

**The Institute for Faculty Excellence in Judicial Education
Impact Evaluation
January 2004**

Although participant reaction and learning has been evaluated during each Institute and immediately after, there exists the need for a long-term impact evaluation to determine and understand the longer-range effects of the Institute on participants, the justice system, and society.

Since its inception in 1997, more than 110 participants, comprised primarily of judges, have completed the Institute for Faculty Excellence in Judicial Education program. All participants were invited to respond to a survey that asked them to provide detailed information about their project, teaching experiences, other programs, and initiatives that have taken shape as a result of the Institute. In addition, participants were asked to describe the long-term impact of their work and to share information about publicity, recognition or awards, funding opportunities, and leadership roles that have come about as a result of the Institute experience. Finally, participants were asked to describe future projects that embrace and apply Institute principles and methodologies. More than one-third of all participants responded to the questionnaire. Where it was important to clarify comments or gain additional information, respondents were contacted by email or telephone. Additional sources of information include memorandums and project summary and previous evaluation reports. Permission was obtained for the use of direct quotes.

Three substantive themes underlie this study: (1) the judge as learner, (2) the learner as a developing individual, and (3) the learner as a judicial educator and leader. Curriculum and learning activities are solidly grounded from both educational and developmental perspectives. An experiential learning approach to curriculum design ensures that each individual engages in considerable self-reflection and introspection. Adult development issues of identity, intimacy, and generativity are recognized and acknowledged as powerful driving forces in the lives of learners. There is a healthy, holistic approach that recognizes a balance between the personal and professional and between life and work that is essential for integration, authenticity, and congruence.

Although participants are quite capable of dealing with paradox and ambiguity and are accustomed to making decisions based on complex and indeterminate factors, the Institute honors the cognitive development of participants by recognizing that the introduction of new and challenging material may produce anxiety. Thus, programs are planned with careful attention to the blending of challenge and support to enable learners to achieve maximum benefit from the learning experience.

Adult learning principles serve as a guide in the design of activities where a variety of teaching modalities are used with a strong emphasis on active participation. The internal yearning each of us has for pursuing our passion, personal growth, connection, and community is honored. The Institute experience is designed to focus on the learner, geared toward enabling the individual to grow, to change, to be transformed through a heightened sense of self-awareness, new insights and perspectives, and breakthroughs. The learner takes away that which he or she chooses to embrace, having constructed the learning in a distinct and unique way best suited to

individualized needs, life experience, and the developmental and intellectual phases of one's life. Motivation comes from and learning occurs within the individual, in an integrated or interconnected way. This intertwining *creative, experiential, emotive, self-directed* and *reflective* way of learning enriches the experience and enables a profound state of transformation through personal growth.

From these frameworks, it is possible to review, analyze, and discuss the process of evaluation.

Program Evaluation

A rigorous approach to the evaluation process should include a plan that is (1) grounded in evaluation and assessment literature, (2) consistent with sound research methodological approaches, (3) thorough in the planning and design processes, (4) consistent in data collection, analysis, and presentation, and (5) multifaceted in its approach. Further, there should be a practice of ongoing critical critique and a plan for continuous improvement based on the evaluation process. This methodology in employing judgment, measurement, and assessment allows for a deep understanding of individual learning and development, not only through a system of frameworks but by understanding the learner from a holistic perspective.

Approach to Assessment

A focus on outcomes that are driven by the organization's mission can lead to the successful evaluation of learning and provides the basis for the development of a plan that not only provides evidence of participant development but also encourages continuous improvement. The most effective practice is to establish desired outcomes in objective terms. For example, have learners gained new perspectives, insights, or

tools that will be useful in their work? Does the learner view his or her role as a judge differently? Will the learner approach his or her work in a new or different way as a result of the learning experience? Once desired outcomes are defined, a plan for how to measure and assess results must be devised and a process identified for data collection and analysis. Finally, there should be a plan for how the information that is gathered will be utilized.

Program Evaluation Taxonomy: Levels of Investigation

Kirkpatrick originally proposed a well respected and most often used taxonomy for assessing the effectiveness of training and development programs. In Kirkpatrick's taxonomy, there are four levels of criteria: *reactions*, *learning*, *behavior*, and *results* (impact). Each level has different objectives and is used to examine different aspects or qualities of the program, building upon the previous one and providing pertinent information that can be used to improve programming or the learning organization as a whole.

Kirkpatrick identified four conditions necessary for change to occur: the person (1) must have a desire to change, (2) must know what to do and how to do it, (3) must work in an environment conducive to the planned-for behavioral change, and (4) must be rewarded, either extrinsically or intrinsically, for changing. In addition, educators must know and understand the environment to which the participant is returning.

Kirkpatrick's conceptual design for the four-level approach to program evaluation was derived from the need and desire of stakeholders to evaluate different aspects of professional development programs. Each of these aspects can be important,

dependent upon the needs of the user. By establishing exactly how the evaluation will be used and the expected program outcomes, evaluators can assess which level(s) of evaluation are important.

Kirpatrick's four levels represent a sequence of ways to evaluate a program. Each is important and has an impact on the next level. A brief description of each level and its significance is presented here.

Level One – Reaction. Evaluation on this level measures how those who participate in the program react to it. Positive reactions to a program help to create a conducive environment that supports and encourages learning. Measuring reactions to physical environment, content and materials, presenters, program coordination and communication, and other similar elements and processes of the program provides valuable feedback for improving future programs and aids in the development of standards for performance. Upon comparing the results of the evaluation and participant comments to those standards, a plan of action to improve future programs can be devised.

Level Two – Learning. According to Kirkpatrick, learning can be defined as the extent to which participants change attitudes, improve knowledge, and/or increase competencies as the result of attending a program. Learning takes place when one or more of these occur. Through the use of objective instruments to assess learning, it is possible to gauge the effectiveness of a program by comparing the changes in learning that take place as a result of program participation.

Level Three – Changes. By measuring changes over time we can determine whether the enhanced level of knowledge, the increase in competencies, and/or the

changes in attitudes gained from attending the program transfer and are sustainable in the work environment.

Level Four – Results (long-term impact). Some programs are designed to improve quality, decrease costs, improve efficiency, or result in other long-term desired outcomes. Level four guidelines provide the framework utilized to measure the long-term ripple effect of the Institute for Faculty Excellence in Judicial Education program. The evaluation is viewed from the perspectives of personal, local, state, national, and international impact.

The Study

Products to result from Institute projects include seminars, workshops, conferences, ‘train the trainer’ programs, and presentations at local, statewide, national, and international levels, with audience size ranging from as few as 25 to as many as 750. Publications include articles, materials, manuals and reference guides, booklets and pamphlets, bench books, and procedures. Videos and other interactive training or instructive materials for parents, guardians, and custodians in child abuse and neglect cases inform individuals about their rights, responsibilities, and the court processes. Web-based projects include the development of electronic legal forms, sites for web-based communication, electronic learning, and programs to promote judicial and legal expertise in securing electronic information and analyzing putative electronic evidence. Other projects have included, for example, the creation of a professional association for the purpose of developing a model for alternatives to litigation for marital termination and other family conflicts, a system for the certification of nonlawyer judges, and a center to assist self-representing litigants.

Personal Impact

Many of the respondents gave statements about the personal impact the Institute has made in their lives. Below are representative examples:

Judge Deborah A. Agosti (Nevada): “I consider teaching a crucial part of my duties as a judge. I found my teaching techniques much improved and I continue to incorporate those techniques as I develop and present material.”

Judge Phil D. Schaefer (Michigan): “The Institute for Faculty Excellence opened the door to the next stage of my life, giving me a license to explore, to be creative. The Institute re-energized my life ...and soul. I have developed a wholesome lifestyle that addresses diet, exercise, and meditation. This program has enriched my life as a judge and as an educator by introducing me to perspectives and challenges that I never knew existed.”

Judge James Hoolihan (Minnesota): “The Institute was a transforming experience for me. Not only did it provide me with the theoretical background that has increased the effectiveness of my personal teaching, it has greatly enhanced my self-confidence in my capacity and abilities to teach. I am now Chair of the Minnesota Judicial Education Committee and serve on the Minnesota District Judges Education Committee.”

Judge David L. Mower (Utah): “This was a renewing and rejuvenating time for me. It led me to focus my thinking about the judiciary’s role and what I might do to advance and improve it.”

Judge Susan Fayette Hutchinson (Illinois): “The Institute truly enlightened me, made me a better judicial educator, and gave me new techniques that would allow me to reach out to all the participants.”

Judge Karen Arnold-Burger (Kansas): “The Institute opened a new world up for me, giving me the most unique opportunity I have ever had to look at our judicial system and decide what I thought needed to be changed and then given the tools and professional support to accomplish it. I can’t tell you how much attending the Institute has done for me both personally and professionally. You taught me to follow my passion and it has made me a better judge.”

Judge Paul Lipscomb (Oregon): “The materials presented at the Institute have made me more in touch with the priorities in my life; I am more consistently “authentic” and my actions are better aligned with my values. I am happier, more successful, and truly believe that as our Presiding Judge, I have been able to have a more positive impact on my fellow judges and on my community.”

Judge James Dehn (Minnesota): “My participation in the Institute brought my teaching skills to a level that I did not believe possible. My teaching was not only inspired with a renewed vision and passion but this program has brought passion to my personal life as well.”

Judge Celeste F. Bremer, Ed.D. (Iowa): “As a result of the Institute and my exposure to the techniques used there I pursued and was recently awarded my Doctorate in Education. I found this life changing and most affirming. The Institute was deeply moving, causing reflection about my passion for teaching. It is quite literally a mind-boggling program. The project for IFEJE just demonstrated what can be done if

one comes to understand there are no limits, although the project was just one element related to the Institute experience that caused a paradigm shift in my approach to teaching, learning, and interacting with the public, attorneys, and colleagues.”

Judge Amy Davenport (Vermont): “The Institute changed the way I do my job. It has also changed the way I participate in administrative work. Using the Institute principles has resulted in collaboration and productivity at an extraordinary level.”

Judge Gary Meyer (Minnesota): “The Institute encouraged me to follow my passion, something I would never have done otherwise.”

Long-term Impact at Local, State, National, and International Levels

As a result of this work, judicial systems nationwide have benefited. Projects and the subsequent work that has resulted from the Institute experience are not only diverse in nature but have quite literally touches the lives of thousands of citizens. It is clear that the impact has been widespread with broad implications for the justice system and society in general. Those who have benefited from educational and training programs include judges and other court personnel, attorneys and public defenders, law enforcement, corrections, and probation officers, law professors and students, potential litigants, agency personnel (e.g., child protection), parents, guardians, custodians, and numerous others. Within the judicial system, programs and projects have improved not only the quality of life for court personnel but have enabled systems to function more smoothly and efficiently while serving the community in a more effective and, often, a more compassionate way. Judges and other court personnel are better equipped and prepared to fulfill their work roles. Community service agencies and public programs

have been established and others are in the planning stages. Written guidelines, checklists, procedures, and other publications and Web sites have been developed to assist those entering the court system. In many instances resources, support, and knowledge have been shared outside the local environment, extending statewide, throughout the US, and sometimes to the international level. Below are some examples of the long-term impact of the Institute:

Ohio. “As a result of the IFEJE training program I was able to lead a comprehensive curriculum planning effort for judicial education throughout the state of Ohio, develop innovative courses to teach judicial ethics, and better fulfill my responsibilities as a member of the Board of Trustees for the Ohio Judicial College.”

”The Institute’s work has had a positive and profound impact on the quality of judicial education for countless Ohio judges.”

“The 5.5 hour CLE ethics/professional course for judges and magistrates has been presented throughout the nation, including Hawaii, to audiences as large as 700. I estimate that over 3,000 judges have attended this program. Last fall I presented the program to a group of Canadian judges in Nova Scotia.”

North Dakota. “Under the exceptional guidance of Dr. Pat Murrell and the Institute, the team from North Dakota developed, refined, and implemented a consolidated educational plan for all personnel of the judiciary for the state...”

Missouri. “As a result of the Institute experience I have traveled the entire state of Missouri teaching state trial and municipal judges about racial biases in judicial decision making and have developed a program for new judges that addresses issues of diversity”.

Kansas. “By using my position as a judge and the project developed as a result of the Institute to educate parents about underage drinking I feel I have made a difference in my community. At a national level, the Judicial College continues to receive at least one request weekly from judges/courts from all over the country who are seeking copies of this program.”

Minnesota. “Those who attend the Aviation Law class I have taught for the past 15 years at the local university have greatly benefited as a result of my exposure to the Institute for Faculty Excellence in Judicial Education” and “my presentation on rebalancing in the areas of physical, mental, emotional, and spirituality for both new and experienced judges, presented in Minnesota and throughout the country, use transformational learning tools to help people make lifestyle decisions that I believe aid them in doing their jobs with less stress and contribute to their living well and longer.””

“...the teaching skills and confidence I gained through the Institute have enabled me to teach at a national level from Washington D. C. to the National Judicial College in Reno, Nevada. More importantly, my desire to make a difference is being realized” at a national level.

“As a result of the Institute experience I established a panel of other judges who are hearing impaired. The hearing-impaired program was presented throughout the state of Minnesota. As a result, Minnesota courtrooms have become better equipped with audio systems and court personnel have a greater awareness and sensitivity to hearing limitations and what to do about it. The difference this has made in the state of Minnesota cannot be quantitatively measured.”

Wisconsin. “As a result of my experience with the Institute, the county in which I preside has a self-help center that assists literally thousands of people with self-presentation in family court matters. It has received national recognition and I have been asked to assist in setting up similar centers in other parts of the country... “In 18 months of operation, our self-help center has responded to more than 50,000 inquiries both online and in person.””

Colorado. “We have promoted the use of the educational concepts that we learned at the Institute for use in judicial education throughout the Colorado judicial branch.”

Kansas. “I believe there has been a significant long-term impact in Kansas. I have introduced judges to a topic that they felt was outside of their realm or area of responsibility and shown them ways to measure their own biases.”

“I developed and implemented a judicial education and testing program for nonlawyer judges and was assigned the duty of educating, evaluating, and approving judges who meet the state educational requirements for certification.”

Arkansas. This project resulted in a booklet (available in English and Spanish) that has been made available statewide to persons involved as defendants in child abuse and neglect proceedings. A video has also been produced, based on the booklet, by the State Administrative Office of the courts for statewide distribution. Both the booklet and video are widely distributed and we receive frequent requests for copies.

New Jersey. “Based on the study completed in my project, the New Jersey Council of Juvenile and Domestic Court Judges undertook a further assessment and

presented its findings to the Conference of Presiding Judges for the Family Division”...
“Currently, the original report and the follow up report which I authored for the NJCJFCJ
is the basis of a recommendation to create career Family Part Judges” ...and will be
submitted to the Administrative Office of the Courts for possible implementation.””

Vermont. “the impact of IFEJE is felt every day by the litigants and lawyers who
flow through my court room.”

California. “I have been teaching extensively in the California Judicial College
and have been training other teachers as well. The IFEJE principles and methodologies
are an integral part of my approach”.

West Virginia. “I have used the IFEJE principles in preparing training materials
for the magistrate court. This has included materials prepared for domestic violence
procedures and legislative and basic procedural changes. These projects will have
substantial impact on the court system and the general public for years to come.”

Iowa. The Institute project led to my work on mentoring and has been recognized
at the state level. In addition, I have authored an article on mentoring for newly
appointed judges, in press – spring ‘04.

Utah. The bench book created for juvenile court judges in Utah was published
and distributed throughout the state. I also give judicial educational presentations on a
regular basis.

Illinois. The project resulted in the development of a protocol and curriculum for a
weeklong education program for judges who have been on the bench for more than five
years and has been presented at the Illinois Advanced Judicial Academy. We have

more judges than we can accommodate who want to attend. In addition, other states have requested the program plan and it has been provided to Russian judges.”

Indiana. “I have been appointed by the Chief Justice of Indiana to serve on the Education Committee of the Indiana Judicial Center and have been active in developing a Master’s Certificate Program for Indiana Judges.”

Michigan. We are creating a multi-county treatment center for substance abuse recovery of juveniles. “My video, produced as a result of the Institute project, has been supplied to numerous courts who have then placed children in our program.”

As a result of the Institute experience, a number of the participants have been given opportunities to share their work and expertise with judges outside the United States. For example, one respondent has recently presented her Institute project at Robert Gordon University, Aberdeen, Scotland and was invited to participate in a judicial education “Train the Trainers” program sponsored by the Federal Judicial Center in Serbia and Montenegro. Others have presented in Canada, Ireland, the Netherlands, and Russia.

Publicity

Respondents were asked if the Institute project has received any press or publicity. Some examples of articles and interviews that have appeared in magazines, court journals, local, regional, and national newspapers, radio, and local television stations include:

- The publication of a series of articles in the Kentucky Bar Journal by Michael Losavio related to computer forensics and information security.

- Judge Donna Mitchell’s project received recognition in the Supreme Court of Ohio newsletters.
- Linda Rae Artimez’s training programs, developed as a part of her Institute project, were publicized in regional newspapers. In addition, the opening of West Virginia’s Mental Health Court received press across the state, was featured on WV Public Radio, and was picked up in the national press.
- Judge Karen Arnold-Burger’s project, “A Wrong of Passage”, was published in a newsletter sponsored by the ABA and The National Highway Traffic Safety Administration *Highway to Justice*, Summer 2003 edition.
- Judge Denny Parish’s work has appeared in national publications and on web sites.

Funding

In addition to reports of numerous local and state grants to fund programs, videos, and the printing and distribution of brochures and materials, the following grants stand apart as examples of the positive financial impact on state and local budgets that have come about as a result of Institute projects:

- The State of West Virginia received a \$150,000 federal grant for the creation of Mental Health Courts in WV from the Bureau of Justice Assistance, Dept. of Justice. The concept paper that secured the grant represented the Institute educational project.
- The Ohio Supreme Court awarded Judge Denny Parish a \$10,000 grant to create the Institute project.

- Two grant proposals related to the Institute for Faculty Excellence in Judicial Education project, developed by Judge Diane Palos (Ohio), are pending.
- Judge Karen Arnold-Burger's (Kansas) parental program on underage drinking, "The Wrong of Passage", developed as a result of the Institute, has received \$40,000 in state and local money to fund a community program and commission two videos.
- Judge Kathryn Foster (Wisconsin) has received numerous grants including the Milwaukee Foundation (\$80,000), the State Justice Institute (\$12,000), the State Bar Association, and a local Department of Aging grant.

Other Projects or Initiatives

Respondents were asked to describe other programs, projects, or initiatives aside from the Institute project that have been developed or initiated, using Institute principles and teaching methodologies. Virtually all of the respondents to the survey have continued to pursue their passion for teaching and learning through ongoing development of programs or pursuit of projects they feel passionate about and all indicated that they apply many, if not all, of the Institute teaching principles and learning methodologies. Their responses suggest that participation in the Institute has modified their thinking, given them new perspectives, techniques, and tools with which to improve their work. The Institute has enriched not only their own lives but also the lives of countless others. In general, they state that, although they might have had teaching opportunities come their way, they have embraced these opportunities with renewed passion, have stretched themselves outside their existing boundaries, and have

accepted challenges they would never before have accepted. Many of them expressed a renewed faith and belief in the purpose of judicial education and the importance of its role in improving not only the justice system but also society as a whole.

Respondents reported that they continue to reflect upon the Institute experience as they live their daily lives and that the meaning of this experience has not diminished over time. Although they struggle to balance priorities in their lives on a daily basis, the Institute experience has helped to remind them of the significance of making time to pursue one's passion. For them, it is this pursuit of their passion that continues to keep them energized. The Institute experience has played an integral and vital part in this as they have gained new perspectives, enhanced self-awareness, and found or renewed their passions.

Special Recognition

They indicate that, as a result of this experience, they have pursued or been given leadership opportunities they would not otherwise have had and many of them have received special recognition as a result of their work. Several of the respondents indicated that they have received State Public Service Awards and Special or Distinguished Awards given at national association meetings. Of particular note are the following:

- Judge Donna P. Mitchell (Ohio): Received the distinguished Service Award from the Ohio Chapter of the American Society on the Abuse of Children (2002).
- Judge Phil D. Schaefer (Michigan): Received the Public Service Organization Award from the American Society for Public Administrators (1999).

- Judge Kathryn Foster (Wisconsin): Received an international award from “Justice Served” as one of the Top 10 Court Web sites and recently received the County Executive’s Award as the government agency of the year.
- Judge James Dehn (Minnesota): Received the National Paul H. Chapman Award from the Foundation for the Improvement of Justice (2003).
- Judge Celeste Bremer (Iowa): Received the Belle Babb Mansfield Award for her work in mentoring women.

Leadership

Most believe that the leadership roles they have assumed outside the courtroom are a direct result of the Institute experience. They now serve on judicial education committees, chair committees and task forces in setting up community programs, serve as officers in nonprofit organizations, have assumed leadership roles in developing mentoring programs for new judges, serve as mentors and consultants both in their own states and nationally to advise and assist others in implementing programs and other initiatives, consult with national agencies such as the National Drug Court Institute, have developed and presented training programs and materials to train other judges using the Institute principles and methodologies, and have served as faculty and mentors for the Institute itself. Their leadership has taken them into the classrooms of colleges and law schools where they share their knowledge, experience, and talents to teach future lawyers and judges in areas as diverse as aviation and procedural law, ethics, and the law and literature.

Perhaps most revealing is the enthusiasm and passion they have in continuing the work they have begun. Not only have they been engaged in a host of other programs and activities since completing their projects, they have found that the Institute experience has spurred them on to pursue other passions. For example, Judge Karen Arnold-Burger wrote “this program gave me the confidence to address another issue that I am passionate about – underage drinking”. Judge Gary Meyer developed a committee of judges and administrators to ensure access in the courts for the hearing impaired and developed a questionnaire as a follow up to determine what had been done.

Several of the respondents have planned and presented seminars, workshops, and conferences on topics of importance but unrelated to their projects, such as the seminar on Emotional Intelligence Judge James Hoolihan has recently developed that is being presented to judges in the state of Minnesota and in other states across the country. Still others have refined, expanded, or otherwise enhanced their original project and are seeking new ways to make a difference through their work. For example, the pro se litigation program developed by Britt Lindstrom and Mary Lowell from the state of Kentucky has undergone revision and refinement and has been presented throughout the state to more than 1,300 judges, lawyers, and court personnel.

The Future

What do they have planned for the future? Most of the respondents are actively engaged in the future, continuing to pursue their passions through new projects,

programs, or other activities. They have come to view their role in a generative way; their thinking modified by the “extraordinary” and “unique” Institute experience. Their passions are now viewed as an important part of their role as judges. For example, Judge Amy Davenport expressed her view that “IFEJE changed the way I do my job because it made me realize that education is a fundamental part of a judge’s role...I now try to get other judges to recognize their role as educators.” Judge Phil Schaefer has recently worked to establish a foundation to assure funding of a program to offer drug court services to the extended family of participants for the purpose of addressing issues such as co-dependency and enabling behaviors. In addition, a program to deliver “wrap around” services for young adults ages 16-21 is under development and his court is one of two in the state that is developing a pilot project with the Michigan Department of Corrections to offer innovative addiction services to new parolees. Others such as Judge James Hoolihan are planning a series of articles based on his research related to work-related stressors among judges, the role of emotional awareness, and effective coping strategies. Still others are planning community centers, additional workshops, and a host of other activities centered around the passions they have discovered or renewed as a result of the Institute experience.