

TO: Students in PPA 293 – Fall 2009  
FROM: Kathleen Howard, Adjunct Professor  
DATE: August 18, 2009  
Subject: September Seminar, Readings, Discussion Questions, and Assignment

This memo provides summaries, exercises, discussion questions, and your writing assignment for the September seminar. I am providing notes and context to help guide your study for the first seminar. Please email me at [kthowardconsulting@yahoo.com](mailto:kthowardconsulting@yahoo.com) if you have any questions.

### **Reading Assignment**

For the September 25- 26<sup>th</sup> seminars, please read (or re-read) Aikman chapters 6, 7, 8, and 9 in their entirety, chapter §§ 10.0 and 10.1, and chapters 11, 12 and 13 in their entirety, and read Part I of Bardach. In our first seminar, we will **begin** to discuss both an analytical framework for leadership, as well as a framework for policy analysis.

1. Approaches to Leadership: You will gather from the current (and subsequent) readings that there are numerous definitions of leadership. As one writer has observed, there are almost as many ways of defining leadership as people who attempt to define it. [Bass 1990] Most texts begin by considering three theoretical approaches to leadership and more recently a fourth – transformational leadership. As with any explanatory theory, each has its own strengths and weaknesses, proponent and critics, and degrees of relevance. Four approaches to leadership:
  - Trait approaches (e.g., personal characteristics or qualities of leaders: personality, attributes or qualities such as courage, honesty, trustworthiness, tenacity, psychological resilience, intelligence, etc.)
  - Behavioral or style approaches (e.g. a focus on what leaders do and how they act – tend to fall into sets or pairs of contrasting styles. The first pair is 1) leadership task behaviors that tend to focus on getting the job done; and ii) leadership relationship behaviors where the focus is on the needs of subordinates and their relationships with each other. The second pair of contrasting behaviors is between i) participative or democratic leadership and ii) directive or authoritarian leadership.)
  - Contingency or situational approaches (e.g. effective leadership requires a style or behavior that matches extant conditions or circumstances. In other words, there is no “one best way,” rather, the leader adapts.)
  - Transformational approaches – four elements
    - i. Charismatic leadership: role modeling, create identification with shared vision, ability to instill pride, respect, and trust;
    - ii. Inspirational: inspiring and empowering followers to accept and pursue challenging goals;

- iii. Individualized consideration: communicating personal respect to followers by giving them attention, treating each one individually, and by recognizing each one's unique needs;
- iv. Intellectual stimulation: challenging followers continually with new ideas and approaches.

Please take the following short questionnaire to assess your own "approach to leadership." In the process, you'll begin to become acquainted with a framework to examine leadership theories.

Exercise 1:

|     | Approaches to Leadership: A Self-Assessment  | Strongly Disagree |   |   | Strongly Agree |
|-----|--|-------------------|---|---|----------------|
| 1.  | I like to stand out from the crowd.  | 1                 | 2 | 3 | 4 5            |
| 2.  | I feel proud and satisfied when I influence others to do things my way.                        | 1                 | 2 | 3 | 4 5            |
| 3.  | I enjoy doing things as part of a group rather than achieving results on my own.               | 1                 | 2 | 3 | 4 5            |
| 4.  | I have a history of becoming an official in organizations.                                     | 1                 | 2 | 3 | 4 5            |
| 5.  | I try to be the one who is most influential in task groups at work or in other arenas.         | 1                 | 2 | 3 | 4 5            |
| 6.  | In groups, I care about good relationships.  | 1                 | 2 | 3 | 4 5            |
| 7.  | In groups, I most want to achieve task goals.  | 1                 | 2 | 3 | 4 5            |
| 8.  | In groups, I always show consideration for the feelings and needs of others.                   | 1                 | 2 | 3 | 4 5            |
| 9.  | In groups, I always structure activities and assignment of work to help get the job done.      | 1                 | 2 | 3 | 4 5            |
| 10. | In groups, I shift between being supportive of other's needs and pushing task accomplishments. | 1                 | 2 | 3 | 4 5            |

Interpretation of your scores. If your total score on items 1 to 5 is:

- 20 or more, you are likely to enjoy being a leader.
- 10 or less, you are likely to be more interested in personal achievement.
- In the middle range, your leadership potential could go in either direction, depending on events.

As a leader, your style is suggested by items 6 – 10:

- For items 6 and 7, if your score is higher on 6 than on 7, you may be more concerned about relationships; a higher score on 7 suggests task motivation.
- For items 8 and 9, a higher score on 8 implies greater use of relationship-building behaviors; a higher score on 9 suggests an emphasis on task behaviors.
- For item 10, a score of 4 or 5 suggests that you may adapt to circumstances as you see the need.

- As a leader, your style is suggested by items 6 – 10:

Statements in this questionnaire correspond to three of the four approaches to leadership noted above: trait theories (1 to 5) behavioral or style theories (6 to 9), and situational or contingency approaches (10).

**Discussion Question 1:** Transformational leadership approaches were omitted from the questionnaire. Prepare for discussion three to five ‘statements’ that might reveal traits, behaviors and styles indicative of a transformational leader in the court administrative environment.

*Exercise 2:* Think of two court leaders you know, or have known, well. One should be a person whom you judged to be successful as a leader and the other quite the opposite—that is, unsuccessful. On the following scales (using the numeral 1 for the first leader and 2 for the second leader), indicate the extent to which each person possesses that particular trait.

|                                      | <b>Very<br/>High</b> | <b>Average</b> | <b>Low</b> | <b>Very<br/>Low</b> |
|--------------------------------------|----------------------|----------------|------------|---------------------|
| Need to Achieve                      | _____                |                |            |                     |
| Need for Power                       | _____                |                |            |                     |
| Leadership Motivation                | _____                |                |            |                     |
| Self-confidence                      | _____                |                |            |                     |
| Honesty and Integrity                | _____                |                |            |                     |
| Intelligence                         | _____                |                |            |                     |
| Knowledge of the business            | _____                |                |            |                     |
| Assertiveness and decisiveness       | _____                |                |            |                     |
| Competitiveness                      | _____                |                |            |                     |
| Emotional Stability                  | _____                |                |            |                     |
| Extrovert personality                | _____                |                |            |                     |
| Willingness to take risks            | _____                |                |            |                     |
| Intuition and use of tacit knowledge | _____                |                |            |                     |
| Self-awareness                       | _____                |                |            |                     |

Self-regulation \_\_\_\_\_

Empathy \_\_\_\_\_

Social Skills \_\_\_\_\_

**Discussion Question 2:** From your results, what conclusions can you form a sense as to whether successful leaders possess some traits that others do not? Compare your results with those discussed in the summaries and readings paying particular attention to Aikman's perspectives in §7.3.1 – Leaders' Qualities and Skills. What traits or attributes are missing from the questionnaire and why are they important (hint: vision, communication, etc.)

**Discussion Question 3:** Where does leadership reside in the courts? Is it a shared responsibility and if so, with whom? If not, why not?

**Discussion Question 4:** In the early 1950's, management theorists used the terms 'management' and 'leadership' interchangeably. What arguments could be made for and against this practice today?

### **September Writing Assignment A or B (you may choose A or B)**

**Due: September 25, 2009 in class.**

**Length: 4 to 7 pages (see details below)**

**Typed: 12 point Times New Roman font**

**Cover Page: Course Title, Paper Title, Date, Your name**

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**Assignment A Background:** Chapter 11 in Aikman is devoted to the importance of external relations to court administration and Chapter 13 examines leadership organizations. There have been seven major 'policy events' in the past 19 years that appear to have had transformative effects on the administration and leadership of trial courts in California. For example, this year marks the 10<sup>th</sup> anniversary of the passage of the trial court unification amendment to the California Constitution. Following are brief summaries of these seven events.

- The Trial Court Funding Act of 1988 (effective January 1989) provided state block grants to fund a portion of county costs for operating the trial courts. The grants were allocated by the state to each county based upon of the number of county judgeships – which are created by the Legislature. The grants amounted to approximately \$300 million. The funds were administered by the county and often did not benefit the courts.
- The 1989 Supreme Court of California decision of *Zumwalt vs. San Diego Superior Court* ended the bifurcation of two trial court administration posts: the clerk of court elected by county voters and the court executive officer

appointed by judges of the court. The Supreme Court ruled that the clerk of court function was inherently a judicial function and not subject to the electoral process - thereby overturning more than 100 years of tradition and administrative practice and consolidating full authority for administration of the courts into the hands of judges.

- The 1991 Trial Court Realignment and Efficiency Act required trial courts to administratively coordinate activities between two levels of court (municipal court - equivalent to the English magistrate's court and the Superior Court - equivalent to the Crown Courts) and to effect 5 percent, 4 percent, and 3 percent reductions in cost over a 3 year period resulting from better coordination of effort. The amount of state funding grew from \$300 to \$750 million annually through a complicated transfer to the state from the county of local revenue (fines, fees, and bail forfeitures) generated by the courts. The courts in turn were given greater control over the state-provided funds and both courts and counties were made jointly responsible for accounting to the state for the expenditure of those funds. The funds remained locally administered through the county budgetary system.

- Under the 1997 State Trial Court Funding Act, the State of California assumed full funding responsibility for the trial courts, ending a bifurcated funding arrangement where county government and state government shared funding responsibilities. The state now appropriates approximately \$2.1 billion each year to fund the trial courts in California. With full state funding has come greater financial oversight and budgetary control. At the same time, the Act also provided for independence from county control over the trial court's administrative infrastructure: accounting, budgeting, human resource management, facilities management, and other services historically provided by local government to its agencies. These administrative functions have in part devolved to local courts and, in part, devolved to new central court administrative structures within the Administrative Office of the Courts – the staff arm of the Judicial Council of California which sets administrative policy for the courts. A five year period of transition was established after which time counties and courts would engage in annual negotiation over services provided by the county or requested by the court. The process continues with courts transitioning at different speeds depending upon their readiness.

- The 1998 Trial Court Unification Amendment to the State Constitution abolished the two-tier form of trial court structure and merged the lower court into the upper court creating a unified Superior Court. This had the effect of consolidating court administrative authority in one person in each county, the court executive officer – shrinking the number of top level court executives from 261 to 58 – one for each county. It also commensurately reduced the number of Presiding Judges to one in each county to whom the court executive officer became accountable.

- The 2000 Trial Court Employment Protection and Governance Act created a new class of public employee denoted as a ‘court employee’ who is neither employed by county nor state. In essence, each court executive officer, rather than the county, has become the appointing authority acting on behalf of the court as the employer of record.
- The 2002 Trial Court Facilities Act transferred responsibility for the ownership and maintenance of over 450 court facilities to the state and created the governance structure and the process for how this transition will take place over a 20 year period.

**Assignment A Instructions:** Drawing upon chapters 7, 11 and 13 in Aikman, and the leadership exercises and summaries provided to you, discuss in 4 to 7 pages at least two leadership challenges presented by trial court unification or state trial court funding. To the extent possible, weave in one or two analytical concepts gleaned from Part I of Bardach as you discuss the leadership challenges.

**Assignment B Instructions:** Drawing upon chapter 6 in Aikman, the leadership summaries provided to you, and the attached information (3 links appear below) concerning the 2009 fiscal crisis in the courts and the Judicial Council’s recent budget-related decisions, compare and contrast which of the four approaches (or combinations of approaches) to leadership might be more or less successful in dealing with the current budget crisis at the level of an individual court. Discuss the leadership-related steps you would recommend and why – again attempt to use the leadership theories and your practical experience in your answer. To the extent possible, weave in one or two analytical concepts gleaned from Part I of Bardach as you discuss the leadership challenges.

<http://www.courtinfo.ca.gov/presscenter/newsreleases/NR40-09.PDF>

<http://www.courtinfo.ca.gov/jc/documents/reports/072909item2.pdf>

<http://www.courtinfo.ca.gov/reference/documents/ccnprt2.pdf>