



SAGE EDUCATION

"PRESENTING TRIBAL COURT EDUCATION TO INDIAN
COUNTRY WITH INSIGHT AND VISION"



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EFFECTIVE COURT ADMINISTRATION AND OPERATIONS

Hon. Ramona F. Tsosie

Objectives

After this session, participants will be able to:

1. Explain the primary purpose of the Court;
2. Define judicial administration;
3. Describe how technology can enhance the Tribal Court;
4. Discuss the purpose of updating and improving fiscal management;
5. Identify common Human Resources issues that face Court Administration; and
6. Describe how development of policies and procedures can support such strategies.



Operations Management

- Courts are complex organizations
- Comprised of an array of departments, units and functions
 - Maintained on an on-going basis to support Court operations
- Court leaders/managers must manage the services the courts provide to carry out functions and the mission (Goals) of the court
- A solid foundation is necessary to carry out the functions of the court
- Ensuring the Court's vision is strategically planned



Primary Purpose of the Court

- To promote justice in individual cases
- To ensure the public perceptions of justice in individual cases
- To provide an impartial forum for the resolution of legal disputes
- To protect individuals against the arbitrary use of governmental power
- To provide for a formal record of legal status
- To deter criminal behavior
- To rehabilitate individuals convicted of a crime
- To provide for the separation for convicted individuals from society where necessary





Vision Statement Examples

Exercising our sovereignty to strengthen and continue our cultural balance.

Tlingit & Haida Tribal Court

To discover and determine the truth; and to seek a resolution which restores balance to the community in accordance with the customs and traditions of the tribe, repairs relationships, results in fairness, and avoids principles of retribution and punishment.

Meskwaki Tribal Court

Vision Statements describe the future through long-term objectives and goals.



Mission Statement Examples

- Construct a method of healing that honors our ancestors, traditions, and values by establishing a justice system that creates positive change with accountability for spiritual and cultural wellness. The Tribal Court is here to empower all people to achieve and maintain balance and resiliency with respect and trust.

Bear River Band Tribal Court

- To professionally, effectively and fairly administer justice to the Tulalip community as an essential sign of sovereignty.

Tulalip Tribal Court

Mission Statements describe the present time and the purpose of the Court while creating the roadmap for the vision statement.

What is Judicial Administration?



- Management and performance of court operations
- Administrative structure of the court
- Practices and procedures, also referred to as “court administration”.
 - Heartbeat of the judiciary
- The administrative functions of court operations (the “behind-the-scenes” work)
 - Day-to-day activities of the court
- Supervision of long-range activities to protect court permanence
- Benefits: Internal oversight of caseload and other elements of court operations
- Allows the judge to devote time to the “Administration of Justice” (Adjudication of cases)
- Ensure “justice” is applied fairly to the tribal community it serves (due process)

What Role Do I Have as a Court Leader?

- Court leaders (judges/court administrators/managers) are:
 - Accountable and responsible to both the judiciary and the Tribal community for an efficient, transparent, and unbiased court.
 - Required to have or gain knowledge in many facets of court administration and court operations.
 - Obligated to develop specialized skills in areas to ensure the court is functioning at its highest level.



Carrying Out the Fundamentals

- Court Leaders must:
 - Protect fundamental constitutional and legal rights and promote the rule of law
 - Provide access to all who seek court intervention
 - Support the timely and fair disposition of all cases
- Court professionals should also:
 - Ensure the court's mission and vision statements support the fundamental purposes and responsibilities of courts
 - Provide education on the purposes and responsibilities of the court for court staff
 - Promote the independence of the judiciary through its budgeting process and independent policy-making functions

Administrative Functions

- Regulate and management of:
 - Facilities
 - Public Relations
 - Equipment and Supplies
 - Personnel (work force)
 - Case and Records
 - Docket / Calendar
 - Jury
 - Caseflow
 - Budget and Funds
 - Court data and statistical reporting
 - Technology
 - Special Support Services
 - Courtroom Support
 - Research
 - Program Development
 - Strategic Planning
 - Operational Planning
 - Caseflow and Workflow



Technology as Communication

- Educating our Tribal Leaders/Decision Makers/Key Stakeholders/Community/Parties
- Explaining the needs and requirements of the court
- Expanding the court and using technology to achieve our goals and objectives
- Staying connected through texting, emailing, instant messaging, etc.
- Enforcing Restrictions for Information sharing
- Creating and Implementing Policies dealing with technology and communication as well as providing for the confidentiality and security of the information

Enhancing Technology

- Need for communication
 - What type of services do we provide?
 - Who do we serve?
 - Internal or External
 - How do we serve?
- Keeping up with modern times
 - Updating computers, screens
 - Using applications to “simplify” work
 - Upgrading previous technology
- Essential court operations component
 - Infrastructure and Support
 - Information Technology



Identifying your Core Technology

Phone systems

- Dial-up

- VoIP - Voice over Internet Protocol

- Cell phones - Android, iPhone, etc...

Mail systems

- “Snail mail”

- Tracking- incoming/outgoing mail

Security systems – Court safety

- Digital Card Access – Doors, gates, offices, and buildings

- Metal Detectors

- Cameras

- Alarms

- 911 protocols –working with Court bailiffs and officers

Computer systems

- Networking

- Servers

- Databases

Email systems

- Tribal email (.gov)

- Public email (.org/.net/.tv/.us/etc.

Document management

- Forms

- Packets

- Paperflow

- Grant/BIA Reports

Courtroom Technology

- Digital Recording Systems

- Video

- Camera

- Polycom

- Microphones



Types of Court Services

- Trial Court
- Wellness Court
- Mediation
- Talking Circles or Peacemaking
- Appellate Court
- Attorney Referral Services
- Pretrial Services
- Probation
- Workshops/Trainings/Programs
- Tribal Meetings
- Collections
- Process Service
- Notary



Updating and Improving Fiscal Management

- Essential Court operations component
- Court leaders/managers are accountable, and practices remain transparent
- Complex and time consuming
- Involves:
 - Gathering statistical information and historical data
 - Considering prior year expenditures
 - Checking for savings
 - Analyzing current year budget and year-to-date expenditures
 - Strategic Planning – goals and objectives

Effective and Efficient Court Operations

- Require
 - Adequate funding
 - Resources
 - Facilities
- Dependable and accountable Court leaders
 - Responsible for managing the court budget, resources and facilities



**Budget
2024**

Managing Court Resources

- Managing involves multiple staff performing interrelated functions:
 - Collection
 - Receipting
 - Depositing
 - Recordkeeping
 - Reporting
 - Security
- Monitoring systems, processes, and procedures
- Developing Policy and Procedures
 - Ensuring compliance
 - Establishing consistency
 - Examining the court's accountability



Common HR Issues Court Managers Face:

- No commitment
- Not enough personnel
- Low morale
- Low pay
- Lack of training
- No knowledge of the system
- Lack of written policies and procedures
- Unstable upper management
- How do you know?
- Is the system mentoring future court leaders?
- Conduct a self-assessment of the court.

Typical Court Positions

Chief Judge position

Chief Court Administrator

Responsible for Judicial oversight of the Court

Supervises

Associate Judges

Pro Tem Judges

Court Administrator (may be different in some systems)

Court Administrator/Manager position

Responsible for the day-to-day functions of the Court

Court Administrator/court clerk position

One-person office

Dual position

Responsible for the day-to-day functions of the Court

Judicial Clerk of Court/Supervising Clerk/Chief Clerk position

At times, the CA or court lead

Court Clerk/Deputy Clerk/Receptionist Clerk/File Clerk

Workforce member

Bailiff

Workforce member

Process server

Workforce member

Probation Officer

May have Lead PO position

Workforce member

Identifying Common Performance Issues



- Complaints may be based on:
 - Customer Service
 - Ethical Violations
 - Case Management
 - Data Entry
 - Stress-related Behavior
 - Conflict in the Office
- How do you correct performance issues?

Performance Guideline

Court Excellence – Self Assessment Tool

Area 3: Court Resources (Human, Material and Financial)

- Court Workforce
 - Workforce Management
 - Staff works together to ensure cases are processed and heard timely
 - Manages workload
 - Workforce Training and Development
 - Identify training needs and implement
 - Continuing professional development
 - Workforce Engagement and Well-being
 - Conducive work environment
 - Effective communication
 - Workforce Performance and Recognition
 - Adopt a transparent merit-based system
 - Fair process for discipline and dismissal



The Foundation of Court Governance

- A court leader must:
 - Manage court operations with structure and consistency
 - Develop and provide guidance and policies for the day-to-day operations
 - Maintain the structure, framework, and set rules
 - Ensure processes and protocols are fair and timely
 - Create Authoritative Guidelines
 - Administrative/General Orders
 - Standing Orders
 - Polices
 - Procedures
 - Internal Controls
 - Manuals



The Importance of Quality Controls

- Consistency in processes and procedures
- Staff know what to expect; the community knows what to expect
- Due Process is protected
- Formalization of processes and procedures
- Confirm compliance with the Laws and Rules of the Tribe

Sources for Establishment of Quality Controls (Mechanisms)

- Law and Order Code
- Court Rules
- Benchbooks
- Administrative (General) Orders, Standing Orders (other authoritative guidelines, including policies and administrative regulations)
- Internal Controls (established procedures)
- Court Clerk Manuals
- Ethics Codes
- Financial Policies
- Tribe or Nation's Personnel or HR Manual
- Social Media Policies
- Confidentiality Statements

How Do You Bring This Together For Success?

- Know your court inside and out
 - Fundamental aspect is to make certain the court's goals are followed
 - Providing continuous guidance for:
 - Court operations
 - Policies and procedures
 - Community education on the purpose of the court
 - Secure fair access to court process for all
 - Managing the business of the court to:
 - Promote efficiency
 - Provide transparency
 - Deliver the fair and timely disposition of cases filed

Court Managers and Leadership

- Provide long-term thinking
- Be aware of changes occurring on a local or national level that may affect the Court
- Be able to diagnose problems at the Court
- Possess skill in analysis of data and trends
- Be an inspiration for your staff



Foundational Standards: Core Competencies from the National Association of Court Managers (NACM)

- Vision
 - Leadership
 - Strategic Planning
 - Court Governance
- Principle
 - Public Trust and Confidence
 - Purposes and Responsibilities
- Practice
 - Caseflow and workflow
 - Operations
 - Public Relations
 - Education Development
 - Workforce Management
 - Ethics
 - Budget and Fiscal Management
 - Accountability and Court Performance

Other Foundational Standards to Explore

- National Center for State Courts Trial Court Performance Measures
 - <https://www.ncsc.org/courtools/trial-court-performance-measures>
- Bureau of Justice Assistance
 - <https://www.ojp.gov/ncjrs/virtual-library/abstracts/trial-court-performance-standards-and-measurement-system-program>

Summary

- Courts are complex organizations that are comprised with an array of departments, units and functions
- Judicial Administration is the administrative structure and known as Court Administration
- Role and responsibilities of a Court Leader
- Enhance the court with the use of technology
- Fiscal Management practices must be kept updated to ensure accountability of resources
- Common HR performance issues that have impacts on the court
- Quality controls maintain the court structure, framework and set rules for processes and procedures
- Bring it all together to ensure the court's goals are achieved and followed
- Set a solid foundation to ensure the public trust and confidence

SAGE EDUCATION

We appreciate your participation in this session.

Please keep us in mind for any of your continuing educational needs. Sage Education also offers onsite consulting services, including but not limited to, court reviews, corrective actions, procedure manual development, policy review and development, code review, revision, and development, as well as judicial benchbooks tailored to the specific court.

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Mona and Christine

