CALIFORNIA STATE UNIVERSITY, SACRAMENTO

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Office hours: By e-mail and by appointment

Spring 2009
PPA 292 § 1
Court Management
(Pre-requisite: PPA291 or Instructor’s Consent)

SYLLABUS
(may be modified as needed)

Class Dates
Feb. 6-7, Mar. 6-7, April 3-4, May 1-2

Class Time & Location
8:30 a.m.-4:30 p.m.
Administrative Office of the Courts, Northern Regional Office
2860 Gateway Oaks Dr., Ste. 400
Sacramento, CA 95833

OVERVIEW

Drawing from theories in public policy and administration this class explores how management concepts and organizational theories apply to court administration in the 21st century. Steven W. Hays and Cole Blease Graham Jr. (1993) describe court administration as “simply a specialized form of public administration” and advise “that court leaders should more aggressively apply and adapt public administration approaches.” This course draws from business, non-profit and public sector management theories and practices and explores ways in which they might contribute to improved court management.

While the emphasis of the course will be on management and organizational theories, examples from several areas key to effective court management – including human resources, labor relations, budget and calendar management – will illustrate the concepts and reveal challenges particular to the court environment. At its end, effective court management will be judged by how well it serves the public through access to justice, ethics, fairness and attention to diversity issues, and public trust and confidence.

SPECIFIC LEARNING GOALS

At the end of PPA 292, it is expected students:

1. will have explored key public administration, organizational and management theories and be able to apply theories to practice;
2. will compare the National Association of Court Management’s 10 core competencies to key public administration, management and organizational theories and assess the usefulness of the 10 core competencies toward effective court management;
3. will be able to discern the relationship between management and the success of a public organization;
4. will utilize private and public sector models to apply to court management; and
5. will understand the institutional structure of a court and its connection to human resources (e.g., staffing issues and performance management, and conflict management and labor negotiations), and illustrate how that is connected to a key goal of court management: ensuring public trust and confidence.
This course is designed as an intensive graduate seminar. As noted above, classes will be held at the Administrative Office of the Courts, Northern Regional Center.

- The location of this class is easily accessible by car, air, train and bus. Parking at the site is free.
- The course has two meetings per month on a Friday and Saturday, each day having six hours of instruction time and is equivalent to a standard fourteen week graduate seminar meeting weekly.
- Judicial officers, court executive officers, clerk administrative officers, and/or subject matter experts will regularly join the seminars as guest lecturers.

The structure of this class, its intensive format, and the nature of its topics demand full class participation by each student. Each seminar will be broken into several “mini” sessions composed of breakout exercises, guest presentations, student presentations, collaborative problem solving and group discussions.

Each student must come to class having completed all readings; the instructor will not review or recap the readings. Students must prepare in advance for weekly seminars by bringing with them their responses to critical questions in response to the readings provided for each seminar. The seminar is discussion based, and each student is expected to contribute to each class and present questions and/or responses to the materials. Students’ participation will be assessed, in part, by their ability to both critically analyze and incorporate into seminar discussions information from the assigned readings. Students should not generalize but be able to refer to specific authors, articles and events.

All assignments, some readings, and various information useful to judicial administration students – whether current graduate students or returning – are available on the class’s SacCT (aka WebCT) page, an educational software used by Sac State. It is each student’s responsibility to familiarize her/himself with SacCT. In addition, students may use SacCT for electronic discussions among themselves. (Discussions will not be monitored by the instructor.) Further, students can easily send e-mails to all enrolled in the class through the class SacCT page. The class SacCT page also contains an array of links to sites, organizations, and materials useful to the graduate level study of judicial administration.

**TEXTS**

Required:

Hacker, Diane, *A Pocket Style Manual or A Writer’s Reference*

Nice, David (2002) *Public Budgeting*


Rainey, Hal G. (2003), *Understanding and Managing Public Organizations, 3rd edition*

Reader (prepared by instructor)

Steelman, David C. (2004), *Caseflow Management: The Heart of Court Management in the New Millennium* (available through the National Center for State Courts)
ASSIGNMENTS AND GRADING

Assignments: All assignments will be posted on SacCT.

Grades: Students’ grades will be based on their papers, any pre-class assignments, contributions to the group work, in-class presentations, class discussions, and Q&A sessions with guest speakers.

Attendance: Attendance is mandatory. Inform instructor prior to class if you must miss a class on a specific day. Except under unusual circumstances, for each two full classes missed, a student will be penalized one entire grade (e.g., a B+ for the course will become a C+).

Grades: Course grades will be determined in accordance with the following weights:

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<thead>
<tr>
<th>Engagement in class discussions:</th>
<th>Points</th>
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<tbody>
<tr>
<td>February 2009</td>
<td>25</td>
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<td>March 2009</td>
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<td>April 2009</td>
<td>25</td>
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<td>May 2009</td>
<td>25</td>
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<tr>
<th>Break-out group work:</th>
<th>Points</th>
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<tbody>
<tr>
<td>February 2009</td>
<td>15</td>
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<td>March 2009</td>
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<td>April 2009</td>
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<td>May 2009</td>
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<th>Q&amp;A with Speakers:</th>
<th>Points</th>
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<tr>
<td>March 2009</td>
<td>10</td>
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<tr>
<td>April 2009</td>
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<td>May 2009</td>
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<table>
<thead>
<tr>
<th>Papers:</th>
<th>Points</th>
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<tr>
<td>due 3/6/09</td>
<td>100</td>
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<tr>
<td>due 4/3/09</td>
<td>100</td>
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<td>due 5/1/09</td>
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Final paper due 5/16/09 (Sat., 5 p.m.) 60 points

Other:
- Short responses to questions (pre-assigned, Feb.) 50 points
- Pre-assigned presentation (May) 50 points

Grading scale for course grade:

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<tr>
<th>Grade</th>
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<tr>
<td>A</td>
<td>627-650</td>
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<tr>
<td>A-</td>
<td>582-626</td>
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<tr>
<td>B+</td>
<td>562-581</td>
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<tr>
<td>B</td>
<td>542-561</td>
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<tr>
<td>B-</td>
<td>516-541</td>
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<tr>
<td>C+</td>
<td>497-515</td>
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<tr>
<td>C</td>
<td>477-496</td>
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<tr>
<td>C-</td>
<td>451-476</td>
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<td>F</td>
<td>0-450</td>
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Academic Honesty: Academic dishonesty will not be tolerated in this seminar. Students who plagiarize in this class will receive an F for the class and will be referred to Sac State’s Office of Student Conduct. NOTE: It is each student’s responsibility to ensure s/he understands what plagiarism is and does not plagiarize or cheat. For definitions and examples of what constitutes plagiarism and academic dishonesty, go to http://library.csus.edu/content2.asp?pageID=353. If you have any questions or concerns, please feel free to discuss them with the instructor.
Late Assignment/Makeup: Late assignments will not be accepted. At instructor’s discretion, a student who misses a deadline may be given a make-up assignment. Whether or not a penalty will be assessed depends on the reason (e.g., a family emergency or serious illness constitutes a good reason).

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**SEMINAR SCHEDULE**

“The primary task of a useful teacher is to teach his [her] students to recognize inconvenient facts.” (Max Weber, 1946)

**February 1-2, 2008: Laying the Foundation:**

*Introduction to Management Theories*

“There is surely nothing quite so useless as doing with great efficiency what should not be done at all.” (Peter Drucker, 1963)

This class provides the framework for exploring court management. After studying key concepts through general management and organizational theories, throughout the semester students will apply those more universal theories to the field of court management.

Read:
Rainey, chapter 1-8 (NB: You can skim chapter 7 but pay attention on the decision-making models on pp. 160-169. You can skip pp. 211-218 of chapter 8.)
Saari, Ch. 3
Elmore

Reading questions: Posted on SacCT.
Short assignment (due in class February 6): Posted on SacCT.

**March 6-7, 2008: Human Resource and Labor Relations Management and the Courts**

*Executives owe it to the organization and to their fellow workers not to tolerate nonperforming individuals in important jobs.* (Peter Drucker)

*Good management consists in showing average people how to do the work of superior people.* (John D. Rockefeller)

Though funded by the state since 1992, court employees remained employees of the counties until January 1, 2001, when each trial court became an independent employer of its employees. Each court deals with units represented by varying organizations as well as unrepresented units. In addition, though courts must, of course, comply with federal and state labor laws and Judicial Council mandates, courts have varying human resource management structures (e.g., many courts have assumed but some courts still contract with counties to manage payroll and/or benefits). Appeals court employees are state employees with HR services provided by the AOC. In this class, students will explore human resource management challenges and innovations in the courts.

Guest lecturers: Mr. Dennis Batchelder, HR/labor relations consultant
Mr. Johnny Smith, Labor Relations Officer, Sacramento Superior Court
Read:

Rainey, chs. 9-12
Nigro et al. (all)
Hayes et al. (all, no matter which edition)
Government Code sections 3500-3511
Senate Bill 2140 Chaptered
California Rules of Court 10.650-10.670 (Trial Court Management of Human Resources)
Batchelder CV

Reading Questions: Posted on SacCT
Assignments (due in class March 7): Posted on SacCT

April 3-4, 2008: Assessing and Managing Caseflow Throughout the Court

Great organizations demand a high level of commitment by the people involved. (Bill Gates)
Justice delayed is justice denied. (William E. Gladstone)

Every public agency has some sort of work flow specific to their agency to manage, and this section will explore that which is specific to courts: judicial caseflow management. David Steelman defines it as “the entire set of actions that a court takes to monitor and control the progress of cases, from initiation through trial or other initial disposition to the completion of all postdisposition court work, in order to make sure that justice is done promptly.” According to the National Association for Court Management (NACM) in its Core Competency Curriculum Guidelines: “Properly understood, caseflow management is the absolute heart of court management.”

Guest lecturer: Mr. Stephen A. Bouch, CEO of Napa County Superior Court

Read:

Steelman (all)
Saari, Ch. 5
Resnik
California Rules of Court 3.700-3.735 (Civil Case Management, Title 3, Division 7)
Alliegro et al.
Heise
Hoffman & Mahoney
NCSC
California Rules of Court 3.740-3.771 (Civil Case Management, Title 3, Division 7)
Dunworth & Kakalik
Kaye
Steifel & Maxeiner

Discussion questions/Pre-class assignment: Posted on SacCT
Paper Assignment due: Posted on SacCT.

May 1-2, 2008: Managing the Court’s Budget

It’s clearly a budget. It’s got a lot of numbers in it. (George W. Bush)

This section introduces public budgeting (theories and practices) and focuses on the entire branch budget process and the AOC’s Resource Allocation Study (aka RAS) Model courts use. It explores how courts budget for their mandated functions. It also studies how local courts secure
funding to respond to specific, local needs and innovations. This section also looks at how courts respond to unforeseen budget and calendar events (e.g., change of venue of a high-profile trial to a court after a calendar year). Being an informed, active participant in the decision-making process for court budgets is a key component of effective court management.

Guest lecturer(s): Mr. Stephen Nash, Chief Financial Officer, AOC
Ms. Lisa Galdos, Special Consultant to the Education Division of the California AOC’s Center for Judicial Education & Research

Read:
First
Nice (all)
Rainey, Chs. 13 & 14
Douglas & Hartley
Tyler et al.
G2G
California Department of Finance, Budget Information
California Flowchart and Budget Process
California’s Governor’s Budget, Proposed Budget Detail: Legislative, Judicial & Executive
California Senate, “The Budget Process”
California Budget Project, “Who Pays Taxes in California”
California Rules of Court 10.101 (Judicial Council & AOC: Budget & Fiscal Management)
California Rules of Court 10.800-802 (Trial Court Budget & Fiscal Management)
AOC Fact Sheet
Ostrom, RAS
Assembly Bill 233 (chaptered) and Q&As
JJ
Eureka!
AOC, Special Report: Trial Court Funding
Elwood & Sprague

Reading Questions: Posted on SacCT
Assignments due: Posted on SacCT

Final paper assignment will be posted on SacCT by 5 p.m., May 4. It is due to instructor (electronically) by 5 p.m., Saturday, May 16, 2009.