

### **Issue 3 – Supporting Competence and Quality**

- Goal 3.1: Judges and court employees will have the knowledge, skills, and abilities to serve and perform at the highest professional levels.
- Goal 3.2: All court employees will be of good character and adhere to high standards of professionalism and ethics at all times.
- Goal 3.3: The state courts system will attract, hire, and retain highly qualified and competent employees.
- Goal 3.4: The judicial branch will attract, retain, and support highly qualified judicial candidates.

### **Florida’s Court System Creates, Supports, and Delivers Educational Programs**

Meeting the demands of justice in the twenty-first century requires that judicial officers and court staff have the knowledge, skills, and abilities to administer the justice system fairly, effectively, and in ways that foster trust and confidence. As noted in the Long Range Strategic Plan, advanced levels of training and development are critical to enable those who work within the system to effectively perform the challenging work of the courts and meet the demands placed upon them.

A number of components of the court system are involved in educational programs and learning opportunities for judges and court staff. They include the Florida Court Education Council (FCEC), which coordinates and oversees the comprehensive educational program and manages the budget that supports those endeavors. In order to ensure well-designed educational offerings and well-trained faculty and presenters, the FCEC and the Court Education section conducted a total of six planning meetings and five faculty training and enrichment programs during fiscal years 2009-10 and 2010-11. Trial court judges, court staff from throughout the state, and various OSCA offices and units, including the Dispute Resolution Center, the Publications Unit, and the Office of Court Improvement, also play an important role in training and education.

#### Educational Programs for Judges Provide Numerous Learning Opportunities

During fiscal years 2009-10 and 2010-11, a variety of judicial educational events were held for new and experienced trial court and appellate judges. These events provided live training on a range of topics including trial skills, substantive law, complex substantive and procedural matters, and advanced education on an assortment of topics, such as handling capital cases, ethics, DUI adjudication, judicial fact finding and decision-making, criminal law, enhancing judicial bench skills, judicial leadership, and family law issues. While many events were planned

and coordinated by the FCEC and OSCA's Court Education section, others occurred in conjunction with national and statewide conferences planned by outside sponsors and held within the state of Florida, some were designed and funded by OSCA's Dispute Resolution Center and the Office of Court Improvement, and still others were provided locally and approved for (partial) funding by the FCEC. This amalgam of approaches to providing judicial education affords access to a considerable array of high-quality training opportunities for judges and judicial officers, while making efficient, effective use of funding and staff resources. During fiscal years 2009-2010 and 2010-11, more than two dozen live training events for judges were conducted; more than 1,000 judges participated each year. (Notes: These are not "unduplicated" totals, as a number of judges participated in more than one training event each year. In addition, the College of Advanced Judicial Studies, a major FCEC educational event, was cancelled in fiscal year 2010-11 due to the budget crisis.)

#### Court Staff Benefit from a Range of Educational Programs Designed to Enhance High-level Skills and Generate Excellent Performance

The FCEC, the Court Education section, the Office of Court Improvement, the DRC, and circuit judges and court staff participated in developing, offering, or funding these offerings of live education programs. The topics addressed included diversity and cultural awareness, effective communication, case management, leadership development, management and supervision, ethics, sexual harassment prevention, and specific family law, drug court, juvenile drug court, and mediation topics. Several events were statewide professional conferences, such as the annual Dispute Resolution Center (DRC) conference, the annual Judicial Assistant Association conference, the statewide case managers' conference, the Statewide Dependency Summit, and the Court Public Information Officer's training conference. Despite the fact that one statewide conference and several regional training events were cancelled due to the budget crisis in 2010-11, there were more than 50 such educational events during fiscal years 2009-2010 and 2010-2011, with over 5,000 participants from the court system as well as justice partner agencies and organizations. (Note: These are not "unduplicated" totals, as a number of individuals participated in more than one training event each year.)

#### Federal Grant Funds and Foundation Support Provide Access to Education and Professional Development

OSCA receives and administers federal grant funds in the areas of court improvement/dependency, juvenile delinquency and drug courts, and domestic violence, as well as some funding from several foundations. This non-state, supplemental funding affords access to national training and development opportunities that would not otherwise be available, but are crucial to an informed, well-functioning court system that is responsive to the needs of litigants involved in court cases. During fiscal years 2009-2010 and 2010-2011, 214 judges and court staff were able to attend and participate in five domestic violence conferences, seven dependency conferences, two juvenile delinquency conferences, and five juvenile drug court training events with nationally known experts.

## OSCA Staff Ensure Effective Administrative Processes and Provide Training on Administration and Management Needs

In its role of providing organizational support to the court system, OSCA is very aware of the need for effective administrative processes and the importance of capable management and supervision. During fiscal year 2010-11, OSCA's Administrative Services Division (ASD) offered a one and a half day training session on all ASD functions for 58 trial court staff; a planned follow-up training session was not held due to cash constraints. In conjunction with the Trial Court Budget Commission's Personnel Committee, OSCA's Office of Personnel Services re-wrote the job classification specifications for jobs throughout the court system during fiscal year 2009-10. Prior to adoption, those specifications were then reviewed and commented upon by top administrators in the trial courts and appellate courts. In fiscal year 2010-11, the Office of Personnel Services developed and conducted performance management training for OSCA managers and supervisors, with particular emphasis on SMART performance goals, communication, and dealing with behavior and performance issues. Additionally, Personnel Services developed a draft training needs assessment to ascertain human resource training priorities. Though initially intended to be implemented within OSCA, it may be made accessible to trial courts through distance learning mechanisms if resources become available. Finally, Personnel Services is creating a digital training library with information and resources for managers and supervisors.

## Distance Learning Opportunities Help Bridge the Gap between Educational Needs and Budget Constraints

Numerous distance learning events and methodologies were developed and utilized in fiscal years 2009-10 and 2010-11 to support the education and training of court personnel and to supplement live, in-person training for judges and judicial officers. This has enabled the court system to maximize available educational and training opportunities despite serious budgetary limitations. Judges participated in a variety of distance learning programs, including videoconference offerings on civil law, criminal law, and foreclosures and tenants' rights, as well as a teleconference featuring probate and guardianship law updates. Additionally, the FCEC purchased subscriptions to the National Judicial College webcasts, which afforded judges, magistrates, hearing officers and attorneys education on a considerable array of topics, including: self-represented litigants; ethics; judicial security; use of electronic evidence; U.S. Supreme Court decisions; internet crimes against children; and, a series of webcasts on electronic discovery issues. Distance learning events for court personnel included eleven videoconferences and one webinar on topics ranging from dependency cases and a 2010 U.S. Constitutional law update to drug court issues, juvenile delinquency, an update on 2009 legislative actions, and preventing sexual harassment in the workplace. Other court personnel participated in additional distance learning programs, including a day-long videoconference on drug courts, an update on the actions taken by the 2009 Legislature, and preventing sexual harassment in the workplace. During fiscal years 2009-10 and 2010-11, a total of 47 distance learning events were held for judges and court staff; though it is difficult ascertain an accurate

total number of participants in these events, conservative documentation indicates that well over 3,000 individuals took part.

Publications and Other Self-learning Resources Provide Accessible, Updated, and Cost-effective Augmentation of Training and Education

Publications are among the most utilized of the judiciary's self-learning resources, and during fiscal years 2009-10 and 2010-11, judges and court staff authored or revised numerous electronic publications. Bench guides provide in-depth legal information and guidance to judges about handling various types of cases and procedures. During fiscal years 2009-10 and 2010-11, a total of nine bench guides were developed or revised on topics including self-represented litigants, criminal cases, contempt, judicial ethics, judicial administration, dependency, and pandemic influenza. Further, a Judicial Reference Guide was developed for judges, including a benchcard, a medication index, and information on commonly prescribed medications. In addition to the comprehensive bench guides, summaries of case law and legal opinions are prepared and posted on-line quarterly for domestic violence case law, traffic related appellate opinions, and the Judicial Ethics Advisory Committee opinions. Other resources developed for the judiciary include electronic documents on judicial ethics and information on resources for mental health and substance abuse cases, as well as a benchcard to be used by judges for shelter hearings in dependency cases. Additional publications developed for judges and court staff includes a semi-annual newsletter on family and drug court issues; domestic violence-related articles, reference guides and factsheets; and, a yearly update on changes in Chapter 39 of the Florida Statutes – PROCEEDINGS RELATING TO CHILDREN.

Other self learning resources developed and made available online from 2009-2011 include: the Court Education section online library, with a compendium of various publications and resources; interactive, web-based educational programs, such as Fundamentals for Family Court Judges, Dependency Hearing Virtual Court, and the Domestic Violence Virtual Courtroom; and, the online Introduction to the Florida Courts System. Additionally, one video, available online, provides readily available information on Chapter 39 injunctions; another video distributed to courts statewide explains how dependency court judges can intervene on behalf of young children. These resources allow judges and court staff to access and use these stores of information at the time they are needed and when the users have the time to make good use of them.