In addition to trial court judges and administrators, they included senior staff members of state administrative offices of courts and, from one state, a chief probation officer for a multi-county district. The broad range of experiences and perspectives helped surface a wide range of issues affecting rural courts, and brought out numerous possible solutions and innovative practices to consider. It was important on the first day of the seminar to get participants to open up and share issues and concerns so that the remaining days could be spent addressing these issues. Consequently the plenary room was set up in a hollow square to facilitate discussion and information sharing.

JMI staff members Aimee Baehler and Barry Mahoney, together with consultant Kathryn Fahnestock, served as the principal faculty for the seminar, leading or serving as facilitators for both plenary and small group sessions. Advisory board members and other seminar participants also served as faculty, leading a plenary session where they had experience working with a particular problem or issue.² The seminar agenda in Appendix A indicates the main faculty assignments.

The seminar presented participants with a wide range of issues to consider. Topics addressed at the plenary sessions were drawn principally from suggestions made by members of the project's advisory board. They included:

- The meaning of judicial independence and impediments to achieving it in rural courts.
- The realities of contemporary rural courts - a discussion, which continued throughout the seminar, of how rural courts are functioning today.
- The role and lifestyle of judges and court staff members, including issues surrounding visibility, tacit knowledge, and ethics.
- The growing need for interpreters and the resulting problems trial courts are experiencing. Discussions centered on the availability, qualifications, certification, training, costs of interpreter usage, and how the costs should be covered.
- The need to develop protocols and resources for dealing with pro se litigants.
- The quality of legal counsel and the roles of attorneys in rural areas.
- The relationship and role of courts in rural areas with respect to other branches of government.
- Court security issues – especially those unique to rural courts
- Technology and the creation of a statewide automated system, exemplified by the Idaho IT system.
- The creation of specialty courts, such as drug and mental health courts, and access to treatment services in rural areas.

The pre-seminar questionnaire that was completed by participants confirmed that the advisory board and JMI selected highly relevant topics for the seminar. The opening plenary session identified the characteristics and key themes of justice in rural America. From the questionnaire responses, it was clear that any definition of rural courts must take into account regional diversity and the unique characteristics of a particular jurisdiction. Research demonstrates that rural Americans are getting older, are more politically conservative than the rest of the nation, and are mainly employed in the

² This approach is similar to the approach taken in JMI's highly successful Urban Court Managers' Network seminars. The seminar did not rely on "expert" presenters; rather, it sought to take advantage of the practical experience of the participants themselves. Most of the plenary sessions were conducted in a modified panel format with short informal presentations made by one or two seminar participants known to have had experience in the topic area. The short presentations highlighted issues and lessons learned, and provided the foundation for open-ended discussions on the topic that were facilitated by one of the three principal faculty members.

service sector despite the common perception that farming is the primary employment field. Rural America is plagued by persistent poverty, rooted in fewer educational choices, dismal job opportunities, lower wages, and limited access to basic services.

Participants' responses to the pre-seminar questionnaire highlighted the major issues facing the rural courts represented at the seminar and were consistent with the advisory board members' views on key issues:

- Resources: A large majority of respondents identified a lack of resources and services—including financial resources, support staff, juvenile rehabilitation services, court facilities and equipment, drug and mental health treatment services, and prisoner housing—as one of the major issues facing their court.
- Access to technology and the accompanying IT support.
- A lack of understanding, on the part of the public and many legislative and executive branch policymakers, of the judiciary's role as an equal and independent branch of government responsible for making fair and unbiased decisions, and—related to this lack of understanding of the courts' role—some significant limitations and ethical dilemmas confronted by judicial branch officers.
- A rising volume of drug cases and cases involving pro se litigants and non-English speaking litigants and witnesses.
- The long-standing problems of geographical distance, professional isolation, and tacit knowledge resulting from the close-knit nature of rural communities. Many of the respondents noted that the complexity of tasks and the multiple duties of staff (e.g., staff members forced to be generalists rather than specialists, consumed by day-to-day problem-solving with no time left for long-term planning) are significant challenges.

While it can be argued that many of these problems also affect urban courts, some of them—especially the problems of geographic distance, professional isolation, on-going interpersonal relationships with persons who come into the courts as litigants, and the need for rural court staff members to have knowledge and skills that cut across a wide area of court management—are clearly unique to rural courts. There was consensus among the participants that solutions must be multi-faceted and take into account the different rural contexts in order to yield long-term gains.

In addition to identifying problems, participants also commented during the course of the seminar on the aspects of court operations that are working well in their jurisdiction. The dominant theme with respect to an area that is working well is human capital—the people who work in these rural courts make enormous contributions to the effective functioning of the courts. Most seminar participants felt that their staff members were experienced, team players, dedicated, problem-solvers, and put forth the extra effort to improve the court's processes. Due to their deep roots to the community and long tenures with the system, all of the participants expressed a strong interest in their community and are committed to systemic improvements.

One of the pressing topics discussed at the seminar was the development and implementation of specialty courts, primarily drug courts. The rapid influx of drug offenders into small systems has severely strained many rural courts. One of the participants, a judge, recognized that traditional delay reduction strategies did little or nothing to stem the tide of drug offenders into the court, to rehabilitate these offenders, or to reduce recidivism. Despite his initial skepticism of the drug court approach and without grant funding or other external resources to devote to this approach, this judge brought together the key players from surrounding counties to figure out a way to create a drug court in his rural area and to provide treatment and related services for drug addicts. He mentioned that a judge with credibility has the ability to serve as a catalyst to bring together stakeholders. The stakeholders subsequently followed a similar approach in reallocating resources in order to get a mental health court up and running. As participants discussed this topic, one of the suggestions was to think beyond county and district boundaries, and try to develop and implement a drug court or other type of specialty court on a regional or multi-jurisdictional basis.

As demonstrated by the discussion of drug courts, a common theme of the seminar was creative planning and a “can do” attitude. Rural courts continually lack financial, human and institutional resources at the level enjoyed by many large urban courts. However, several participants argued that these courts must find ways to make improvements by constantly seeking ways to circumvent the resource deficiencies and develop less resource-intensive service delivery models. Rural court practitioners—judges and staff—have a deep sense of service to their community and are dedicated to making an impact on the system, the court’s customers, and the community. Rather than simply seeking additional funding, rural courts also need to explore methods of solving problems by pooling efforts, re-thinking traditional approaches to service delivery, and sharing resources across county lines, judicial districts and jurisdictions.

Collaboration with other justice system stakeholders was another key theme at the seminar, exemplified in the discussions about court security. Two representatives from the Justice Programs Office at American University participated in the seminar and made a presentation on that office’s court security and disaster preparedness technical assistance project, which will provide short-term technical assistance to courts in smaller population areas in emergency preparedness and security planning. The key points of the security presentation were (a) to include all key stakeholders in the planning process and (b) to continually review, practice, and update the security plan. This presentation led to a broader discussion of court security and preparedness planning, which was one of the issues that the advisory board had flagged as important to address.

On the second day of the seminar, Judge Michael Griffin and Nevada State Court Administrator Ron Titus led a discussion on the work of the Nevada Commission on Rural Courts. The Commission, which was chaired by Judge Griffin, was tasked to analyze problems and issues facing the rural courts in the state and explore effective, innovative, and realistic ways to resolve or at least minimize the problems. The State of Nevada has 90 courts throughout the state and one third of those courts serve less than

2,000 residents. The Commission held three meetings in which they identified and prioritized the major issues, as follows:

- (a) the desirability of having standards for all courts, eliminating inequities in justice across the state;
- (b) the need for a focus on ways to gain cooperation and seed money to fund top priority rural court improvements; and
- (c) the importance of involving legislators in gaining support for rural court improvements and, in doing so, crafting solutions that will attract needed support.

The Nevada Commission's report³ helped to document and raise awareness of rural court issues in that state. The Commission's approach of involving key legislators and helping them to craft solutions to rural court problems is a promising one that clearly appealed to seminar participants from other states.

On the second afternoon of the seminar, the state teams worked on developing action plans aimed at improving rural courts in their own states and judicial districts. Team members presented the plans on the final morning of the seminar. The plans covered a range of topics, including pro se assistance; planning and implementation of problem-solving courts, primarily drug and mental health courts; development of other strategies for addressing issues related to substance abuse and mental illness as they become apparent in criminal and family law cases; expanding opportunities for education and training of court staff; undertaking public education and outreach, including education of legislators; and development of in-state networks of rural court practitioners.

IV. Follow-Up Activities – Evaluation and Initial Implementation of the Action Plans

A. Evaluation of the Seminar

The design of the seminar worked well. Participants' overall evaluation of the program was very positive. Using a five-point scale (1=poor; 5=excellent), the seminar received a rating of 4.47. Most of the open-ended comments were highly complimentary about the seminar. For example:

- “The program was both beneficial and enjoyable; it was, more importantly, very educational and an affirmation that what we do is important and we are not alone!” – Judge
- “I appreciated the time devoted to and made available for in-depth discussions and expressions of ideas.” - Administrator
- “Great, timely program. Eye opener as to things that can be accomplished.” – Judge

³ Judicial Council of the State of Nevada, *Report of the Commission on Rural Courts* (Carson City, NV: Nevada Administrative Office of the Courts, September 2003).

Dr. William Nicholls, Jr., a seminar participant based in Tarboro, NC who gained first-hand knowledge of the dynamics of the seminar, conducted an independent evaluation of the seminar. He reviewed the participants' evaluations and conducted a telephone follow-up survey of participants to ascertain their sense of the seminar and its impact upon their return to their home jurisdictions. The independent evaluation report indicated that participants continue to hold high opinions of the seminar several weeks after it had concluded. Participants gave a higher rating to the seminar's success in identifying the problems faced by rural courts and sharing information about innovations and programs than to its effectiveness in developing a network of rural court leaders. Participants stated strong interest in bringing this group back together to discuss their experiences and obtaining input from the group on their action plans and also expressed great interest in having similar programs presented in the future.

From our own observations at the seminar and our review of the participant evaluations and follow-up activities, we feel that the educational approach taken at the seminar—i.e., structuring it to encourage an exchange of experiences, information, and ideas among the participants—worked very well. Although there were no presentations by professional “experts”, in a sense every participant at the seminar had considerable expertise in the functioning of rural courts and some had had in-depth experience in particular topical areas. JMI's role in the process was to draw on the advice of advisory board members about topics and potential participant-discussants to develop the curriculum, and then to structure the seminar and provide knowledgeable facilitators to lead the discussions and seek to draw out all of the participants.

The richness of the seminar experience was clearly enhanced by having participants from different states and regions of the country, who have different types of responsibilities within their own courts and court systems. It was not uncommon, when one of the participant faculty members described a particular innovation such as starting a drug court or mental health court, for other participants to press for more details about how the innovation actually worked in practice and what had made it succeed. It was also beneficial to have had participants from state administrative offices of courts as well as from both limited and general jurisdiction trial courts. The diversity of experiences and practices in different courts and court systems fostered inquiry and consideration of alternative approaches to addressing specific issues.

B. Implementation of the Action Plans

The independent evaluator reported that most of the participants had initiated work on their action plans, with only one state reporting they had yet to begin. The other seven teams were on schedule and had future meetings and implementations on their calendar. During the fall and winter of 2004-2005, JMI staff contacted representatives of the teams to discuss action plan implementation. Initial activities have included the following:

- In **South Dakota**, the judge and court administrator on the team that attended the seminar made presentations to the state judiciary's Planning and Administrative

Council and to the Presiding Judges' Council, urging a replication (with modifications) of the April 2004 seminar. Their proposal was approved and plans were made to conduct a 1.5 day retreat involving the chief judges and court administrators of all of the state's judicial circuits, together with chief court services officers, members of the state Planning and Advisory Council, and senior staff of the state's administrative office of courts, to focus on rural court issues and needs. The program, entitled *Strengthening Rural Courts in South Dakota*, was held May 10-11, 2005.

- In March 2005, two members of the **Missouri** team made a special presentation on the role of the court clerk as a leader in rural communities for members of the Missouri Association for Court Administration. A similar presentation is scheduled for May 2005, with participation by all three members of the Missouri team. Additionally, Missouri team member Larry Myers has written an article on concerns about judicial independence in rural areas, addressing key issues in this area and making a number of recommendations for changes.⁴
- In **North Carolina**, members of the team met with the Chief Justice to discuss the desirability of an increased focus on rural court issues. Chief Justice Lake has approved a North Carolina Rural Courts Initiative, and team members will be involved in a preliminary assessment of the issues in different parts of the state as an initial step in program development. The team members will make a report to the Chief Justice and the state's administrative office of the courts in December 2005, with recommendations for approaches to address rural court issues in North Carolina. Establishment of a problem-solving network for rural courts in North Carolina is one of the ideas being considered
- **Kansas** has developed a new statewide Education Committee (appointed by the Supreme Court) for the purpose of planning training programs for both judges and non-judicial staff. The focus on training during 2005 is pro se litigants. Sessions on this topic—which was a main focus of participants' attention at the seminar—have been scheduled for the statewide judges' conference and for the statewide conference for district court administrators and clerks of court.
- In **Nevada**, the state administrative office of courts has established a Rural Court Coordinator position and is pressing forward on the legislative agenda developed by the Nevada's Commission on Rural Courts. That agenda includes proposals to upgrade court facilities; improve court security through special training programs; introduce greater flexibility into substance abuse and domestic violence counseling programs (by enabling use of evaluation and counseling services in neighboring states and use of video conferencing) in order to enhance access to those services by citizens in rural areas of the state; and improve the availability of legal services in rural areas by providing for tuition reimbursement for law

⁴ Lawrence G. Myers, "Judicial Independence in the Municipal Court: Preliminary Observations from Missouri," in *Court Review*, Vol. 41, No. 2 (Summer 2004), at 26-31.

school students who agree to provide legal services in under-served areas of the state. In January 2005, the state's administrative office of courts published an analysis of the automobile driving time logged by rural District Judges that highlights the problems faced by judges in large and sparsely populated rural areas. The analysis found that the judges in four multi-county districts spent an average of more than a day a week on the road, traveling between county seats. The report noted that one result of the travel is that these judges have significantly less time for their judicial obligations than their urban counterparts.⁵

- In **Idaho**, progress has been made on several fronts targeted in the team's action plan: (1) a new rule providing for uniformity in the operations of the judiciary's highly successful Court Assistance Offices (which provide assistance to pro se litigants) was adopted; (2) forms and instructions for use by self-represented litigants have been placed on the judiciary's website, along with information about locations of the Court Assistance Offices; (3) a protocol for use of court interpreters has been developed, two court interpreter orientation workshops have been conducted, a certification exam has been held, a "court interpreter" section of the judiciary's website has been updated, and new funding for court interpreters is being sought as a priority for the judiciary's legislative agenda; and (4) with the help of a major "Access to Recovery" grant from the U.S. Substance Abuse and Mental Health Administration to Idaho's Department of Health and Welfare, the judiciary is taking a lead role in the expansion of drug courts and mental health courts in Idaho, including providing training for justice system personnel and treatment providers.
- In **Utah**, the team from the state's six-county Sixth Judicial District sought to address the problem of lack of disposition alternatives available to the courts. Team members focused their efforts on expansion of drug courts in the district. The district had had drug courts in two counties and team members have received support for the development of drug courts in two additional counties.
- In **Wisconsin**, the two-member team from the state's ten-county Seventh Judicial District (the chief judge and district court administrator) discussed the seminar and their own action plan with the state court administrator and the statewide committee of chief judges and district court administrators, and have held a meeting with representatives of the broadcast and print media in an effort to strengthen communications. They have also supported a number of initiatives taken by judges in the district over the past year in areas addressed at the seminar. These include:
 - Implementing a drug court in a one-judge county
 - Implementing video conferencing in two single judge counties to reduce transportation costs and use court time more efficiently.

⁵ Robin L. Sweet and Robert Dobbins, *Miles Driven by Rural District Judges in Nevada, Fiscal Years 2000-04* (Carson City, NV: Supreme Court of Nevada, 2005).

- Initiating discussions with key stakeholders to discuss alternative approaches for dealing with mentally ill people who come in contact with the court system.
- Trying a variety of “review hearing” approaches aimed at using the power of the courts to hold defendants accountable for their rehabilitation in domestic violence cases, probation compliance, and diversion programs.
- Investigating alternatives to jail including electronic monitoring, day reporting, and use of global positioning systems to monitor defendants’ whereabouts.

In addition to implementation activities in the states that had teams at the seminar, at least one significant step has also been taken at the national level. Seminar participant Pat Duggan, the Court Administrator for South Dakota’s Third Judicial Circuit, will lead two 1.5 hour sessions on rural court issues at the annual conference of the National Association for Court Management (NACM), to be held in San Francisco in July 2005. One of the objectives of the project was to bring greater national attention to rural court issues and the sessions at the NACM conference will help to do this.

V. FUTURE DIRECTIONS: RECOMMENDATIONS FOR STRENGTHENING RURAL COURTS

The prototype seminar conducted in April 2004 provided a unique opportunity to bring together judicial branch leaders who have key roles in rural courts in their states. The participants clearly appreciated the opportunity to discuss issues and problems that are commonly encountered in rural justice systems, and one result was a very productive exchange of information and ideas. This section of the project report seeks to distill ideas generated at the seminar and in other discussions with members of the project’s advisory board (all of whom were active participants in the seminar) into a concrete set of recommendations for strengthening rural courts across the nation.

Before turning to a discussion of specific recommendations, we note three fundamental points that are relevant to any discussion of the future of rural courts. First, every state—even the most populous ones, such as California and New York—has rural courts. Therefore, the fair and effective administration of justice—and the effective delivery of services that are generally regarded as integral to effective justice—thus is (or should be) a concern of court and justice system leaders in every state. Citizens living in rural areas deserve to have courts that meet basic standards of good quality comparable to those in more affluent areas of the state.

Second, while rural courts and justice systems share a number of characteristics that distinguish them from their urban counterparts—perhaps most notably the problems of space and distance, professional isolation, close interpersonal relationships in local communities that can pose ethical problems, and an often acute shortage of basic resources—the problems vary significantly in nature and severity from one rural jurisdiction to another. Equally important, funding patterns vary widely from court to

court, with different levels of government responsible for funding court systems (or specific levels or types of courts) and related services in different states. Any approach or strategy aimed at strengthening rural courts must take account be developed with an acute awareness of the variations in funding patterns and the diversity of rural contexts for the administration of justice.

Third, while there is much that can be done with minimal resources and the kind of “can-do” attitude exhibited by the participants at the seminar, the reality is that many of the types of improvements that seem to be needed will require additional resources. Sometimes those resources can be acquired through effective collaboration with other entities that have stakes in the effective functioning of some aspects of relevant justice system operations. One of the keys to strengthening rural courts will be to build partnerships and engage others in ways that foster recognition of the fundamental need—in any society, and certainly in the rural communities that comprise a quarter of this nation—for courts that have personnel and resources needed to provide a good quality of justice and gain the trust and confidence of the public.

The remainder of this section of the report is divided into three main parts: (A) a short summary of the key substantive issues identified in the course of the project as especially salient for many rural courts, and are thus recommended as primary targets for attention in any specific projects or initiatives; (B) a discussion of recommended approaches and processes that may be useful in addressing the specific issues and, more broadly, contribute to an overall strengthening of rural courts in all of the states; and (C) a set of suggestions for specific initiatives or projects for which funding could be sought on a single-state, regional, or national basis.

A. Key Substantive Issues and Possible Approaches to Addressing Them

In considering possible strategies for strengthening rural courts, it makes sense to focus on specific areas that leaders in rural courts have identified as especially in need of attention. From our work on this project, seven such areas stand out. Each is briefly discussed in the following paragraphs.

1. *Information technology infrastructure.* States vary widely in the extent to which information technology has been introduced and is effectively used in rural courts. In some states, this process is well advanced. In others, effective utilization of information technology is a hit-or-miss proposition, often varying considerably from one county to another depending on the level of the court (general or limited jurisdiction) and the extent to which local county funding authorities have invested in essential computer hardware and software. Developing a strategy for effective implementation of information technology in rural courts will require different approaches in different states and is a topic that is well beyond the scope of this project. However, the importance of developing such a strategy as an integral part of any initiative aimed at strengthening rural courts cannot be ignored. Information technology (including electronic communications capability) is important for the management of individual cases and overall caseloads and is essential for communication in the modern world. Particularly

for geographically isolated rural courts, it can be an extremely valuable tool for leveraging limited staff resources, communicating with organizations and individuals, and accessing legal resources. It is an essential foundation for distance education of judges and staff. For American courts to function effectively in the early years of the twenty-first century, it will be important for every court to have access to good information technology and to have judges and staff capable of using these tools effectively.

2. *Self-represented litigants.* This is an area in which a great deal of progress has been made in many states recent years. However, from discussions with participants at the April 2004 seminar it remains an area that poses acute problems for many rural courts—especially in family law cases. It is apparent that in many courts there is little awareness of modern strategies and techniques for enabling meaningful access to the courts for persons without lawyers, and for educating judges and staff about ways to handle these cases effectively. At the seminar participants expressed considerable interest in several approaches to improving the handling of cases involving pro se litigants including:

- the development of standard forms and instructions that could be made available to pro se litigants;
- training for clerks and judges on how to deal fairly and effectively with situations involving pro se litigants;
- development in other states of some version of the Idaho Court Assistance Officer program;
- making more effective linkages with resources available through the Legal Services Corporation, to help provide services for litigants who could not effectively represent themselves even with the aid of forms and instructions;
- development of an incentive program that would encourage young lawyers to settle in legally underserved rural areas upon graduation from law school and provide legal services by providing for tuition reimbursement or student loan relief, as recommended by the Nevada Commission on Rural Courts; and
- possible use of web-based resources.

3. *Indigent defense services.* Many of the judges at the seminar noted significant problems with the provision of legal services for indigent defendants, particularly the paucity of lawyers with the requisite experience and the reluctance of the few available lawyers to serve as appointed counsel given the generally low per-hour compensation typically authorized under applicable state laws. The indigent defense systems in these states varied considerably, with some relying entirely on appointed/assigned counsel, some using a system of contracting for legal services with a firm or group of lawyers, and others making some use (in some counties) of a public defender system. Funding patterns also varied, with the state responsible for funding in some but not all of the states. Seminar participants from all of the states recognized that more effective indigent defense services are needed in most rural areas, and that this would undoubtedly require additional resources. Particularly in view of the renewed attention now being given to

provision of adequate indigent defense services,⁶ this would seem to be an area that is ripe for attention by judicial system leaders, the bar, and others. Improving indigent defense services—at the limited jurisdiction level as well as in general jurisdiction trial courts—would help to strengthen rural justice.

4. *Language barriers and the need for court interpreters.* There was a somewhat surprising degree of consensus that language barriers were a major problem in at least some rural areas in virtually all of the states represented at the seminar. Many litigants and witnesses have little or no English language capability, but qualified interpreters are often difficult to locate in rural areas. Seminar participants were interested in the work done by the National Center for State Courts in this area, as well as in Utah’s system for certifying interpreters and Idaho’s plans for moving forward on training and certification for court interpreters.

5. *Substance abuse and mental health treatment services.* There was no consensus at the seminar on the desirability of creating specialized drug courts or mental health courts in rural areas. However, there was broad agreement on the need for having more—and more effective—substance abuse and mental health treatment services available to rural judges for use as a tool in cases involving criminal defendants for whom incarceration is likely to be counter-productive. Providing such services in rural areas is especially complicated because of the problems of geographic distance coupled with a lack of availability of a range of qualified treatment providers. There is a clear need for court systems to partner with state drug, alcohol, and mental health services agencies to develop strategies that will make these services more readily available in rural courts.

6. *Court facilities and court security issues.* Antiquated facilities emerged as a major concern in the pre-seminar questionnaire responses and discussions with advisory board members. The old facilities—almost invariably constructed many years ago—are often “security nightmares” as well as being cramped, poorly heated and ventilated, and often unable to accommodate modern technology. Upgrading facilities and providing needed security in the large number of rural courthouses is a daunting task, and in some instances the obvious answer is to close down or severely limit the use of such facilities. The effect of such closures, however, may be to further limit access to the courts for persons for whom transportation to a more remote location will be difficult. This is clearly an area where creative thinking and planning will be needed, taking into account the need for collaboration with other entities that can provide services increasingly being recognized as integral components of the administration of justice in the early years of the twenty-first century.

⁶ American Bar Association Standing Committee on Legal Aid and Indigent Defendants, *Gideon’s Broken Promise: America’s Continuing Quest for Equal Justice* (Chicago: American Bar Association, 2004). The report documents inadequacies in systems of indigent defense in many states and calls for significantly increased investment in building adequate indigent defense services. In related developments, lawsuits have been filed in several states, alleging systematic deprivation of defendants’ constitutional right to competent representation by counsel arising from defective indigent defense systems.

7. *Judicial independence and inter-branch relationships.* At the seminar, participants related numerous anecdotes illustrating the difficulties that courts in rural areas may face in seeking to assert and maintain their independence as a third branch of government responsible for the fair and unbiased resolution of cases. The concerns expressed at the seminar related to both independence in decision-making and independence in the operation of the court. The problems seemed to be particularly acute in some locally-funded limited jurisdiction courts, where court staff personnel were sometimes shared with executive branch agencies.⁷ While the participants were very conscious of threats to the independence of the judiciary in case decision-making, they also recognized the need for fostering effective and mutually respectful relationships with executive and legislative branch leaders in order to successfully address the types of issues discussed above. Additionally, some participants noted that successful experiences in collaboration on specific issues—for example, development of a drug court or mental health court in a region of the state—could help increase understanding of systemic issues and problems, and thus provide a foundation for future collaboration in addressing other issues.

B. Key Themes for the Future: Leadership, Collaboration, Education

Strengthening rural courts will require a range of approaches, focused on every level of government. This section recommends emphasis on four possible approaches, any or a combination of which may be appropriate depending upon the specific objectives sought to be achieved.

1. *A key role for state AOCs.* Because every state has rural courts and every state judicial system has an interest in providing good quality judicial services in all counties of the state, state administrative offices of courts in every state should have active roles in working to strengthen rural courts. Two state court administrators participated in the April 2004 seminar, and both expressed recognition of the need for increased attention to the unique needs of rural courts. Both have already taken significant steps in this area. In Nevada, the state court administrator's office was instrumental in the creation of the Nevada Commission on Rural Justice and worked closely with commission members and with legislative staff members to identify priority needs and build public and legislative support for addressing the needs. The Nevada office has also established a Rural Courts Coordinator position to help bring focused attention to the needs of the state's rural courts. In Idaho, the state court administrator's office has had key roles in developing the court assistance office program to assist pro se litigants, establishing multi-county drug and mental health courts in rural areas, upgrading and expanding interpreter services, and shaping a viable information technology infrastructure for rural courts in the state. State court administrators can be instrumental in strengthening rural courts in a number of ways:

- By sponsoring and helping to facilitate in-state seminars or workshops for judges and court leaders (and perhaps also including some participants from outside the

⁷ See the discussion of issues related to judicial independence for municipal courts in Missouri discussed in the article by Lawrence G. Myers, *supra* note 4.

- courts) to discuss issues of particular importance in rural courts, identify priorities, and begin to develop solutions.
- By helping to organize seminars or workshops on a multi-state basis, working with other state court administrators in the region to bring together court leaders from several states to exchange information and ideas, and foster peer-to-peer learning.
 - By working within COSCA to bring attention to the special problems that rural courts face, perhaps also using COSCA's national platform to help direct federal resources toward rural justice system needs.
 - By developing staff and technological resources within their own states to improve the quality and frequency of educational programs for judges and staff in rural courts and to conduct or encourage research on key rural justice issues.
 - By providing infrastructure development and direct technical assistance to rural courts in the state – e.g., developing an automated court management system usable by rural courts; developing interpreter standards and certification procedures, and possibly an on-call pool of interpreters; and assisting in development of multi-county problem-solving courts, including facilitating linkages with state-level agencies that provide funding for substance abuse and mental healthy treatment providers.

2. Leadership by local-level judges (especially chief or presiding judges) and court administrators and clerks. As several participants at the April seminar pointed out, judges have a special role and stature in rural communities. They are generally well known and well respected in the communities they serve, they know the special problems that courts in rural areas face, and they have a unique opportunity—in their roles as respected neutrals—to convene meetings of key stakeholders and bring attention to systemic problems. Identifying key problems need not compromise their neutrality as case decision-makers, and it can be helpful in catalyzing action, both at the local level and at the state level. The success of recent initiatives to strengthen rural courts in Idaho and Nevada is at least in part attributable to the collaborative efforts of leading trial court judges and administrators working effectively with state AOC leaders.

3. Inter-branch collaboration/cooperation, without compromising judicial independence. The work of the Nevada Commission on Rural Courts is an especially striking example of effective inter-branch collaboration and cooperation, and provides one model for capturing the attention of key legislators and catalyzing action to identify and address high priority issues. The Nevada Commission was chaired by a highly respected presiding judge of a rural judicial district, and included legislators (from both houses of the legislature), a county commissioner, two sheriffs, two prosecutors, several judges, and two court clerks. It focused on the problems and issues facing courts in Nevada's geographically large and sparsely populated rural areas, identified key areas for action, and developed a set of specific and practical recommended actions.

The commission approach is one of many possible ways to foster inter-branch collaboration and cooperation to address rural court needs. At both the state and local level (and between levels of government) it is possible for court leaders to work

collaboratively with other stakeholders to design and implement specific programs, conduct educational meetings, arrange for informal site visits to courts at which legislators and others can see first-hand the problems faced by rural courts, and generally encourage dialog and creative thinking about how to address specific issues.

4. Education. In considering ways to strengthen rural courts, seminar participants repeatedly came back to the need to develop an array of educational programs—targeted for different audiences and addressing different specific topics—as a key component of any strategy for improving operations and bringing renewed energy into courts in rural areas. Workshops, seminars, and conferences are needed both for internal audiences (the judges and staff who work in the courts) and external audiences, including legislators and other policymakers who need to be persuaded of the importance of investing scarce resources in improving the quality of rural justice. In considering ways to jump-start the process of educating these diverse audiences, participants at the seminar emphasized the importance of leadership within the state judiciaries, both at the state level (e.g., chief justice and state court administrator) and at the local level (e.g., chief judges of the trial courts and trial court administrators). Nationally, leadership and stimulus for educational programs focused on strengthening rural courts could come from organizations such as COSCA, NACM, and the National Association of State Judicial Educators (NASJE).

The prototype seminar conducted in this project provides a model for similar programs, designed for teams from different jurisdictions and aimed at opening discussion and exploring approaches to addressing specific topics—such as handling cases involving self-represented litigants, developing a drug court or mental health court, or providing good quality court interpreting services—that can be conducted at the national, regional, or single state level. The basic framework of the seminar—providing ample time for discussion of key issues in plenary and small group sessions, and focused on an end product of an action plan developed by members of the participating teams—is sound and can be used effectively even as issues change. Programs such as the prototype seminar provide opportunity for state and local-level practitioners to focus on key policy issues, initiate new collaborative projects, and develop mutual support networks.

C. Possible Projects and Initiatives

Discussions at the seminar and with the advisory board have produced a number of suggestions for possible projects and initiatives aimed at strengthening rural courts. These include:

- ***In-state education and training programs for judicial branch personnel.*** There is both a need and a thirst, on the part of rural court personnel, for education and training on topics relevant to the organization and operation of rural courts—particularly the kind of in-person educational experiences that enable interaction with peers and well-qualified faculty. As one seminar participant noted, distance education through the internet can be very valuable and is generally less costly than in-person educational programs but, precisely because of the relative

isolation—professional as well as geographic—of rural court judges and staff, in-person programs are especially important for these practitioners. The South Dakota retreat conducted in May 2005 is one example of a seminar designed to bring key state-level and trial court leaders together to discuss top priority rural court issues identified through a planning process. That was a 1.5 day program, but it is possible to design valuable programs that could be either shorter or longer.

- **Regional multi-state seminars or workshops.** The April 2004 seminar was deliberately designed to be national in scope, in part to gain knowledge from the breadth of experience of practitioners in different parts of the country. However, it would be feasible to have regionally based programs for teams from several states in a region of the country. Such a seminar or workshop could be modeled on the April 2004 seminar, designed to foster an exchange of information and ideas about how to address common problems. From follow-up work done already as part of this project, it seems clear that the cross-state exchange of ideas at the April 2004 seminar has helped to catalyze new initiatives in the home states of some of the participants.
- **Research.** Because rural courts have received so little attention in past years, there is a paucity of knowledge about both the extent of the needs and feasible approaches to addressing them. Research in rural courts should probably focus initially on “mapping the terrain”—learning what issues are most pressing in what parts of specific states or regions and what approaches appear most promising. Follow-up research could then focus on evaluating the impact of introducing innovations that appear promising in places where they have not previously been tried.
- **Technical assistance.** Nevada is one example of a state that has taken initial steps toward creating a technical assistance capacity within the state’s administrative office of courts through the creation of a Rural Court Coordinator position. Other state AOCs sometimes organize their offices on a regional basis, which can provide a natural focus on rural court needs in predominantly rural areas of the states. As awareness of the unique issues and needs facing rural courts grows, the AOC’s leadership in developing a cadre of professional technical assistance providers—knowledgeable about court management issues generally and having particular expertise in addressing the special needs of rural courts—can be an important factor in strengthening rural courts.
- **Infrastructure development.** Two major areas of concern at the seminar—the relatively backward state of information technology in rural courts and the prevalence of antiquated court facilities that are security hazards—are ones that will require significant capital expenditures to address on a broad basis. These are areas that it is particularly difficult for sparsely populated and cash-strapped rural counties to address. State and/or national-level investments are probably needed to make the necessary upgrades in these areas. One conceivable way to

initiate the process of infrastructure improvement in rural courts would be to link improvements in court facilities and courts' information technology capabilities with other state and national programs aimed at strengthening the social and economic infrastructure of rural areas. Infrastructure re-development is a need in every state and across the nation, and linkage of court and justice system infrastructure needs with other broad economic development initiatives is one logical strategy to pursue. As those involved in seeking to build strong and democratic societies in developing areas of the world have increasingly come to recognize, a fair and effective justice system, grounded in the rule of law and featuring an independent and unbiased judiciary, is a fundamental prerequisite for societal development.

- **Possible national initiatives.** Two ideas discussed at the April 2004 seminar dealt with possible national initiatives or projects focused explicitly on the needs of rural courts. One idea was to plan and conduct a national conference focused explicitly on rural court issues. A second idea, not inconsistent with the first but perhaps a valuable precursor to such a conference, would be to develop a national network of rural court leaders.

Formation of a Rural Courts Leaders' Network would provide a way for those responsible for managing rural courts to learn about new programs, share experiences and ideas, and discuss with their colleagues the unique challenges faced in leading and managing these organizations. Possible goals of such a network include: (1) creating an opportunity for candid, informal and in-depth interaction among court leaders who manage courts in this unique environment; (2) exchanging information about successful and unsuccessful innovations and programs; and (3) providing a voice within the justice system for those who have experience and expertise in rural court management. The experience of the Urban Court Managers Network—where periodic seminars hosted by one of the participating courts and conducted using an interactive approach similar to that followed in the seminar on *Strengthening Rural Courts* has led to dissemination of numerous innovations—provides one possible model for the development of such a network.

There are some obvious issues that would have to be addressed in forming a network of rural court leaders, notably including the basis for membership in the network, where in-person meeting of network members should take place, how the meetings (and travel to them) would be financed, what staff support would be needed and how this could be provided, and what information technology would be needed to enable effective communications with members and others interested in the work of such a network but unable to participate in its in-person meetings

There would be some clear benefits from the development of such a network. In addition to the knowledge gained by the individuals who attend the network's meetings, the courts that they represent would also benefit from the network's activities. Network members might observe or learn about an innovative program or practice at a meeting and implement it upon return to their

own courts. Some courts might use the visit by the network as an opportunity to seek input on practice or programs under development or recently implemented. Importantly, network meetings would include—as did the prototype seminar— participation by state court administrators and AOC senior staff as well as representatives of rural trial courts. The AOC participation would enable ideas developed at such a seminar to be picked up by state court system leaders and disseminated throughout the state. The blend of local and state-level participants would also have carry-over to national organizations such as COSCA, NACM, and NASJE.

APPENDIX A

Seminar Agenda

This appendix contains a copy of the agenda that was used for the April 2004 JMI seminar on *Strengthening Rural Courts*. The April 2004 agenda was designed for a seminar that would last two and a half days, with all of the participants coming as members of jurisdictional teams. This agenda provided for a bare minimum of formal presentations, and sought to emphasize focused discussions in plenary sessions as well as in the small group sessions. This “adult learning” approach was clearly effective in catalyzing action on the part of the teams that participated in the seminar.

The agenda in this appendix can serve as a model for a future national or regional program involving teams from several states, and could also be modified for use in an in-state program. The length of the program could also be shortened to enable completion in a time period of two days or less, and it may be appropriate to focus on somewhat different topic area. Any adaptation of the agenda should, of course, make appropriate modifications to address issues that are highly relevant to the intended audience.

In shaping this agenda, JMI was fortunate to have the assistance of a very thoughtful and supportive advisory board consisting of practitioners who were familiar with the issues in their own states. In planning any similar program, the assistance of such a group can be very valuable. Practitioners knowledgeable about the issues in their own jurisdictions will know what issues are important for their peers and will have good ideas about how to foster productive exchanges of information and ideas.

PROTOTYPE SEMINAR:
STRENGTHENING RURAL COURTS

Reno, Nevada
April 5-7, 2004

AGENDA

Monday, April 5

- 8:00 – 8:50 **Welcome, Overview, Introductions of Participants and Faculty**
Convenors: Barry Mahoney, Larry Myers, Bill Dressel, Patti Tobias
- 8:50 – 9:00 BREAK
- 9:00 – 9:50 **Plenary: Justice in Rural America: Characteristics and Key Themes**
- Definitions of “rural”
 - Highlights from 2002 census data
 - Review key themes from earlier writing on rural court issues
 - Feedback on pre-seminar survey of participants
- Session Leaders: Aimee Baehler, Kathryn Fahnestock
- 9:50 – 10:10 BREAK
- 10:10 – 11:00 **Plenary: Courts and Justice in Contemporary Rural America: Key Features and Priority Issues: Panel and Plenary Discussion**
- Limited resources
 - “Everyone knows everyone”
 - Distance
 - Existing interpersonal networks and relationships
 - Ethics/conflict of interest issues
 - Isolation of judges
 - Entrenched community attitudes in key areas (e.g., race, ethnicity, gender)
 - Other issues to be identified
- Session Leaders: Kathryn Fahnestock, Judge Ola Lewis, Larry Myers
- 11:00 – 11:10 BREAK
- 11:10 – 12:00 **Plenary: Judges and Administrative Staff in Rural Courts: Roles, Responsibilities, and Key Concerns**
Session Leaders: Pat Garcia Duggan, Judge Fred Lorentz
- 12:00 – 1:00 LUNCH

- 1:00 – 1:20 **Plenary: The Judiciary and the Other Branches of Government: Special Problems of Judicial Independence in Rural Areas**
Session Leaders: Judge Tim Tucker and Larry Myers
- 1:20 – 2:30 **Small Group Session I: Examining Factors that Can Affect the Independence of the Judiciary**
- 2:30 – 3:00 **Plenary: Reports Back from Discussion Groups**
- 3:00 – 3:10 BREAK
- 3:10 – 4:30 **Plenary: Emerging Issues and New Challenges**
- Support services for problem-solving courts
 - Overcoming language barriers
 - Providing information (and assistance?) to pro se litigants
 - Court security and disaster preparedness
- Session Leaders: Denise Kilwein, Caroline Cooper, Judge Brent Moss
- 4:30 ADJOURN
- 6:30 **GROUP DINNER – *Cafe Andreotti*, in Harrah's**

Tuesday, April 6

- 8:00 – 8:50 **Plenary: Meeting the New Challenges: The Nevada Commission on Rural Courts**
Session Leaders: Judge Michael Griffin and Ron Titus
- 8:50 – 9:00 BREAK
- 9:00 – 9:50 **Small Group Session II: Developing Service Delivery Approaches and Mechanisms that Work**
- 9:50 – 10:10 BREAK
- 10:10 – 11:00 **Plenary: Reports Back from Discussion Groups**
Introduction: Technology in Rural Courts: Potential, Problems, and Promising Approaches
Session Leaders: John Peay and Kathryn Fahnestock
- 11:00 – 11:10 BREAK
- 11:10 – 12:00 **Plenary: Technology in Rural Courts (continued)**

- 12:00 – 1:00 LUNCH
- 1:00 – 1:30 **Plenary: Providing Effective Education and Training for Rural Court Judges and Staff**
Session Leaders: Denise Kilwein and Joseph Sawyer
- 1:30 – 2:30 **Small Group Session III: What Can and Should be Done to Strengthen Rural Courts?**
- 2:30 – 3:00 **Plenary: Reports Back from Discussion Groups**
- 3:00 – 3:10 BREAK
- 3:10 – 4:30 **Plenary: Introduction to Action Planning *and* Team Session: Developing an Action Plan**
- Goals
 - Key Tasks
 - Responsibilities
 - Next Steps

Wednesday, April 7

- 8:00 – 9:30 **Plenary: Presentation of Plans by State Teams *and* Feedback on Plans from Faculty and Participants**
- 9:30 – 9:40 BREAK
- 9:40 – 10:50 **Plenary: Building and Maintaining Rural Court Networks - Key Ideas and Next Steps**
- Session Leaders: Barry Mahoney and Kathryn Fahnestock
- 10:50 – 11:00 BREAK
- 11:00 – 12:00 **Concluding Session: Individual Plans and Seminar Wrap-up; Evaluations**
- 12:00 **SEMINAR ENDS**

Appendix B

Instructions and Guidelines for Team and Small Group Sessions

This appendix contains copies of the instructions used to structure team and small group sessions at JMI's April 2004 seminar on *Strengthening Rural Courts*. The instructions for three small group sessions are presented as a group, followed by guidelines for the team session leading to development of an action plan that was presented on the final morning of the seminar.

In conducting the small group sessions, it is very helpful to have a faculty facilitator. Faculty members assigned to facilitate such sessions should be knowledgeable about rural courts the substance of the issues being addressed, and should also be familiar with basic facilitation skills and techniques.

Small Group Session I: Examining Factors that Can Affect the Independence of the Judiciary

Instructions

1. Identify the essential components of the concept of “judicial independence”.
 - Why is judicial independence an important societal and justice system value?
 - What has to be present in order to have an independent judiciary? (List, using the flip chart)
2. What are the impediments to judicial independence in the rural court environment? (List, using the flip chart))
3. What are the factors in the rural court environment that can support or enhance judicial independence? (List, using the flip chart))
4. If there is sufficient time: Review the hypothetical situations in Tab 4 and discuss ways of handling them. What are group members’ views as to how these situations should be handled?

Designate a member of the group to report briefly on the discussions at this session, at the plenary session that follows this session.

Small Group Session II: Developing Service Delivery Mechanisms that Work

Instructions

For each of the following questions, develop a list, using the flip chart, of promising practices or good (and feasible) ideas for delivering good quality services to users of rural courts:

1. What can rural courts do to enable the provision of good quality drug treatment services for drug court participants and other defendants/probationers who have significant drug abuse problems, especially in light of the problems of distance and limited public transportation?
2. What can rural courts do to enable provision of good quality mental health services for defendants whose mental illness is a major contributing factor in their involvement in non-violent “quality of life” offenses?
3. What can rural courts do to facilitate access to courts, and adequate defense services in criminal cases, for persons who do not speak or understand English?
4. What can rural courts do to facilitate access to courts for persons involved in family or civil law cases who are too poor to hire a lawyer?
5. What are other significant service delivery issues faced by rural courts? (List)
6. For each of the issues identified in the answer to Question 5, list promising practices or good ideas for delivering services effectively.

Small Group Session III: What Can and Should be Done to Strengthen Rural Courts?

Instructions

Priorities

1. Working individually for a few minutes, each group member should use a piece of paper to develop a list of 3 – 5 high priority actions that can be taken to help strengthen rural courts. You may wish to focus particularly on the areas covered in the seminar including service delivery, education and training, and mechanisms to foster linkages with legislators and potential collaborators/support groups. However, you can also list other topic areas that would be high priority.
2. When the individual lists, the facilitator should go around the table, asking each person to indicate the top priority item on his or her list. Post each item on the flip chart.
3. Continue to go around the table, until all of the suggested actions have been listed on the flip chart. Cross out duplicate entries and combine ideas where appropriate.
4. Review the list. Is it possible to achieve consensus on a top 5 or 6 actions that would be important in all or most of the jurisdictions? If so, list in priority order, using the flip chart.

Obstacles

5. Pick the top priority action item on the list. What would be the principal obstacles to successfully undertaking the proposed action? List, using the flip chart.

Resources/facilitating factors

6. Focus again on the top priority item on the list. What would be the principal resources/facilitating factors that would assist proponents of this action item in successful implementation? List, using the flip chart.

Report Back

Designate a reporter to summarize the group's work at the plenary session.

TEAM SESSION: DEVELOPING AN ACTION PLAN

There are many ways to go about development of an action plan to improve the operation of rural courts in a jurisdiction. The following steps are suggested as a guide to team members work on a plan for presentation to other seminar participants at the Wednesday morning plenary session:

1. Review the topics discussed at the seminar in light of your knowledge of the situation in your jurisdiction.
 - Of the topics discussed, which are the most important to address?
 - Which are the most urgent to address?
 - Which are the ones on which there is some likelihood that significant progress can be made in the next three to six months?
2. Identify not more than three topic areas on which to focus your attention and plan development work. One topic may be enough.
3. With respect to the area(s) selected, identify not more than three main **goals**.
 - What will the team seek to accomplish in each area?
4. Identify the potential **obstacles** to achievement of the goals.
5. Identify the potential **facilitating factors**.
6. Identify the key **tasks**.
 - What specific actions will be taken, using the facilitating factors to help overcome the obstacles where appropriate, to achieve the goals?
 - Who—what specific individual—will be responsible for each task?
 - By when will the specific tasks be completed?
7. What are the **next steps**? What will be done in the three to six weeks after your team returns to its home jurisdiction?

The work sheets on the following pages can be used to help develop your plan. At the 8:00 – 9:30 plenary session on Wednesday morning, each team will be asked to present its plan to the group, using whatever visual aids may be helpful. The plan presentation of the plan should take approximately 5-7 minutes—similar to a briefing of key officials in your state. The plan should include the following:

- **Name of the team**
- **Brief statement of the problem(s)/issues**
- **Goals**
- **Key tasks and target dates; identification of person(s) responsible**
- **Next steps**

- 1. What are the key issues in your jurisdiction?**
 - a. Most important issues to address**
 - b. Most urgent issues to address**
 - c. Feasibility - Of these issues, which ones are you most likely to be able to make progress on in the next 3 – 6 months?**
 - d. Issue(s) to be addressed in the plan**
- 2. GOALS. What will the team seek to accomplish?**
- 3. Key Obstacles** (e.g., existing laws, specific persons, organizations, traditions, conditions in the environment or local legal culture, etc.)
- 4. Facilitating factors** (What people, organizations, or other factors can potentially be helpful in achieving the goals?)

Jurisdiction: _____

GOALS:

KEY TASKS

Target Dates

RP

Jurisdiction: _____

NEXT STEPS:

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

Appendix C

Vignettes and Hypothetical Problems

This appendix contains two sets of materials that were used at the April 2004 JMI seminar on *Strengthening Rural Courts*. The first is a set of nine short (one-paragraph) vignettes that describe situations that could be encountered in a rural court. The vignettes are designed to focus attention on issues that commonly arise in the rural court setting, including close interpersonal relationships between court personnel (both judges and staff) and litigants and their families; lack of resources for substance abuse and mental health treatment needed to implement a problem-solving court; court security, and coping with weather-related crises.

The second set of materials consists of four hypothetical situations involving judicial independence issues. The problems present different scenarios, but all of them raise practical questions about how to make judicial independence a truly meaningful concept and practice in rural environments.

The vignettes and hypothetical problem situations can be used either as a basis for small group discussions or in plenary sessions. There is no clearly “right” answer in any of these situations, and discussions about ways to approach the problem should provoke a range of responses and help practitioners consider how best to deal with analogous problems in their own jurisdictions.

Vignettes: *How should this situation be handled?*

1. On this morning's criminal case arraignment calendar, one of the cases is State v. Thomas Jones. The charge is Driving Under the Influence, 2d Offense. Judge Green, who is newly appointed to the bench, is an uncle of Mr. Jones. He knows from family conversations that Mr. Jones' parents have been concerned about his drinking. How should Judge Green handle this?
2. William White is the defendant in a case involving a charge of assault arising out of a domestic disturbance in his home. He encounters Jane Brown, a deputy clerk of court, at a church social function, and in the course of their conversation asks "how does the court handle these little spats between husband and wife?" How should Ms. Brown respond?
3. Judge Wilson, a judge in a three-county general jurisdiction trial court, has spoken to the clerk of court, the prosecutor, and the public defender about the possibility of starting a drug court for the jurisdiction. While the judge is having dinner with her husband at a local restaurant, a man comes over and introduces himself as the director of a substance abuse clinic in an adjacent county. He says that he has heard about the new drug court that is being planned and would like to talk with the judge about how his clinic can provide top-notch services to the court and to the clients of the drug court. How should Judge Wilson handle the situation?
4. Judge Jackson has served for two years as the judge of the local drug court, which meets once a month and utilizes the services of a state-funded drug treatment provider conveniently located in the same town as the courthouse. The drug court seems to have been successful, with several graduates, only two drop-outs, and thirty persons still active in the program. She recently attended a conference at which she heard about a very promising "mental health court" program for defendants who are charged with relatively minor offenses but who have obvious mental health problems. The defendants in the mental health court are "assessed" and then, if found to be suitable candidates, are placed in a program which provides mental health counseling, encourages them to take prescribed medications, and provides assistance with housing and employment. The judge reviews their progress periodically, reviewing reports from the program's case worker and talking directly with the defendants in court. If the defendants are successful in the program and do not commit any further offenses, the charges are dismissed. Judge Jackson is aware that her own drug court does not take some potentially eligible persons because the drug treatment provider is not prepared to handle "dually diagnosed" persons who have both drug and mental health problems. She would like to consider starting a program for defendants charged with minor offenses who have mental health problems and may also have a drug problem. However, she has learned that there are no nearby programs that handle

- dually diagnosed clients and the part-time district attorney is not enthusiastic about the idea. How should she go about pursuing her interest in the mental health court? Can the trial court administrator be helpful? How? Can/should the state court administrator's office be helpful? If so, how?
5. On a Sunday night in mid-November, a severe snow and freezing rain storm hits the entire region. By Monday morning, trees are down everywhere, power is out, phone lines are down, cell phones work only erratically, and road transportation is difficult if not impossible. On Friday evening, before the storm hit, there had been a number of arrests, many of them stemming from a serious brawl that erupted after a high school football game. Both the local jail and the juvenile detention center in Central County are crowded well beyond capacity, and the Sheriff's office is planning to put all available personnel to work on traffic and patrol duty. Arraignments and bail setting would normally be held in the Central County District Court on Monday morning, and the presiding judge (one of four judges in the district, and the only one who lives in Central County) is scheduled to start the trial in a drug trafficking conspiracy case in an adjacent county on Tuesday morning. Reports received over the battery operated radio indicate that the severely cold weather is expected to continue for most or all of the week, with large accumulations of additional snow likely during the week. At 8:50 AM on Monday morning, the clerk of the multi-county district court is finally able to get through via cell phone to the presiding judge, who lives six miles from the courthouse. The presiding judge says that he has four-foot snowdrifts in his driveway and in view of the road conditions doubts that he could get to the courthouse that day. What should they do? What are the first steps the judge and court administrator should take?
 6. A deputy sheriff is married to the lay magistrate who is the only judicial officer in the town. The deputy has learned from an informer that a methamphetamine lab is operating on the outskirts of town. The deputy wants the magistrate to issue a search warrant, to be executed at the premises of the suspected meth lab. How should the magistrate handle the situation? What guidance is available for lay magistrates to handle such situations?
 7. Minor County has a population of about 3,000, and a court caseload of about 300 per year, everything included. It is one of eight counties in the district. Many of the cases in the Minor County District Court are traffic-related, and there are also the occasional bad check, farmer who shot the deer in his field, underage drinking, and Friday night bar fight assault charges. Because of the small caseload, there is only one full-time person in the Clerk of Courts office. Part-time help (provided through the District Court Administrator's office) is sometimes called upon when the full-time clerk is at a training program or away on vacation. The judge, whose chambers are in a nearby county, holds court in Minor County one morning a month, and handles paperwork by mail, e-mail, or fax. The Clerk is authorized to act as a lay magistrate (as are all clerks and deputy clerks in the district), and can conduct initial appearance proceedings in criminal

cases including advising defendants of their rights, setting bond, issuing arrest warrants, and accepting pleas of guilty in certain less serious cases. She can also perform weddings and handle default judgment proceedings in small claims matters. Her husband runs for and gets elected to the position of County Sheriff, also basically a one-person job. How does his election as Sheriff impact the Clerk's role as lay magistrate? Does his election raise any issues for the District Presiding Judge or the District Court Administrator? If so, what issues and how should these be handled?

8. Judge Arthur, recently appointed to the bench to fill the county's sole judgeship, is engaged to Lee Black, one of four lawyers in the county seat. Black has been serving as a part-time public defender, and also handles criminal, civil, and family law cases in his private practice. What practices should Judge Arthur follow with respect to cases in which Black is retained counsel? What should Judge Arthur do about providing counsel for indigent defendants who would be eligible for public defender services?
9. The courthouse in Light County is only open three days a week, and there are relatively few trials or other contested proceedings. The county's crime rate is low. Courthouse security has never been a high priority issue. Last week, however, a man who had been engaged in a bitter divorce and child custody case became enraged after an adverse ruling. After leaving the courthouse in mid-afternoon, he apparently went out to his car, took a gun, and went back into the court building. He simply walked past the security guard supervising the metal detector at the entrance, ran up the steps, and headed down a corridor toward the courtroom where another case was in progress. Fortunately, an off-duty police officer realized that there was a problem, and was able to stop the man and disarm him. Although there were no injuries or deaths in this case, everyone realizes that the situation could have turned out tragically. What should be done to prevent similar incidents in the future? What can judges do? What can the court clerk or trial court administrator do? What should be done at the state level?

Hypothetical Situations Involving Judicial Independence Issues

How should these be handled?

10. Smithville (Population 12,000) has a municipal court that has sessions twice a week: Tuesdays (all day) and Thursday afternoons. The court has jurisdiction over traffic offenses, ordinance violations, and minor misdemeanors. Diane Johnson, the Clerk of the Municipal Court, works part-time (20 hours per week) for the court. She has recently been offered a job as a part-time administrative assistant for the Sheriff's Department, and asks the judge of the Municipal Court if it would cause any type of problem if she were to take the new position. Some cases arising from traffic citations issued by the Sheriff's deputies, as well as some misdemeanor arrest cases, are heard in Municipal Court. Would it be a problem for the court if Ms. Smith were to accept the position with the Sheriff's Department? How should the judge handle the situation?
11. There is a small snack area in the clerk's office, near but behind the front counter. Recently, law enforcement officers have been using it as a place to congregate and converse while waiting for court to begin or their case to be called. Is this a problem? What (if anything) should be done? By whom?
12. Gideon County has a one-lawyer public defender office. The public defender's office is a county expense. The county has also arranged to have a law firm handle conflict and "overflow" cases that the public defender's office can't handle. Additionally, the two judges sometimes assign serious felony cases to other lawyers in the county. The county commission is facing a severe budget shortfall and the economic projections for the coming year are pessimistic. The county commissioner recently phoned the court administrator to say that the commission is planning to keep the portion of court expenses paid by the county at the same level as in the current year, but cut the allocation for indigent defense expenditures by 20 percent in the fiscal year that begins July 1. He asked that any comments be submitted within the next two weeks. What should the court administrator and the judge do in this situation?
13. Judges' salaries and fringe benefits are paid by the state, but counties are responsible for court facilities and for the salaries and fringe benefits of all court personnel. A year ago, salaries of all county-paid personnel in Washington County were frozen, and the clerk had to lay off one of her five employees. This year, the county commission has decided that every county department except for the Sheriff's department must cut its expenses by 20 percent. (The county government has historically regarded the court as a "department".) The judge and the clerk both agree that this will severely impact the court's operations, requiring

staff layoffs and probably meaning that court can only be kept open three or four days a week. Other counties in the state also face fiscal problems, but none of them have required actions as drastic as Washington County. What if anything can be done by the judge and/or other court personnel to reduce the impact of the budget crunch?

14. The Smithville Municipal Court turns over all of its fine revenue from traffic offenses and ordinance violation convictions to the Town of Smithville. The moneys go into the Smithville general fund. Recently the mayor and the city council have started discussing the desirability of the court increasing the fines it imposes, to help the city cope with the problem of declining tax revenues and increasing city expenses for other local government functions. The mayor has asked the judge and the clerk to meet with him and the council president to discuss this idea. How should the judge and the clerk handle this situation?

Appendix D

Evaluation Form

PROTOTYPE SEMINAR: STRENGTHENING RURAL COURTS

Reno, Nevada

April 5-7, 2004

1. Overall, I thought that the program was:

<i>Poor</i>					<i>Excellent</i>
1	2	3	4	5	

Comments: _____

2. Please rate the effectiveness of the seminar with respect to the following objectives (1=low; 5=high):

	<i>Low</i>				<i>High</i>
a. Identify and explore the unique problems faced by rural courts	1	2	3	4	5
b. Share information and ideas about promising innovations and exemplary programs	1	2	3	4	5
c. Develop strategies and approaches that can be used to help provide effective education and technical assistance for rural court judges and court personnel	1	2	3	4	5
d. Assist in the development of a network of rural court leaders	1	2	3	4	5

Comments: _____

3. Please rate the value and usefulness of each of the following (1= low; 5=high):

	<i>Low</i>				<i>High</i>
Topics covered at the seminar	1	2	3	4	5
Session leaders' knowledge of the subjects	1	2	3	4	5
Plenary sessions (Overall)	1	2	3	4	5
Small group discussion sessions	1	2	3	4	5
Team action planning exercise	1	2	3	4	5

Comments: _____

4. Please rate the usefulness of the resource notebook and other materials provided:

Of little use

1

2

3

4

Very useful

5

Comments: _____

5. Please rate the program's logistical arrangements (location, hotel, pre-seminar communications, on-site support, group dinner, etc.)

Poor

1

2

3

4

Excellent

5

Comments: _____

6. What topics/aspects of the program did you find most useful?

7. What topics/aspects of the program did you find least useful?

8. What recommendations do you have concerning:

a. Future educational programs on this topic, at a national, regional, or state level?

b. Other activities that could help build a rural court resource network?

9. Additional comments:

10. Your position: _____ Judge _____ Administrator/Educator _____ Other

Appendix E

STRENGTHENING RURAL COURTS PROJECT ADVISORY BOARD ROSTER

<p>Aimee Baehler Program Associate The Justice Management Institute 1900 Grant Street, Suite 630 Denver, CO 80203 Phone: (303) 831-7564 Fax: (303) 831-4564 E-mail: abaehler@jmijustice.org</p>	<p>Judge Ola Lewis North Carolina Superior Courts 310 Government Drive Bolivia, NC 28422 Phone: (910) 964-5216 E-mail: judgeola@aol.com</p>
<p>William F. Dressel President National Judicial College Judicial Education Building, MS 358 Reno, NV 89557 Phone: (775) 784-6747 Fax: (775) 784-4234 E-mail: dressel@judges.org</p>	<p>Barry Mahoney (Project Director) President Emeritus The Justice Management Institute 1900 Grant Street, Suite 630 Denver, CO 80203 Phone: (303) 831-7564 Fax: (303) 831-4564 E-mail: bmahoney@jmijustice.org</p>
<p>Patricia Garcia Duggan Administrator 3rd Judicial Circuit Court 314 6th Avenue Brookings, SD 57006 Phone: (605) 688-4621 E-mail: pat.duggan@ujs.state.sd.us</p>	<p>Lawrence G. Myers Court Administrator Joplin Municipal Court 303 E. Third Street Joplin, MO 64802-1355 Phone: 417-624-0820 E-mail: LMyers@joplinmo.org</p>
<p>Denise Kilwein Judicial Branch Educator Administrative Office of the Courts Kansas Judicial Center 301 S.W. 10th Street Topeka, Kansas 66612 Phone: (785) 296-2256 E-mail: kilweind@kscourts.org</p>	<p>Ron Titus State Court Administrator Administrative Office of the Courts 201 South Carson Street, Suite 250 Carson City, NV 89701-4702 Phone: (775) 684-1700 Fax: (775) 684-1723 E-mail: rtitus@nvcourts.state.nv.us</p>

Patricia Tobias

Administrative Director of the Courts

Supreme Court Building

451 West State Street

Boise, Idaho 83720-0101

Phone: (208) 334-2246

E-mail: PTobias@ISC.STATE.ID.US

Appendix F

Roster of Seminar Participants

IDAHO

Honorable Brent J. Moss

Judge
Seventh Judicial District
P.O. Box 389
Rexburg, ID 83440-0389
208-356-6880
bmoos@co.madison.id.us

John Peay

IS Director
Idaho Supreme Court
451 West State Street
Boise, ID 83702
208-334-3868
jpeay@isc.state.id.us

Patricia Tobias

Administrative Director of the Courts
Supreme Court Building
451 West State Street
Boise, ID 83720-0101
208-334-2246
PTobias@ISC.STATE.ID.US

KANSAS

John Isern

District Court Administrator
Barton County Courthouse
1400 Main Room 306
Great Bend, KS 67530
620-793-1860
jibtdistert@cpcis.net

Denise Kilwein

Director of Education
Administrative Office of the Courts
Kansas Judicial Center
301 SW 10th Street
Topeka, KS 66612
785-296-2256
kilweind@kscourts.org

Honorable Fred Lorentz

Chief Judge
Wilson County Courthouse
P.O. Box 246
Fredonia, KS 66736
620-378-4361
judgefred@twinmounds.com

MISSOURI

Robin Ausmus
Court Administrator
Macon Municipal Court
P.O. Box 569
106 West Bourke Street
Macon, MO 63552
660-385-4931
ozausmus@hotmail.com

Honorable R. Jack Garret
Judge
37th Judicial Circuit
225 Courthouse
West Plains, MO 65775
417-256-4383
RGarrett@osca.state.mo.us

Lawrence G. Myers
President, NACM
Court Administrator
Joplin Municipal Court
303 East Third Street
P.O. Box 1355
Joplin, MO 64802-1355
417-624-0820
LMyers@joplinmo.org

NORTH CAROLINA

Honorable Ola Lewis
Judge
North Carolina Superior Court
310 Government Drive
Bolivia, NC 28422
910-964-5216
judgeola@aol.com

William W. Nicholls, Jr.
Trial Court Administrator
Judicial Districts 7A & 7B/C
P.O. Box C
Tarboro, NC 27886
252-823-1841
Bill.Nicholls@nccourts.org

Honorable Kimberly S. Taylor
Judge
North Carolina Superior Court
P.O. Box 246
Hiddenite, NC 28636
828-632-6269
kimbyrd@msn.com

NEVADA

Karen Baggett

Deputy Director for Administration
Nevada Administrative Office of the Courts
201 South Carson Street
Carson City, NV 89701-4702
775-684-1736
kbaggett@nvcourts.state.nv.us

Nikki A. Bryan

Lyon County Clerk
27 South Main Street
Yerington, NV 89447
775-463-6501
nbryan@lyon-county.org

Honorable Michael R. Griffin

Judge
First Judicial District Court
Department One
885 East Musser Street
Carson City, NV 89701
775-882-1996
clipparelli@ci.carson-city.nv.us

Ron Titus

State Court Administrator
Administrative Office of the Courts
201 South Carson Street, Suite 250
Carson City, NV 89701-4702
775-684-1700
rtitus@nvcourts.state.nv.us

SOUTH DAKOTA

Perry Danforth

Chief Court Services Officer
Third Judicial Circuit
P.O. Box 1358
Huron, SD 57350
605-353-0113
perry.danforth@ujs.state.sd.us

Patricia Garcia Duggan

Administrator
Third Judicial Circuit
314 Sixth Avenue
Brookings, SD 57006
605-688-4621
pat.duggan@ujs.state.sd.us

Honorable Tim D. Tucker

Judge
Third Judicial Circuit
P.O. Box 507
Madison, SD 57042
605-256-5035
tim.tucker@ujs.state.sd.us

UTAH

Brent Bowcutt

Trial Court Executive
Sixth Judicial District
895 East 300 North
Richfield, UT 84701
435-896-2710
brentb@email.utcourts.gov

Honorable Paul D. Lyman

Presiding Judge
Juvenile Court
Sixth Judicial District
895 East 300 North
Richfield, UT 84701
435-896-2700
plyman@email.utcourts.gov

Honorable Kay L. McIff

Presiding Judge
District Court
Sixth Judicial District
895 East 300 North
Richfield, UT 84701
435-896-2700
kmciff@email.utcourts.gov

WISCONSIN

Patrick Brummond

District Court Administrator
Seventh Judicial District
La Crosse County Law Enforcement Center
333 Vine Street, Room 3504
La Crosse, WI 54601
608-785-9546
Pat.Brummond@wicourts.gov

Honorable Michael Rosborough

Chief Judge
Seventh Judicial District
Circuit Court, Vernon County
400 Courthouse Square
Decker Street
P.O. Box 448
Viroqua, WI 54665
608-637-5364
Michael.Rosborough@wicourts.gov

American University

Caroline Cooper

Associate Director

American University, Justice Programs Office

Brandywine Building, Suite 660

4400 Massachusetts Avenue, NW

Washington, DC 20016

202-885-2875

cooper@american.edu

Larry Siegel

Senior fellow/Court Security

American University, Justice Programs Office

Brandywine Building, Suite 660

4400 Massachusetts Avenue, NW

Washington, D.C.

202-885-2875

consult@lscourt.co

Appendix G

Principal Faculty for the Seminar

Aimee Baehler is a Program Manager with the Justice Management Institute (JMI). Her project work at JMI has included work on problem-solving courts, caseload management, and rural courts. She has experience developing curricula for education and training programs, conducting research (including surveys), and serving as a faculty member and group facilitator. She has been JMI's project director for the Bureau of Justice Assistance-sponsored workshops on *Managing the Internal and External Drug Court Environment*. She served as the project manager for JMI's *Strengthening Rural Courts* project, conducted the pre-seminar surveys that helped provide a basis for the seminar program, and served as a presenter and facilitator at the seminar. Before joining the JMI staff in 2001, she worked at the National Institute of Justice in the Office of Research and Evaluation and with the National Academy of Public Administration. ♦ AIMEE BAEHLER, The Justice Management Institute, 1900 Grant Street, Denver CO 80203. E-mail: abaehler@jmijustice.org.

Kathryn Fahnestock is a consultant who has had over two decades of experience working on justice system improvement in rural areas. From 1982 to 1999 she was Director of the Rural Justice Center, a Vermont-based non-governmental organization that worked to improve the quality of justice in rural courts in the United States and internationally through research, education and technical assistance. Her areas of expertise include access to justice, caseload management and delay reduction, court records management, development of judicial branch education capabilities, community linkages with courts, and overall institutional development. In recent years, Ms Fahnestock has been an independent consultant in the U.S. and abroad, most recently in Mexico, Serbia and Ukraine. ♦ KATHRYN FAHNESTOCK, Star Pudding Farm Road, Plainfield, VT 05667. E-mail: kfahnestock@pivot.net.

Barry Mahoney is President Emeritus of The Justice Management Institute. He helped to found JMI and served as its President from December 1993 to January 2002. He has been extensively involved in JMI's work on caseload management, drug court planning and implementation, pretrial services, intermediate sanctions, indigent defense services, and strengthening justice system processes to help prevent the conviction of innocent persons. He has written widely on justice system issues, and has been a faculty member for many workshops and conferences in the U.S. and abroad. Dr. Mahoney served as JMI's project director for the project on *Strengthening Rural Courts*. ♦ BARRY MAHONEY, The Justice Management Institute, 1900 Grant Street, Denver, CO 80203. E-mail: bmahoney@jmijustice.org.