

California Judicial Administration Fellowship Program
PPA 298B: Judicial Administration Fellowship Seminar
Spring 2019 Course Syllabus

California State University, Sacramento
Center for California Studies
Office – 3038 Tahoe Hall
Office Hours: By Appointment

Faculty Advisor: Professor James Brighton
Email Address: james.brighton@csus.edu
Work Phone: 510-693-1808

Welcome: The purpose of this course is to provide academic perspective and to complement what the fellows are learning from their placement in one of ten trial courts or judicial branch offices. The spring seminar continues to blend academic theory with practice with focus now centered on policy analysis, intergovernmental relations, and contemporary issues confronting the judicial system. The overall goal is to apply the knowledge gained in the fall semester to evaluate and analyze the policies, practices, procedures and institutional role of the California judicial system. This will enhance the fellows' contribution to the judicial branch and their court placement. Academic Seminar is held one full-day each month either on campus or off-campus and requires written and oral projects and papers as well as participation in a weekly online discussion forum. Modelled in part on the Mini-Capstone Research Paper submitted in the fall seminar, a policy or issues-oriented Capstone Project Paper and Presentation is due on the final day of seminar.

Catalog Description:

Analyzes procedural issues and policy questions within the California judicial system with emphasis on the interdependence of the judicial, legislative and executive branches.

Expected Learning Outcomes:

Students will be able to:

1. Identify and analyze major policy issues confronting the California judicial system as an institution of state government;
2. Apply and adapt a specific policy analysis framework to a significant issue or problem in their placement courts or offices and to current year judicial branch budget change proposals;
3. Understand and explain the balance between judicial independence, judicial accountability and the oversight role performed by the legislative and executive branches;
4. Apply research, writing and oral presentation skills to their Capstone Project Paper.

Academic Seminar Format:

The Judicial Administration Fellowship Academic Seminar is conducted in part at the fellows' placement courts throughout California and in part on campus – an important factor which distinguishes this fellowship from other Capital Fellows programs. The seminar itself encompasses one full-day each month, augmented by weekly online issues forums and periodic evening office hours. Seminar begins at 9:00 a.m. and concludes at 4:00 p.m. with a 45 minute to 60-minute recess for lunch (depending on seminar location). Seminar is not a lecture class, although there is typically a short introduction to the material and a review of the class agenda. The seminar is discussion-based guided by study questions, presentations, and role-playing exercises utilizing the assigned readings, case studies, and weekly forum issues. Fellows must come prepared to share their ideas and engage intellectually with each other. And, most critically, they must demonstrate their ability to synthesize course materials and link them to their fellowship experiences.

Academic Seminar Participation:

Active participation is vital to the learning environment and it is therefore required. And it is heavily weighted towards the final grade. Oral presentation also provides opportunities to personally develop a key professional skill and to build self-confidence. Student presentations and participation are enhanced when information is presented in a logical and interesting sequence that can be easily followed. Moreover, students are expected to demonstrate knowledge of the seminar subject or topic by asking relevant questions, answering questions, and

California Judicial Administration Fellowship Program
PPA 298B: Judicial Administration Fellowship Seminar
Spring 2019 Course Syllabus

providing reasonable explanations and elaboration. Presentations must be made with a clear voice and correct, precise pronunciation of terms. Writing during the online forums should be clear, concise, and well-reasoned. Group exercises or team interactions will be respectful and collegial.

Academic Weekly Online Discussion Forum Participation:

Why an Online Discussion Forum? We will continue the Online Discussion Forum commended in the fall term. As a reminder it is intended to promote student interaction, deepen student learning, build class community, and increase student engagement. (Trujillo, 2017; Poll, Widen, and Weller, 2014). The role of courts in our society is evolving rapidly and on a daily basis some aspect of the judiciary appears in the news. The Online Discussion Forum provides a structured opportunity to identify and explore current (and sometimes perennial) issues involving courts and by inference their administration.

What will you do? There are three parts to the Discussion Forum. As in the fall semester, you will post relatively recent court related articles that you find in the news and ask at least one question about another's post that is well thought-out and shows a depth of knowledge and understanding beyond the obvious. You will also answer at least one question posted by another. The best questions are clear, relevant, specific, and require an open-ended response. Points will be deducted if your question seems shallow or poorly thought-out, is a simple "yes-no" question, or is not a question at all. Note that you cannot post a question to your own news article. Similarly, answers should be succinct, thoughtful, responsive, and as may be appropriate, raise a further question.

Instructions for Online Discussion Forum

Part 1: Making a Post. This Discussion Forum entails making a post with any new and interesting court-related information from a news story (article, opinion piece, or editorial) that you come across this semester – whether federal, state, local or international in scope. Your initial post about the news story must be posted by Sunday 6 p.m. of your assigned week to allow time for others to read and respond. We will use Google Groups as our platform – to be established after our first seminar. Forum grading criteria is posted to PPA 298.

- The name of the news article and the date it was posted (note that the news story must be accessible online and reported by a reliable news source.)
- A link to the news document;
- In your own words, a 1-paragraph summary (100 words minimum) with details about the article;
- Your thoughts about how it relates to courts or judicial administration or public management, using appropriate terminology, theories, and readings;
- Give your post a catchy title to make other students (and me) want to read it.
- You cannot make an initial post about the same article that someone has already posted, but you may make a post about the same news event from a different or more recent source.

Part 2: Making a Reply in the Form of a Question. To receive full credit, you must make at least 1 reply in the form of a question to someone else's post. Your question must be well thought-out and show a depth of knowledge and understanding beyond the obvious. The best questions are clear, relevant, specific, and require an open-ended response. Points will be deducted if your question seems shallow or poorly thought-out, is a simple "yes-no" question, or is not a question at all. Note that you cannot post a question to your own news article.

Part 3: Answering a Question. If someone in class posts a question about your post, you owe that person an answer. If nobody posts a question about your news article, you must fulfill this requirement by answering any other student's question that was posted to another student's post.

California Judicial Administration Fellowship Program Seminar
PPA 298B: Judicial Administration Fellows Policy and Issues
Seminar Spring 2019 Course Syllabus

Grades: Letter grades (A – F) are based on the following assignments:

You will be required to research and produce a minimum of 25 pages of written material for the fall semester.

(1) A series of short papers on various topics and issues	60%
(2) Capstone Project Paper and Presentation	20%
(3) Class attendance, seminar and weekly forum participation	<u>20%</u>
	100%

Grading scale:

A:	≥ 94%
A-:	90 – 93.9%
B+:	87 – 89.9%
B:	84 – 86.9%
B-:	80 – 83.9%
C+:	77 – 79.9%
C:	74 – 76.9%
C-:	70 – 73.9%
D+:	67 – 69.9%
D:	64 – 66.9%
D-:	60 – 63.9%
F:	≤ 59.9%

Attendance Policy:

Attendance and participation in seminar and timely completion of all academic assignments are mandatory. Acceptance of admission into the Judicial Administration Fellowship Program is a commitment to attend each class session and a commitment to be prepared for active discussion. Failure to fulfill the terms of the academic program, failure to perform in a professional manner, plagiarism, unauthorized absences, and chronic tardiness at seminar or office placement will be cause for prompt administrative review and may result in forfeiture of stipend or salary, termination from the program or other sanctions. In addition to attendance and “seat time,” the quality of participation in class discussions, online discussion boards, and class presentations will be reflected in grading. There will also be one or two individual mandatory evening office hour conferences by phone in accordance to the schedule posted to PPA 298B.

Required Texts:

Understanding and Managing Public Organizations, 5th Edition - Rainey
Trial Courts as Organizations - Ostrom, et al.
The Art and Practice of Court Administration – Aikman
American Court Management – Saari
These Estimable Courts: Understanding Public Perceptions of State Judicial Institutions and Legal Policy-Making – Cann and Yates
Tomorrow's Lawyers: An Introduction to Your Future – Susskind
Just Mercy: A Story of Justice and Redemption – Stevenson

Selected Readings: See Assignments, Articles and Discussion Questions Posted to PPA 298.

**California Judicial Administration Fellowship Program Seminar
PPA 298B: Judicial Administration Fellows Policy and Issues
Seminar Spring 2019 Course Syllabus**

Paper Instructions

At least one paper or seminar reading outline will be due for each spring seminar – the paper length will vary from 3 to 5 or more pages depending upon the material to be covered.

Seminar papers and other writings are due on or before Monday at 6:00 p.m. of seminar week unless otherwise instructed. Papers are to be emailed to the address on the first page of this syllabus. Late papers will not be accepted but for extenuating circumstances. All papers will have an introduction, a thesis statement if appropriate, argumentation and discussion (explanation) of relevant points, and a conclusion. Writing is a craft and requires practice. Just adhere to the topic or title that has been assigned, draw from the material in the course, marshal your evidence, and draft and redraft and redraft again. Here are the drafting and format requirements to adhere to (details matter).

1. Double-space the paper with 1.25” margins.
2. 12-point Times New Roman font.
3. Upper left corner of the first page single-spaced: Your Name, Title of Course: PPA 298 - CSUS, My Name, Title of Paper: _____, Date Submitted: January XX, 2019.
4. If a title page or citation page is used, do not count it towards the length of the essay or paper.
5. Citation style for all seminar papers: Endnotes using Modern Language Association of America (MLA) format.
6. Electronic format is MS Word. Other formats will be rejected.
7. File naming conventions: Last name - Seminar Month - Assignment Name (e.g., Susskind Outline; Placement IT policies; BCP analysis, etc)
8. Outlines are to be submitted in a single document.

Critical Writing Guidelines for All Assignments:

Bearing in mind the importance of the written word in the court setting (and academia), the following evaluative criteria are used when marking seminar papers. Note that content is heavily weighted and plagiarism is grounds for dismissal. The best papers demonstrate that the writer has thought hard and seriously about the subject matter readings, has come to conclusions that reflect relevant information and ideas, and make a logical connection between these and the writer’s own carefully considered opinions.

Organization (25 points)

1. Introduction clear (i.e., I know what this paper will tell me);
2. Clearly worded thesis statement early in paper (e.g., first or second paragraph);
3. One main point per sentence;
4. Topic sentences in paragraphs (one main point per paragraph) that together will support your thesis;
5. Support (body) paragraphs fully developed and unified;
6. Smooth, logical transition between paragraphs;
7. Conclusion summarizes main points and restates thesis.

Content (50 points)

1. Appropriate title;
2. Supporting paragraphs strongly support the thesis with evidence such as facts, statistics, experiential examples, and, importantly, connections and reference to assigned readings;
3. Paper content is the assigned length;
4. Appropriate word choice and technical vocabulary are used.

California Judicial Administration Fellowship Program Seminar
PPA 298B: Judicial Administration Fellows Policy and Issues
Seminar Spring 2019 Course Syllabus

Format, Grammar, Mechanics (25 or more points)

1. Sentence completeness (no run-ons, comma splices, split infinitives or sentence fragments, etc.);
2. Paragraph completeness (no run-ons or incoherent thoughts strung together);
3. Comma usage as necessary in compound sentences;
4. Apostrophe usage correct;
5. Usage of semi-colon vs. colon;
6. Verb usage;
7. Spelling;
8. Language usage;
9. Numbers and calculations used correctly in text.

A good writing aid is Diana Hacker's *A Pocket Style Manual*, 5th or 6th edition. As well, Richard Wydick's *Plain English for Lawyers* is an excellent guide.

Capstone Project Paper

A specific and tangible nexus between the course and the placement is a two-part Capstone Project. Part One of the project is formulated by each fellow and mentor to address a real-world problem in the placement court or entity. Each student submitted a mentor-approved project proposal and concept paper during the fall semester.

Part Two, the Capstone Project Paper, will be a lengthy policy or issue or operationally oriented paper which is intended to demonstrate academic evidence of learning, synthesis, research, and engagement with the placement project and the course contents. Because the paper will cover both academic as well as real-life situations, the paper will reflect both academic and professional writing styles. I will work with each fellow to guide identification of issues or other topics covered in seminar that may relate to the Capstone Project.

Capstone Project Detailed Outline and Example

The following outline resulted in a very successful Capstone Paper that conformed closely to the outline. It is provided for the limited purpose of showing a structure and depth of content that your outlines should contain. Given your diverse court settings and projects, the specific content of your outlines will vary from project to project and context to context. But notice how the student deals with the project details and then broadens the scope to include seminar related issues and larger macro level connections. For many of your papers, using a PASTEL analytical framework will help you capture potential policy issues and seminar topics. Lastly, and on the point of connection to seminar, refresh your memories by using the outlines that you produced. Likewise, scanning the indexes and table of contents of the assigned text books will also reacquaint you with material covered in the course.

I ABSTRACT

- Brief statement about the goals of the project and how those goals were accomplished.
- The abstract will discuss both stages of the capstone. The first stage being informational research and the second stage being legislative tracking and governmental relations when the Legislature is in session.

California Judicial Administration Fellowship Program Seminar
PPA 298B: Judicial Administration Fellows Policy and Issues
Seminar Spring 2019 Course Syllabus

II INTRODUCTION

- a) Background
 - Broad contextual information about traffic fines and fees including the Ferguson and Not Just a Ferguson Problem reports and how the issue garnered the attention of California.
 - Discuss the courts' role in the issue and the role of the Judicial Council and Governmental Affairs.
 - Historical information about how traffic fines and fees developed.
 - (1) LAO reports on Debt Collection and Fines, Fees, and Penalties system
 - (2) Short term solution – Traffic Amnesty
- b) Purpose
 - Legislative request from Senate President Pro Tempore
 - Discuss purpose of project as informational and respondent to the needs of the Judicial Branch, Legislature, and Governor
 - Part of a meaningful conversation about the future of the structure of fines and fees, how it may change, and research the best possible outcomes for the courts and advocate for the courts
- c) Project Expansion
 - Discuss how my project fits in with the timeline of other Judicial Council projects and past research accomplished by other state agencies
 - Discuss how my project fits in with several other actions taken currently by the council and the Legislature, such as the Access and Fairness Committee, the Futures Commission, the LAO reports, legislation, etc.
- d) Problems that needed solutions
 - Background and nexus for all criminal fines, fees, and penalties
 - Addressing legislative proposals that may negatively impact the courts
 - Clarification of a monumentally complicated issue
 - Committee support and research when needed
 - How to work on the issue from a Governmental Affairs perspective at the intersection of three branches of government

III GOALS AND OBJECTIVES

- a) GOALS
 - The main goal is to provide information and analysis on the issue of traffic fines, fees, and assessments to provide the Judicial Council with the necessary tools to meaningfully contribute to the conversation with other branches of government.
 - Due to the Futures Commission, the Judicial Council has not brought proposals regarding traffic to the courts, but OGA's goal is to ensure that introduced legislation that is in the purview of the Judicial Council positively or neutrally affects the courts.
- b) OBJECTIVES
 - Respond to the requests of the legislature
 - Be able to excellently advocate on behalf of the trial courts
 - Understand and be able to articulate court funding and collections
 - Understand and be able to articulate how criminal fines, fees, and penalties affect the court system.

California Judicial Administration Fellowship Program Seminar
PPA 298B: Judicial Administration Fellows Policy and Issues
Seminar Spring 2019 Course Syllabus

- c) Policy Issues – Bardach, PASTEL, Herman - Policy Paper Guidelines
- Significant external pressures
 - (1) Over thirty stakeholders involved in the issue
 - (2) Significant budget changes are needed to fix the issue, and legislators will not want to backfill lost revenue from fines and fees
 - (3) Pressure from legal aid advocates to ensure fairness for citizens
 - Unpredictable, rapid, changing environment
 - (1) Predicting the needs of the legislature
 - (2) The legislative agenda vs. the judicial branch calendar
 - (3) The fast pace of the legislature is hard to reconcile against the deliberative nature of the judicial branch
 - Internal judicial branch conflict
 - (1) Hostility from the Alliance towards Judicial Council sponsored legislation
 - Communication and translation of issues between judicial branch leadership, trial courts, and legislative/ executives offices
 - Funding sources for courts and other stakeholders to backfill revenue from traffic fines and fees
 - (1) Civil assessments, especially, will be important to the courts

IV OUTCOMES

- a) Senator Report
- Created background and nexus for all criminal fines and fees to be appendix to report
 - This, in conjunction with the LAO report, provided some background and grounding for a conversation of changing fines and fees
- b) SB 881 (Hertzberg)
- Bill to nibble at issue of fines and fees
 - No legislator willing to overhaul system, instead working on different parts of system
 - Does away with civil assessments and DL holds
 - (1) Issues with ability of courts to collect
 - (2) Large fiscal
- c) Other bills – PENDING FEB 19 DEADLINE
- The bill introduction deadline is still a few weeks away, so I will include other bills that are related here.
- d) Three branch conversation
- Judicial Council
 - (1) Futures Commission
 - (2) Access and Fairness Committee
 - (3) OGA KDL report
 - (4) Possible proposed legislation for 2017
 - Legislature
 - (1) SB 404
 - (2) SB 881
 - (3) LAO report
 - Governor’s Budget
 - (1) Amnesty
 - Effects of three branch conversation on issue
 - Intersection of Amnesty/ Fines and Fees issues/ SB 405

California Judicial Administration Fellowship Program Seminar
PPA 298B: Judicial Administration Fellows Policy and Issues
Seminar Spring 2019 Course Syllabus

V METHODS AND PROCEDURES

a) TOOLS

- Internal and External Communication
 - (1) Staying informed by participating in meetings with:
 - (a) DOF
 - (b) Amnesty calls
 - (c) Committee Calls
 - (i) Criminal Law Advisory Committee
 - (ii) Traffic Advisory Committee
 - (iii) Trial Court Presiding Judges and Court Executive Officer Legislative Subcommittee
 - (iv) Policy Liaison and Coordination Committee
 - (d) Legislative Hearings
 - (i) Public Safety
 - (ii) Budget Sub #5 – Public Safety
 - (iii) Judiciary
 - (iv) Appropriations or other Committees
- Primary Sources
 - (1) Past and recent legislation, statute, the DOF Manual of State Funds, the State Controller's Appendix C, committee analysis.
- Secondary Sources
 - (1) News articles, historical journal articles, reports (current and historical)

b) METHODS

- Larger goals include the report to the senate and bill tracking and analysis
- Smaller tasks are mainly spontaneous and urgent action

c) PROCEDURES

- Spontaneous and urgent action
- Provide support on issue where needed
- Stay involved and ask to sit in on all related calls, meetings, and hearings about criminal fines, fees, and penalties when possible

VI CONCLUSIONS

a) Brief overview of project

- Short recap of introduction, goals, and objectives
- Short recap of methods and procedures
- Short recap of accomplishments

b) Broaden scope of project to theoretical context

- Trial Court Funding and Unification
 - (1) Pound
 - (2) Aikman
- State Audits and effect on Judicial Council policy
- Judicial branch structure and administration
 - (1) Saari, Aikman, Rainey
- Differences in culture between Judicial Branch and legislature and effects on fines and fees structure
 - (1) Ostrom

c) How Reducing Bureaucracy for Efficiency could help create a new fines and fees system

**California Judicial Administration Fellowship Program Seminar
PPA 298B: Judicial Administration Fellows Policy and Issues
Seminar Spring 2019 Course Syllabus**

d) FUTURE OUTLOOK

- Predictions for possible legislation, futures ideas, or governor proposals for 2016-2017
- Impacts of those predictions

The Capstone Paper in final form will be due on May 16. At the May seminar on May 18 students will present their projects and papers to the class. Please note that the spring seminar schedule provides for continuous check-in points to ensure sufficient support for the Capstone Project Paper. Here are the important Capstone dates for the spring semester:

PPA 298B	Capstone Milestones and Deliverables
January 2019 Seminar	Capstone Progress Seminar Discussion and List of Policy Issues
February Seminar 2019	Capstone Paper Outline and Initial Peer Review
February 2019	Individual Capstone Progress Meetings - Evening Conference Call
March 2019 Seminar	Capstone Paper First Draft – Second Peer Review
March 2019	Individual Capstone Progress Meetings - Evening Conference Call
April 2019 Seminar	Capstone Paper Second Draft and Third Peer Review
May 10 2019	Capstone Final Paper Due One Week Before Last Seminar
May 17 Final Seminar	Presentation