



STRATEGY  
IMPLEMENTATION  
RESISTANCE  
EMPLOYEES  
MANAGEMENT  
PROCESS  
SUCCESS  
BUSINESS  
REQUIRED  
IMPROVE  
SUCCESSFUL  
FOCUS  
ACTIVITIES  
CHANGES AHEAD!  
MODEL KNOWLEDGE  
VALUES NEW



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# Why change? What are motivators for change?

- Reaction to perceived problem or crisis
  - Interpreter services
- External mandate
  - Every court in the state will have a drug court
  - Courts will track performance measures
- Changes in the environment
  - Demographic changes (elderly, pro se)
  - Budget cuts
- Perceived room for improvement (gap)- e.g., customer service
- Technology improvements
- New leadership
  - New presiding judge in your court

# What are common reactions to proposed change?

- Whose idea is this?
- If it ain't broke don't fix it
- The way I do things now works fine
- This new way of doing things is just going to create a lot of extra work for me
- I am not computer literate – I will never figure this out

# What are common reactions to proposed change?

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- I am not computer literate – I will never figure this out

“if you want to make enemies try to change something”

-- Woodrow Wilson

# Three changes at NCSC

# Communicating from the road



Otel  
**BUY** \$ 20  
Otel  
Calling Card  
2<sup>hr</sup> Bonus Talktime  
can be used with

The advertisement features a blue background with white and yellow text. At the top left is the Otel logo. A white button with the word 'BUY' in blue is positioned at the top center. To its right, a blue box contains the price '\$ 20' in white. Below the logo, the text 'Otel Calling Card' is displayed in a white serif font. A yellow circle with '2<sup>hr</sup>' is followed by the text 'Bonus Talktime' in yellow. At the bottom, the phrase 'can be used with' is written in a white script font, followed by four circular icons representing different communication devices: a landline phone, a cordless phone, a smartphone, and a feature phone.



# Communicating from the road



Otel  
**BUY** \$ 20  
Otel  
Calling Card  
2hr Bonus Talktime  
can be used with

The advertisement is a blue rectangular card. At the top left is the Otel logo. To its right, the word 'BUY' is written in white on a blue background, followed by '\$ 20' in white on a blue background. Below this, the text 'Otel Calling Card' is written in a white, sans-serif font. Underneath that, '2hr Bonus Talktime' is written in yellow, with '2hr' in a larger font. At the bottom, the phrase 'can be used with' is written in a white, cursive font, followed by four circular icons: a landline phone, a cordless phone, a smartphone, and a feature phone.



# Communicating from the road



Otel  
**BUY** \$ 20  
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The advertisement features a blue background with white and yellow text. It includes icons for a landline phone, a cordless phone, a smartphone, and a feature phone. A dotted arrow points from this ad to the flip phone image on the right.

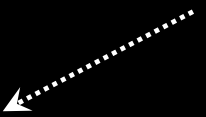


# Communicating from the road

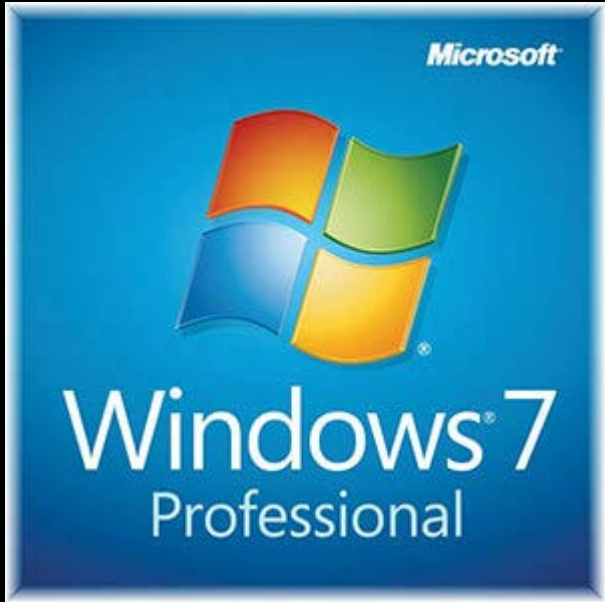
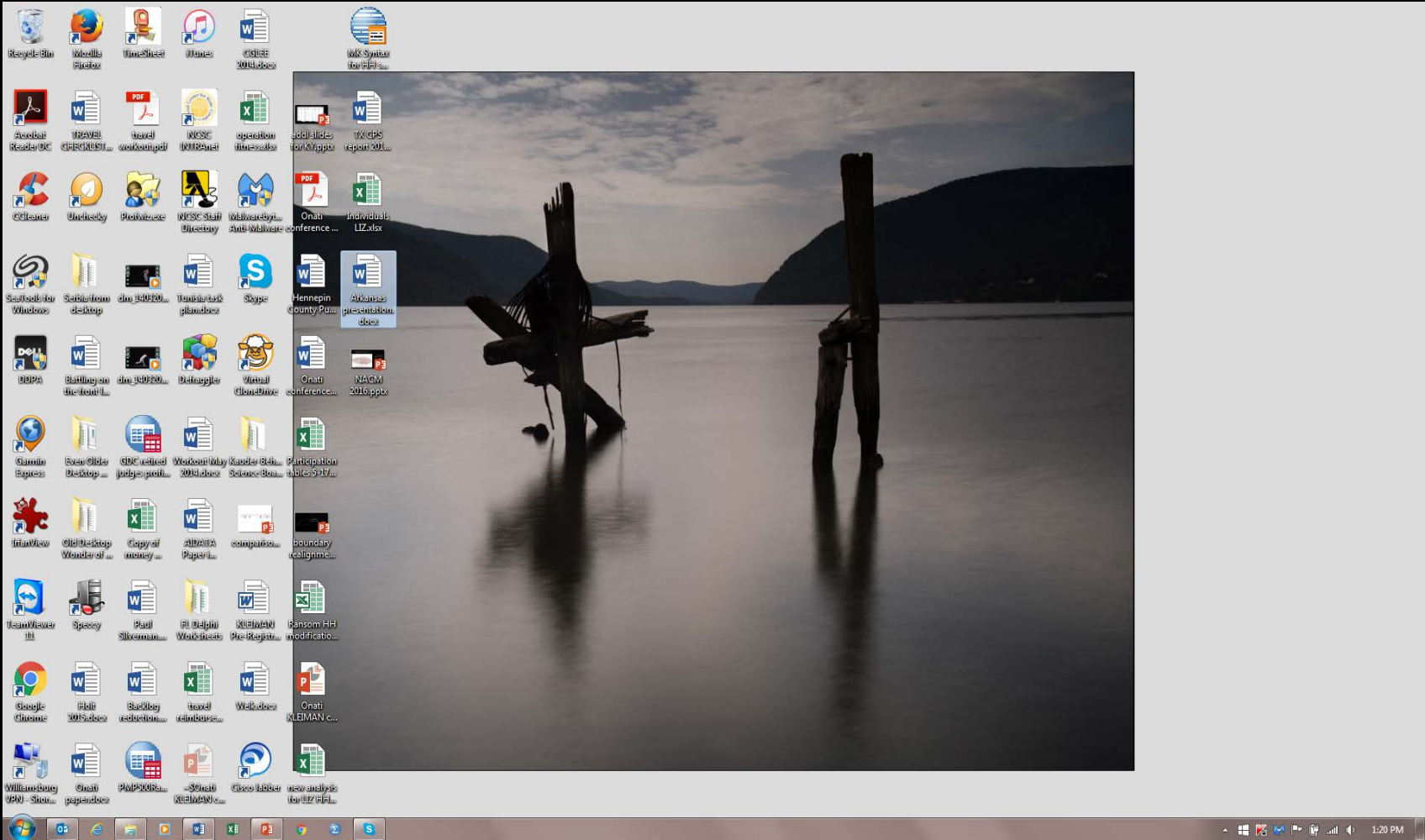


Otel  
**BUY** \$ 20  
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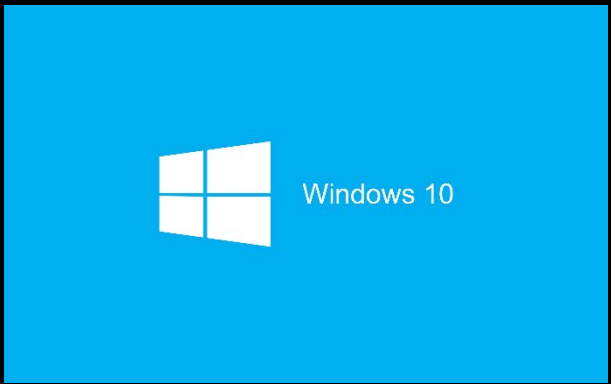
The advertisement features a blue background with the Otel logo in the top left. A white box with the word 'BUY' is positioned above a price tag of '\$ 20'. The main text 'Otel Calling Card' is in a large, white, sans-serif font. Below this, '2hr Bonus Talktime' is written in yellow and green. At the bottom, the phrase 'can be used with' is followed by four circular icons representing different mobile devices: a landline phone, a feature phone, a smartphone, and a tablet.



# Computer operating system



# Computer operating system



# Computer operating system



# Computer operating system



# Development of project management software

- Why do I need software to tell me how to run my projects? I have successfully managed my projects for the past 25 years without this tool.
- This is just a tool for upper management to monitor runaway projects and the one or two bad project managers.
- This is going to take a ton of time for us to input information without any added value.



# Development of project management software

- Staff are unaware of what project management software is
  - What will it look like?
  - Who will be responsible for entering information/data?
  - What type of data will be need to be entered?
- Who are the intended users?
  - How will senior managers use this?
  - How will project managers use this?
- When is the anticipated roll out date?
- Who is driving this change? What were the reasons that led to a perceived need for the new software?

# John Kotter – 8 reasons change efforts fail

1. Not Establishing a Great Enough Sense of Urgency
2. Not Creating a Powerful Enough Guiding Coalition
3. Lacking a Vision
4. Under communicating the Vision by a Factor of Ten
5. Not Removing Obstacles to the New Vision
6. Not Systematically Planning for, and Creating, Short-Term Wins
7. Declaring Victory Too Soon, and
8. Not Anchoring Changes in the Corporation's Culture.

# John Kotter – 8 reasons change efforts fail

1. Not Establishing a Great Enough Sense of Urgency
  - Not clearly articulating reason for change and benefits
  - Individuals will cling to the status quo

# John Kotter – 8 reasons change efforts fail

1. Not Establishing a Great Enough Sense of Urgency
2. Not Creating a Powerful Enough Guiding Coalition
  - What key personnel and stakeholders are needed at the table?
  - Who is the champion for change?
  - Group could include those who are proponents and opponents

# John Kotter – 8 reasons change efforts fail

1. Not Establishing a Great Enough Sense of Urgency
2. Not Creating a Powerful Enough Guiding Coalition
3. Lacking a Vision
  - Where is the change effort leading?
  - A vision helps directs, aligns, and inspires action
  - Call for clear and precise project plan

# John Kotter – 8 reasons change efforts fail

1. Not Establishing a Great Enough Sense of Urgency
2. Not Creating a Powerful Enough Guiding Coalition
3. Lacking a Vision
4. Under communicating the Vision by a Factor of Ten
  - Need for continuous and credible communication

# John Kotter – 8 reasons change efforts fail

## 5. Not Removing Obstacles to the New Vision

- Identify the obstacles and take corrective action
- Empower people to make change

# John Kotter – 8 reasons change efforts fail

5. Not Removing Obstacles to the New Vision
6. Not Systematically Planning for, and Creating, Short-Term Wins
  - Change takes time
  - Short-term wins keep complacency down
  - Success breeds success



# John Kotter – 8 reasons change efforts fail

5. Not Removing Obstacles to the New Vision
6. Not Systematically Planning for, and Creating, Short-Term Wins
7. Declaring Victory Too Soon
  - Continuous improvement (quality cycle)

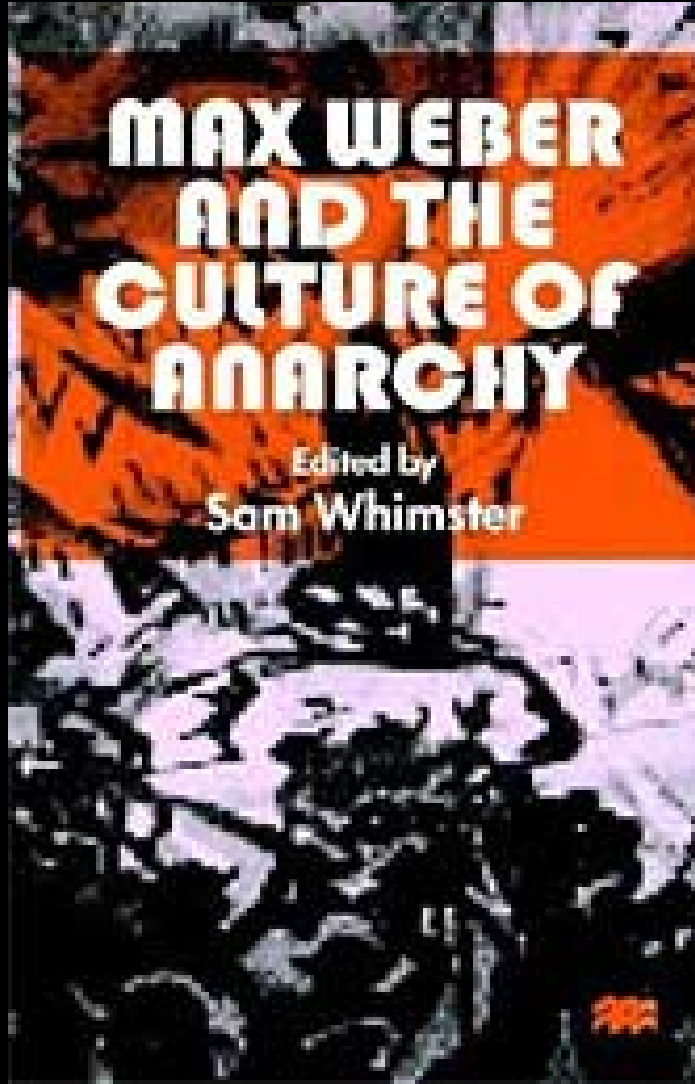
“After a few years of hard work, managers may be tempted to declare victory with the first clear performance improvement. While celebrating a win is fine, declaring the war won can be catastrophic.” -- Kotter



# Kotter – 8 reasons change efforts fail

5. Not Removing Obstacles to the New Vision
6. Not Systematically Planning for, and Creating, Short-Term Wins
7. Declaring Victory Too Soon, and
8. Not Anchoring Changes in the Corporation's Culture
  - Change sticks when it becomes “the way we do things around here”

# Organizational Culture



# Organizational Culture

Research shows that organizational culture has a powerful impact on performance and long-term effectiveness of organizations.

The effect of culture on employee morale and retention, commitment, and productivity are all well-documented.



# Organizational Culture



FEATURES

RAZORBACKS, REINVENTED: HOW BRET BIELEMA CHANGED THE  
FOOTBALL **CULTURE** AT ARKANSAS

# Organizational Culture

## **Arkansas State AD Terry Mohajir wants Grant McCasland to change the culture at Arkansas State**

 **JEFF REED**

03/17/2016

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*Terry Mohajir expects McCasland to change the image of AState basketball*

# What is organizational culture?

When we think of the manifestation of values in organizations, it is culture we are thinking of.

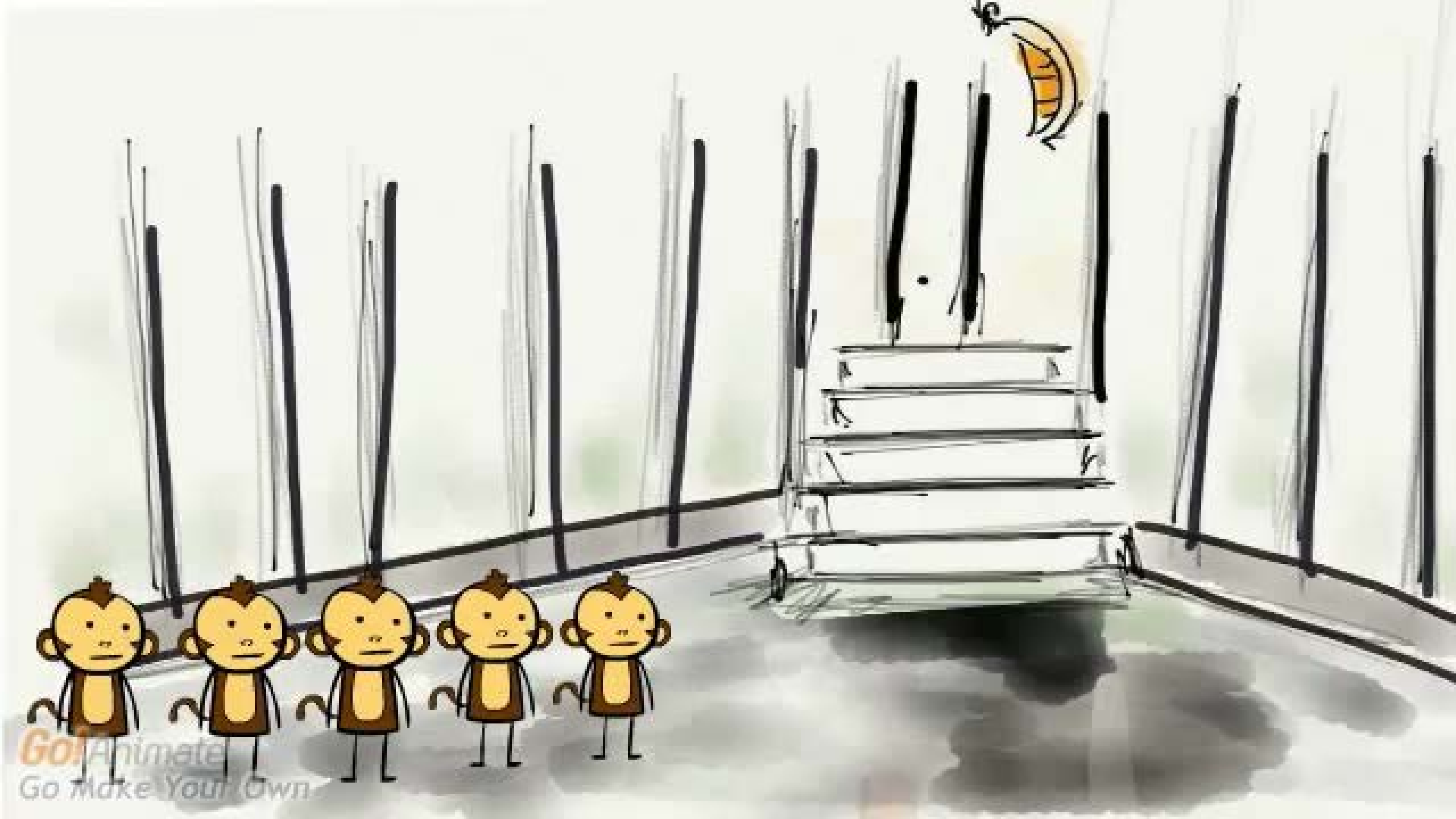
“This is how we do things around is the set of values and assumptions that underlie the here.”

-- Robert Quinn

What is organizational culture?

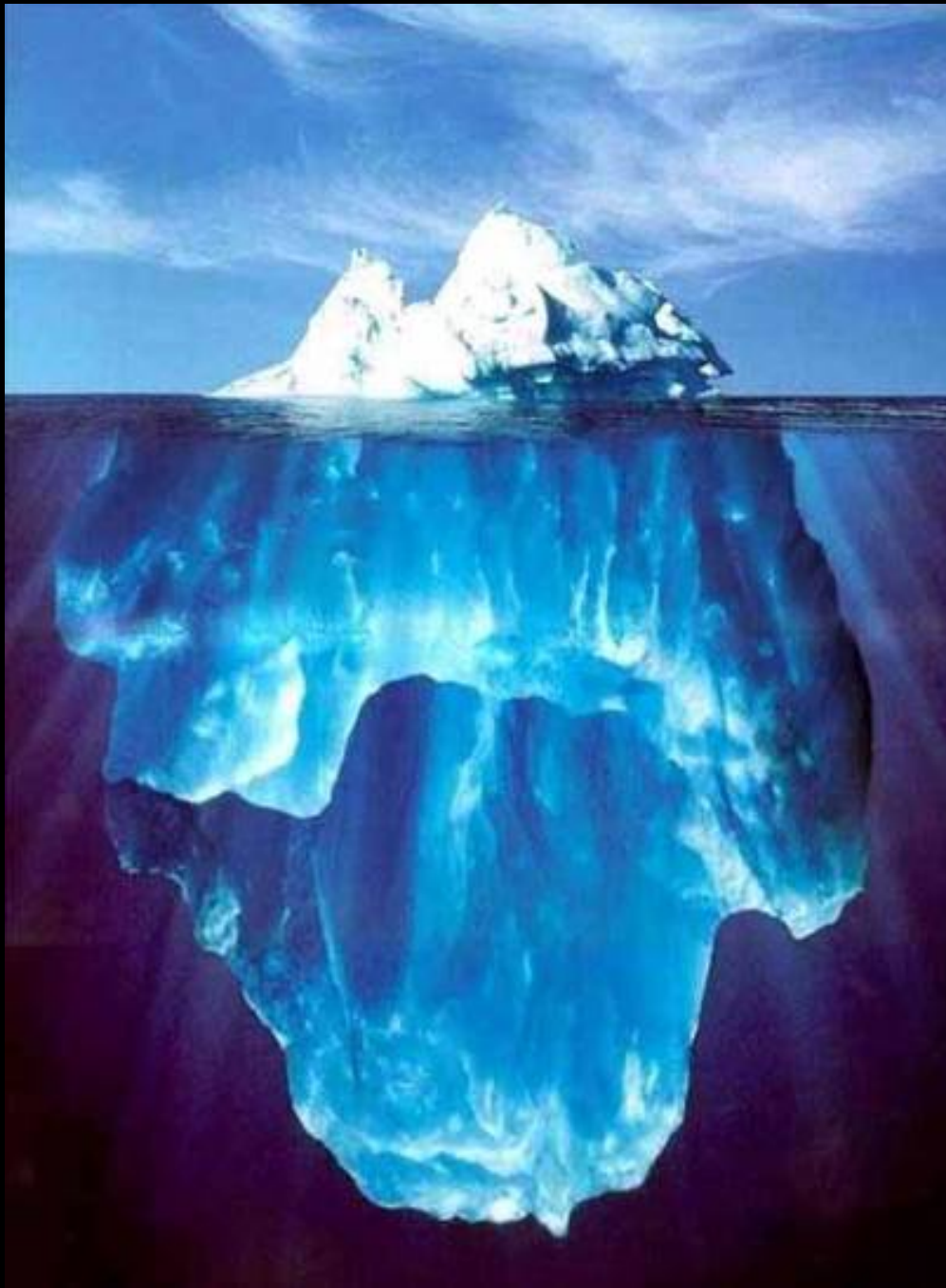






That is the way  
it has always been done





## Apparent Culture

- Formal structure
- Official rules
- Lines of authority

## Below the Surface

- Informal organization
- Unwritten rules
- Underlying beliefs
- Unofficial networks

# Planned Organizational Change

- $\frac{3}{4}$  of such efforts fail
- Most interesting about failure is reason why:

*Neglect of organization's culture*

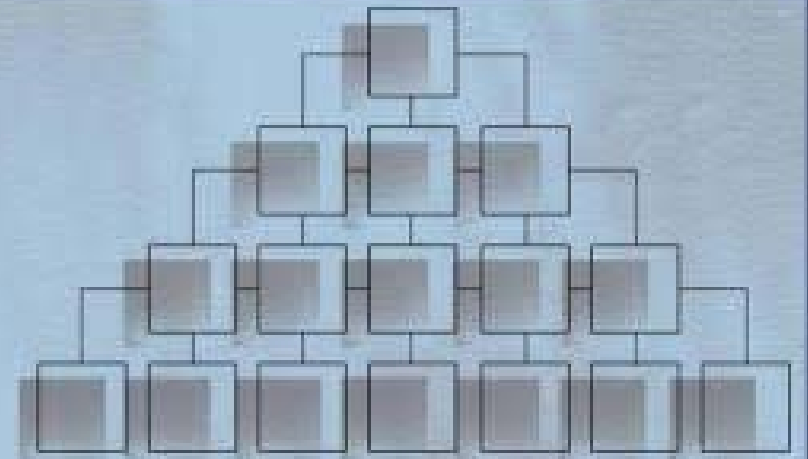
Failure to understand culture doomed other kinds of organizational change

# Trial Courts as Organizations

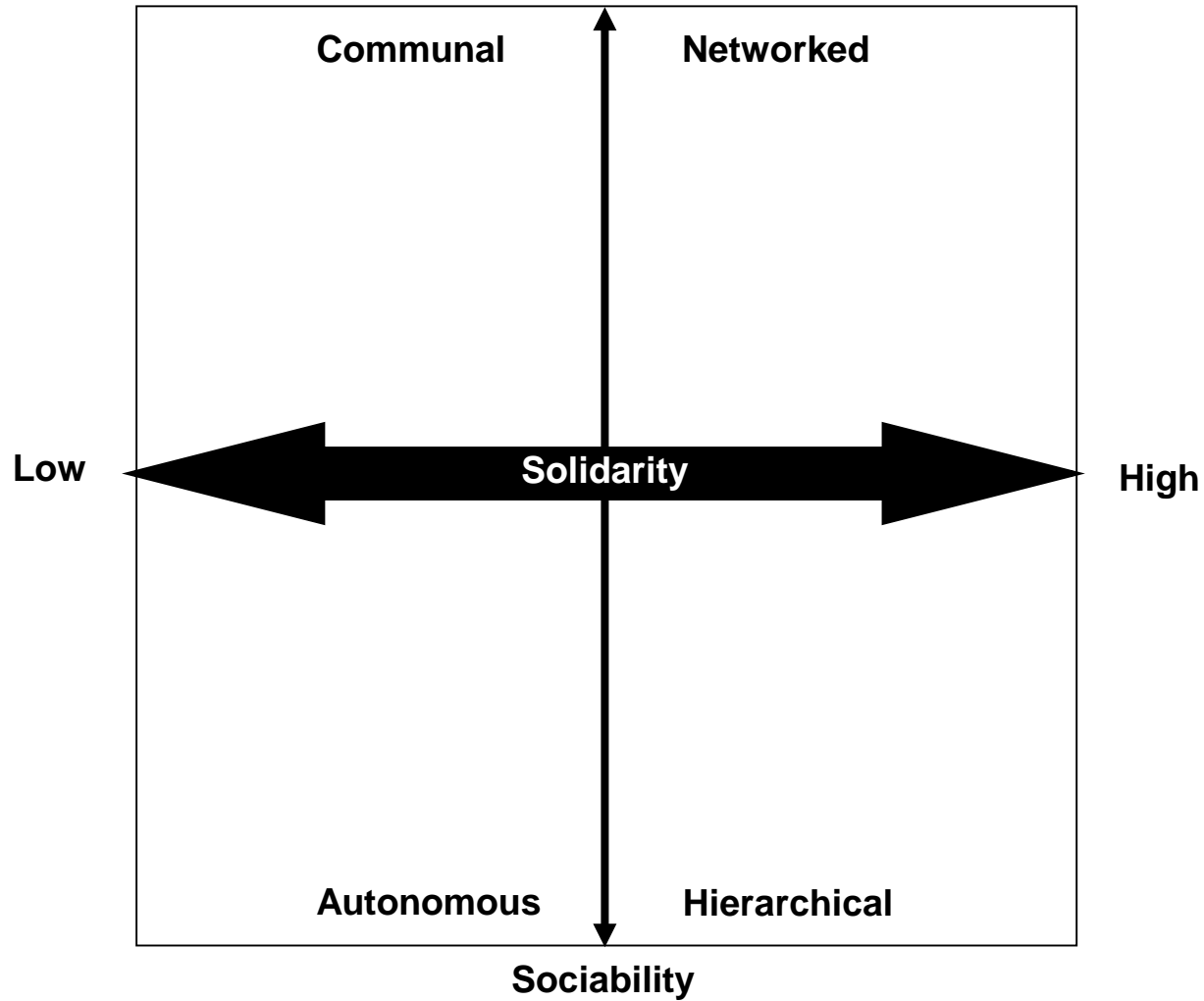
- Inspired by private/business management research
- Culture matters for performance
- Organizations (courts) have a culture, just as an individual has a personality
- Framework for measuring and defining current culture and preferred court culture

## Trial Courts as Organizations

Brian J. Ostrom  
Charles W. Ostrom, Jr.  
Roger A. Hanson  
Matthew Kleiman



Court Culture Classification  
Competing values framework



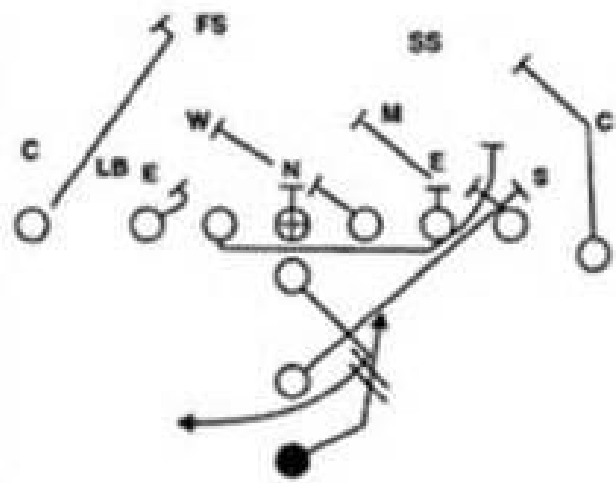
**Solidarity**  
the degree to which  
a court has clearly  
understood shared  
goals, common  
tasks, and agreed  
upon procedures  
for reaching those  
goals



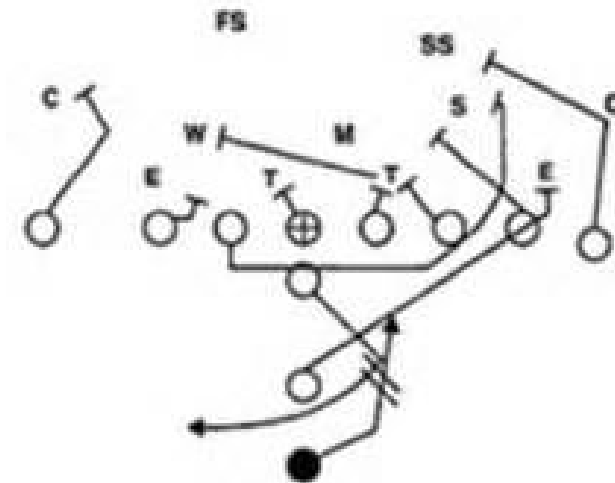




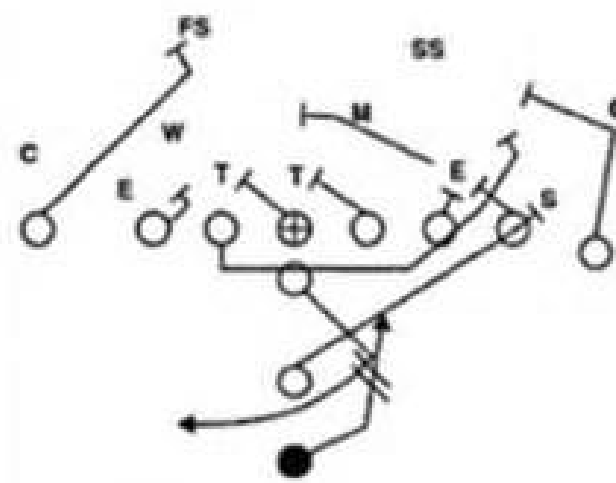
Figure 1.2 Power play.



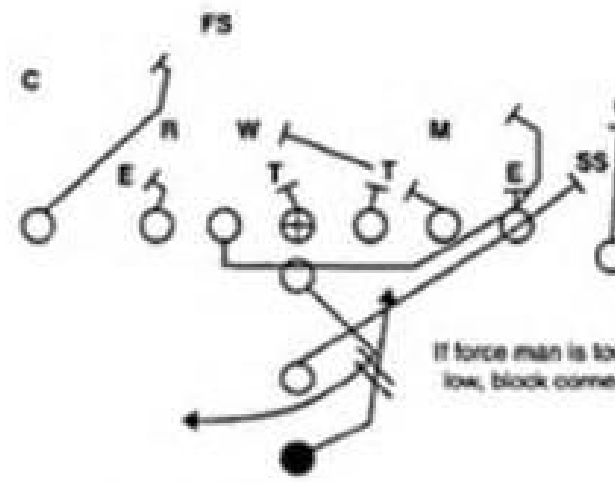
a vs. 50



b vs. 43

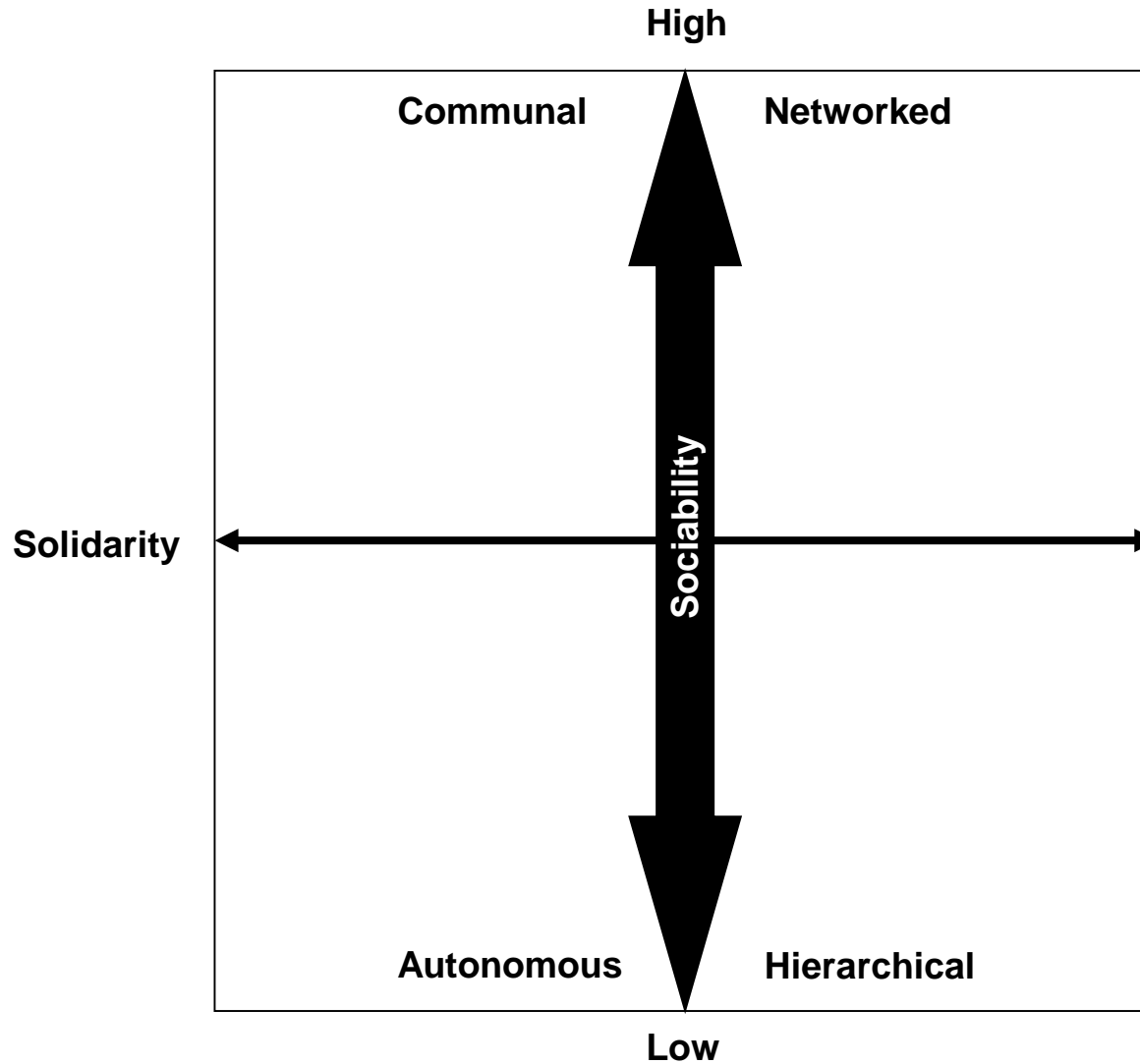


c vs. under



d vs. over (44)

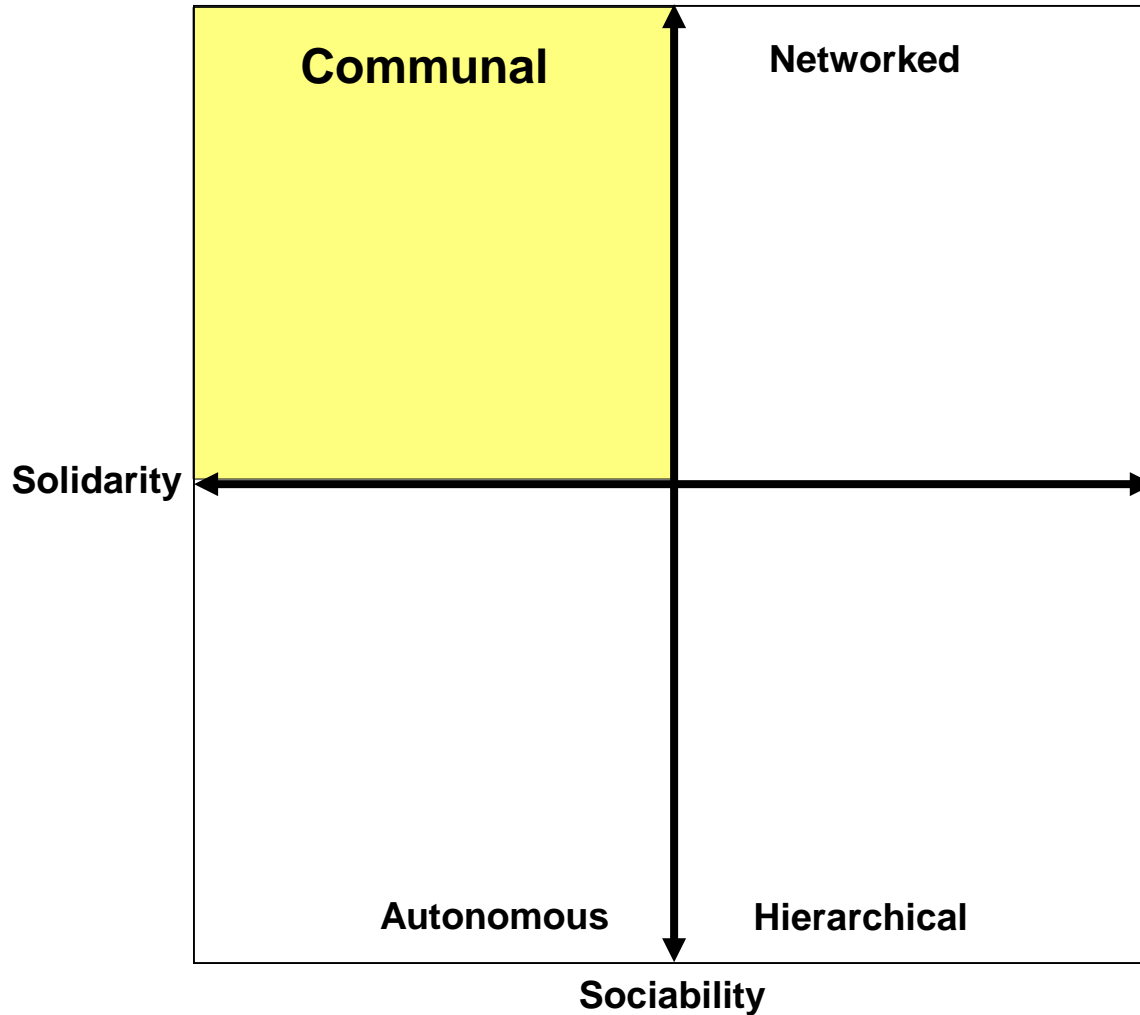
Court Culture Classification  
Competing values framework



**Sociability**  
the degree to  
which people  
work together  
and cooperate in  
a cordial fashion



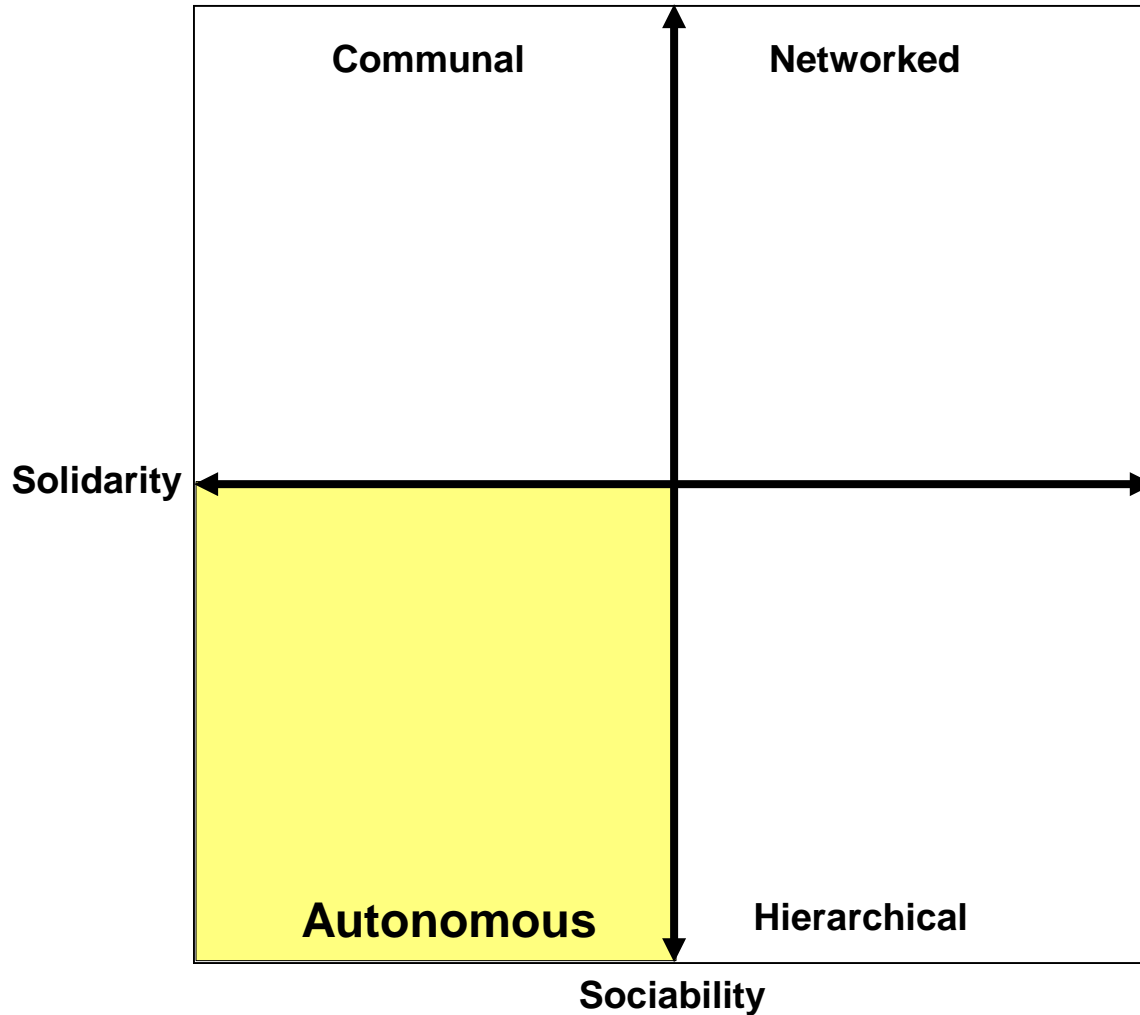
## 4 Court Culture Quadrants



### COMMUNAL COURT

- High sociability, low solidarity
- Willing to discuss alternative approaches
- Go forward if everyone agrees
- Rather than established rules and firm lines of authority, mutually agreed upon norms
- Flexibility key to management

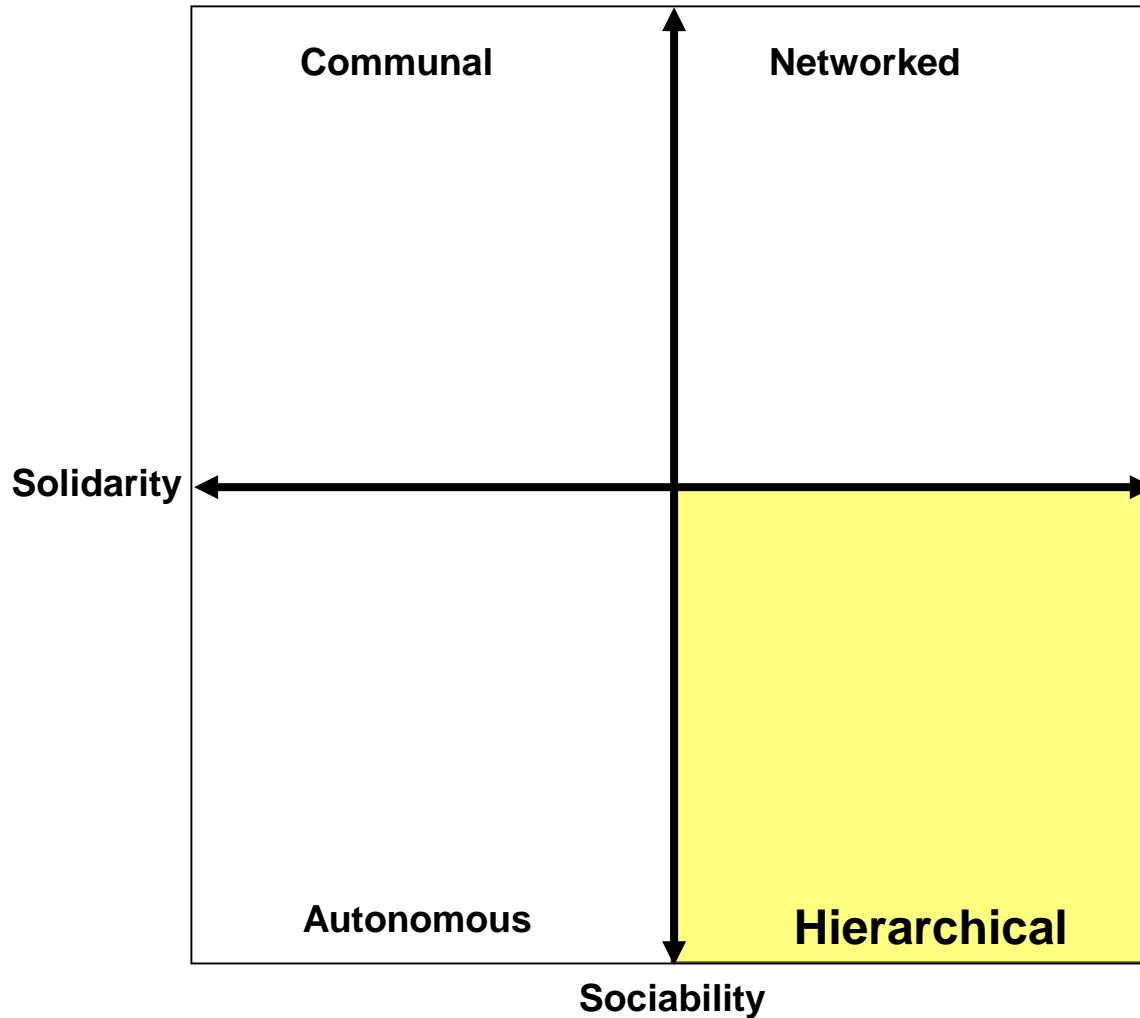
## 4 Court Culture Quadrants



### AUTONOMOUS COURT

- Low sociability, low solidarity
- Emphasis on giving each judge wide discretion to conduct business
- Limited discussion and agreement on court wide performance goals
- Difficult to implement a court-wide policy
- Self-managing

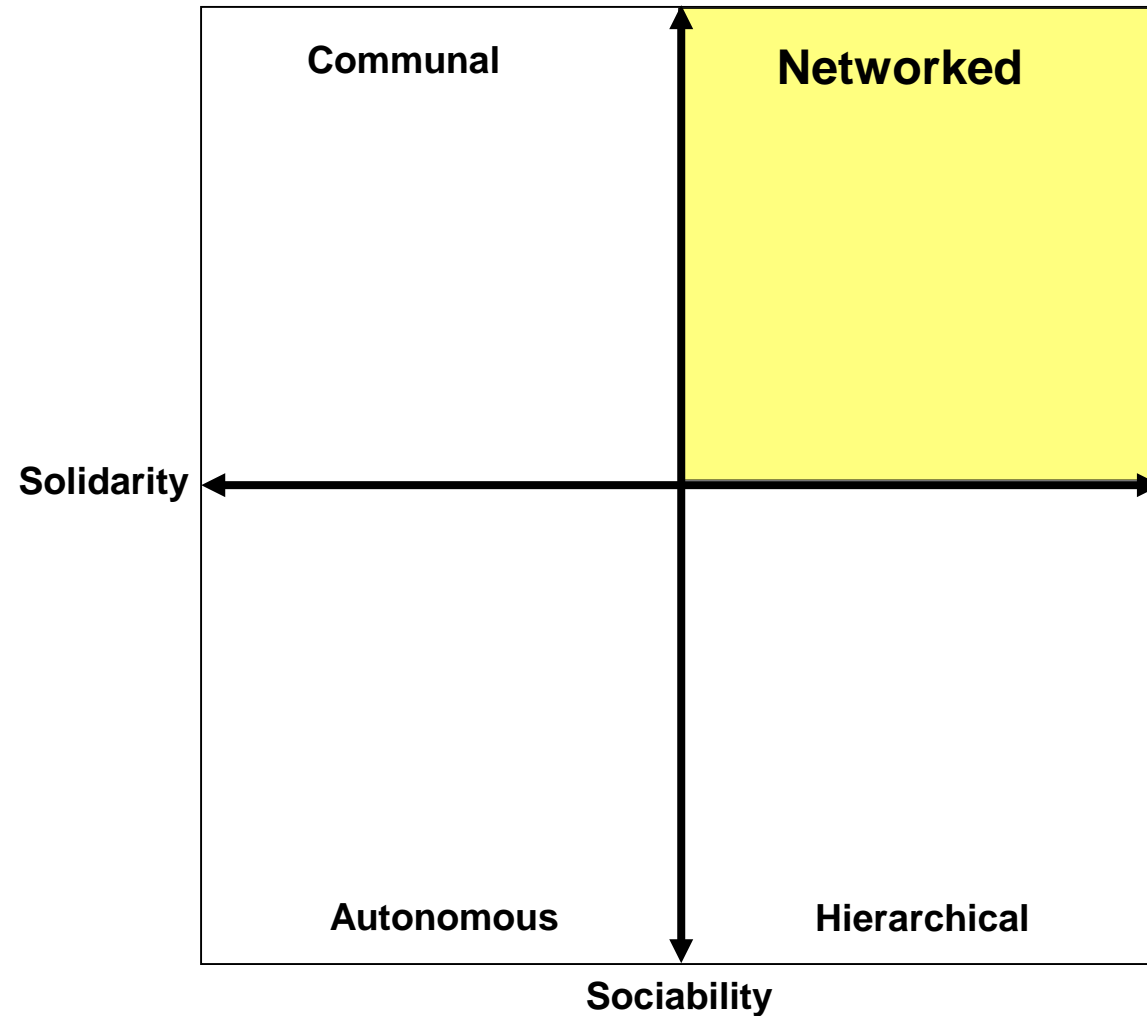
## 4 Court Culture Quadrants



### HIERARCHICAL COURT

- Low sociability, high solidarity
- Emphasize importance of clear rules & procedures
- Want end result of order & efficiency
- Effective leaders are good coordinators & organizers
- Rule oriented

## 4 Court Culture Quadrants



### NETWORKED COURT

- High sociability, high solidarity
- Policies developed through teamwork of bench/staff
- Seek collaboration to make decisions without full agreement
- Sharing of power to achieve desired outcome
- Judicial consensus

# Planned Organizational Change – Content Dimensions

- Case Management Style: *“How we handle cases”*
- Change Management: *“Approach to change”*
- Judge-Staff Relations: *“How we interact”*
- Courthouse Leadership: *“Way we organize & set direction”*

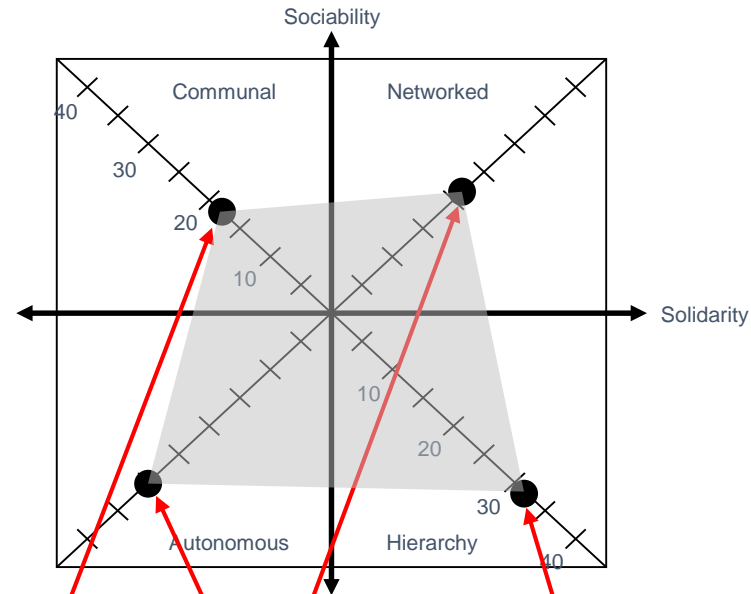


# Case Management Style

(divide 100 points over competing values)

		Current	Preferred
I	<i>There is general agreement on performance goals, but centralized judicial and administrative staff leadership is downplayed and creativity is encouraged. As a result, there are alternative acceptable ways for individual judges to apply court rules, policies, and procedures.</i>	<b>20</b>	<b>40</b>
II	<i>Judicial expectations concerning the timing of key procedural events come from a working policy built on the deliberate involvement and planning of the entire bench. Follow through on established goals is championed and encouraged by a presiding (or administrative) judge.</i>	<b>5</b>	<b>10</b>
III	<i>There is limited discussion and agreement on the importance of court wide performance goals. Individual judges are relatively free to make their own determinations on when key procedural events are to be completed.</i>	<b>70</b>	<b>10</b>
IV	<i>Judges are committed to the use of case flow management (e.g., early case control, case coordination, and firm trial dates) with the support of administrative and courtroom staff. Written court rules and procedures are applied uniformly by judges.</i>	<b>5</b>	<b>40</b>
	<b>Total</b>	<b>100</b>	<b>100</b>

# Case Management Style



**CURRENT**

**Dominant Case Management**

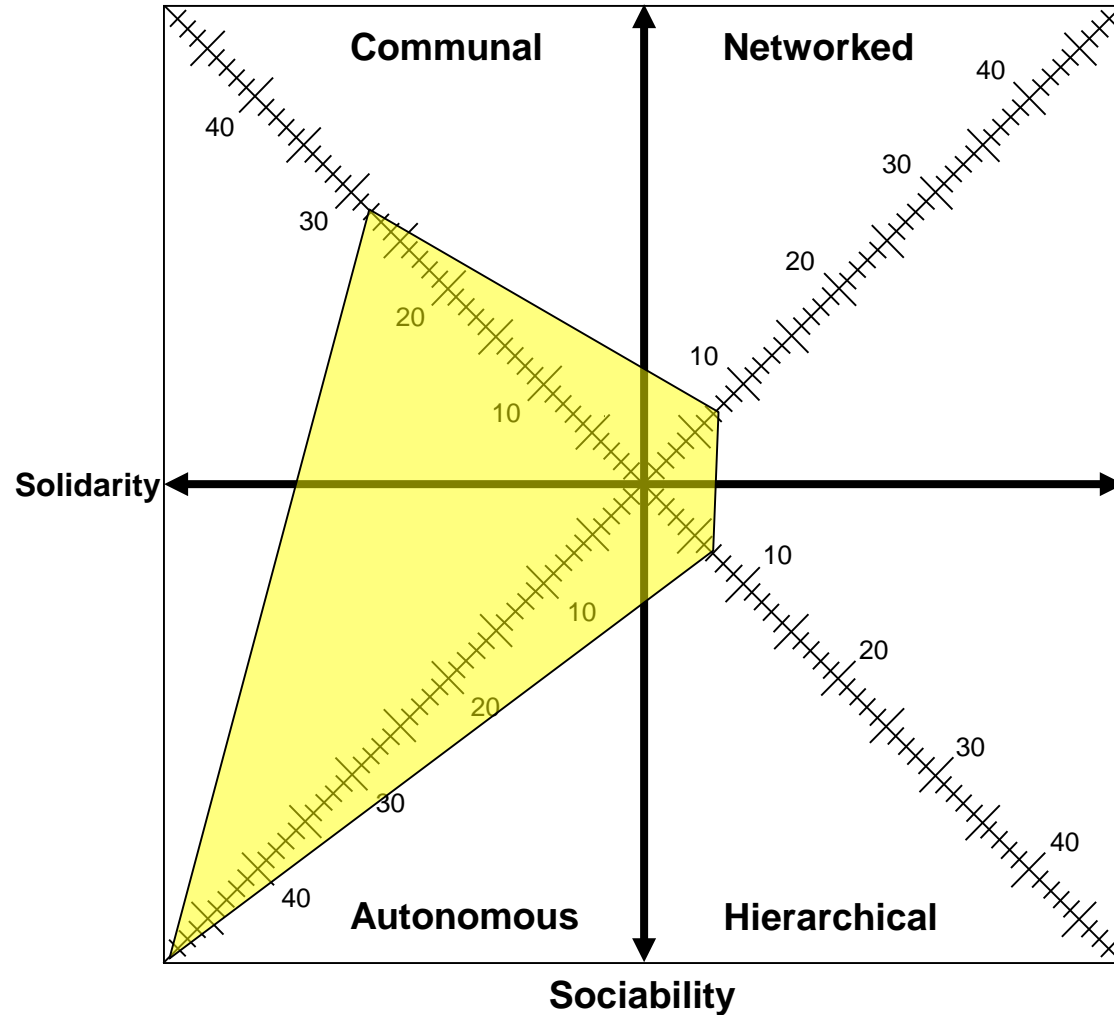
	Communal	Networked	Autonomous	Hierarchy
	20	10	40	30
	10	20	40	30
	20	35	10	35
<b>Average</b>	<b>17</b>	<b>22</b>	<b>30</b>	<b>32</b>

# Interpreting culture profiles

- *Type* of culture that dominate each work area
- *Strength* of culture that dominates
- *Congruence* of perspective
- *Comparison* with other courts
- *Discrepancies* between current and preferred

# Example Court

Case Management Style

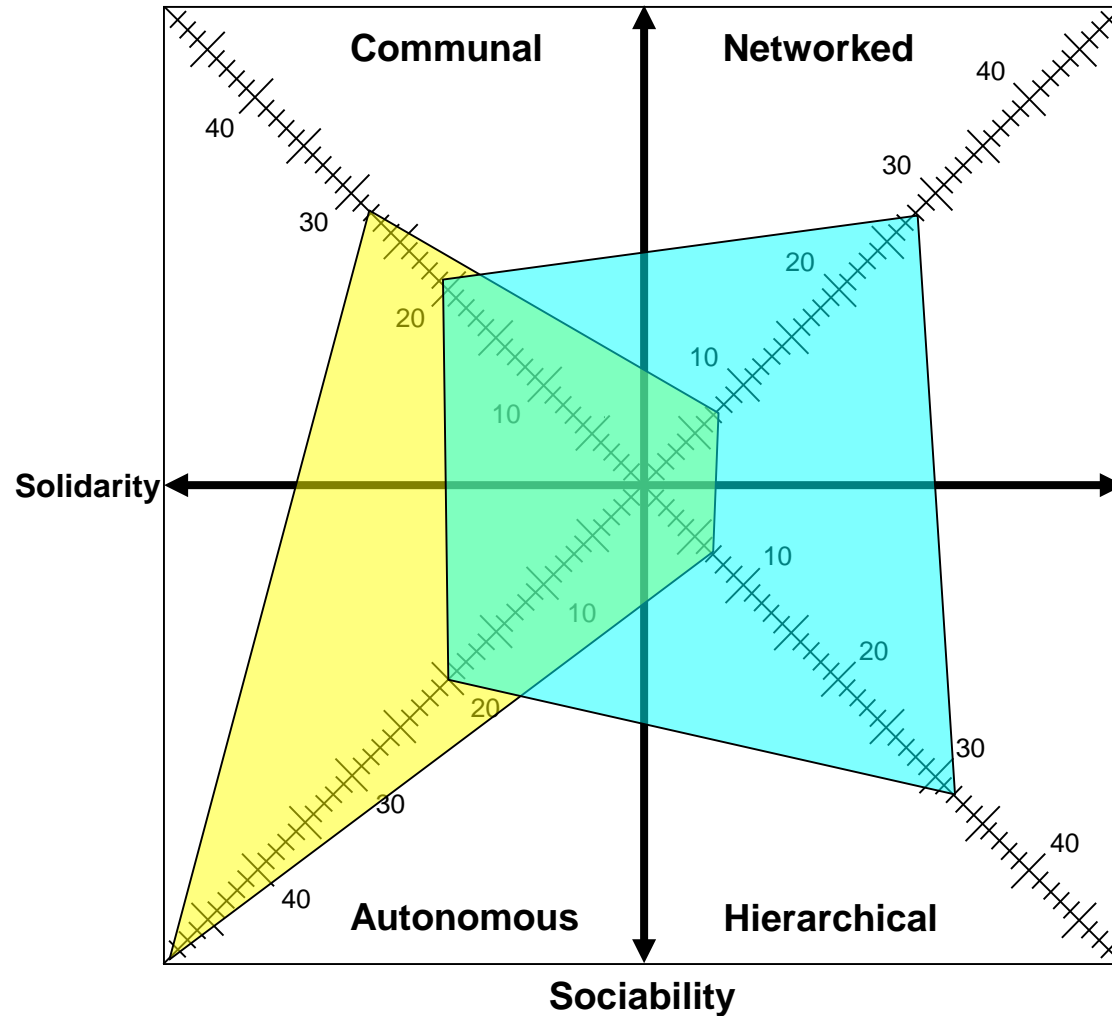


## CURRENT CULTURE

- Strongly autonomous
- Individual judicial discretion
- Relatively free to make own determinations about how key events are completed
- Comfortable fashioning own approach
- Individual “fiefdoms”

# Example Court

Case Management Style



■ Current  
■ Preferred

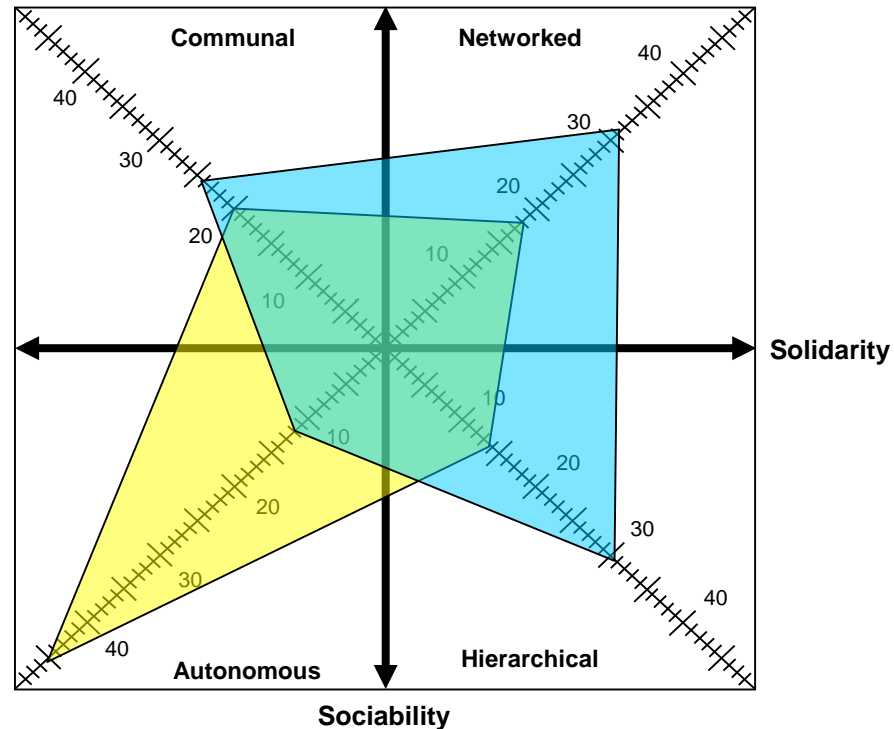
## CURRENT AND PREFERRED

- Prefer greater solidarity
- Achieving Preferred Outcome***
- Clarify expectations over what is to occur at each hearing
  - Implement firm & reliable schedules
  - Establish continuance policy
  - New procedures (e.g., video arraignment)

# Example Court

Change Management

Judicial Officers



- Current
- Preferred

## CURRENT

- Autonomous culture – change initiatives are likely to be limited

## PREFERRED

- Desire good working relationships with other justice agencies
- Look to court community for ideas and best or emerging practices
- Court administration pays close attention to how expanded use of technology can aid in providing services to the public (case management and others)

# Example set of Culture Findings

- There is a strong expressed desire for collegiality, trust, cooperation, transparency, communication, and collaboration among the judges, managers, and court staff.
- Current court-wide meetings are not as productive as they might be.
- Desire to formulate strategies to:
  - Improve case flow management practices throughout the court
  - Increase attention to issues of procedural fairness
  - Address the needs of self-represented litigants
  - Improve overall customer service

Example of a change process



# Four phases of pitching

1) set position



2) windup



3) pitch



4) follow-through



# 1. The Set Position



- ❖ Pitcher takes an environmental scan of the situation
  - how many outs?
  - who is at bat?
  - what kind of pitch should be thrown in this situation?
- ❖ Pitcher receives and shares critical information with catcher and coaching staff

## 2. The Windup



- ❖ Pitcher takes aim and initiates the pitch (the plan)

# 3. The Pitch



- ❖ A deliberate delivery of the ball to hit a pre-specified target

## 4. Follow-through



- ❖ Pitcher completes the motion and readies himself to field any ball hit into play

# 1. The Set Position



Take an inventory of where you are

- ❖ What does your court value? Prioritize?
- ❖ What is your culture?
- ❖ How are your resources deployed?
- ❖ What service delivery areas need improvement?
- ❖ Reference performance measures
- ❖ Communication within the organization to identify problems, challenges, and bottlenecks

Climate for change: Establish sense of urgency, build coalition, develop vision or plan

## 2. The Windup



- ❖ Begin to implement plan
- ❖ Align resources for success
- ❖ Communicate with stakeholders and members of the court

Engaging the organization

# 3. The Pitch



- ❖ Provide resources and energy to the delivery of the services and programs

Implementing



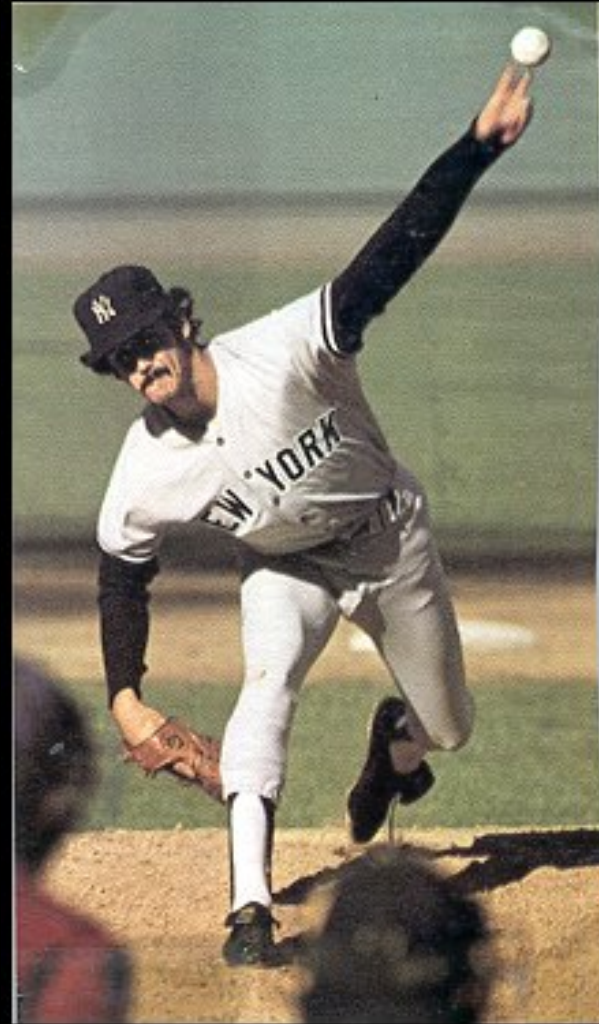
## 4. Follow-through



- ❖ Be prepared to assess and evaluate the success of new initiatives
- ❖ Make sure to follow-through initiatives to the end
- ❖ Re-measure and prepare for the next 'pitch'

Sustaining

Is there one best delivery?

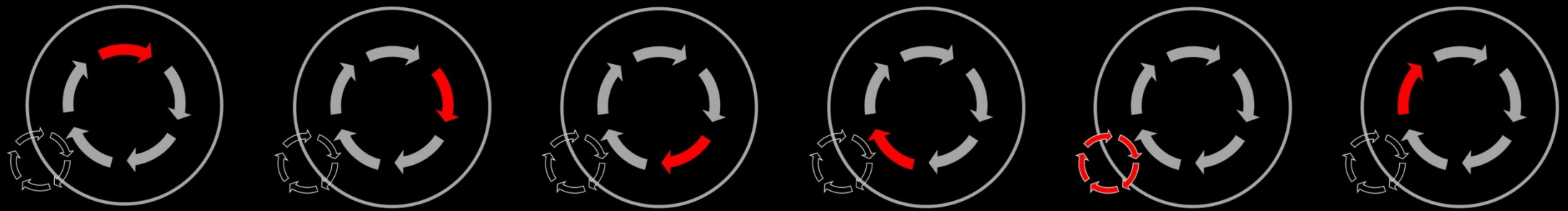


Is there one best delivery?



Is there one best delivery?



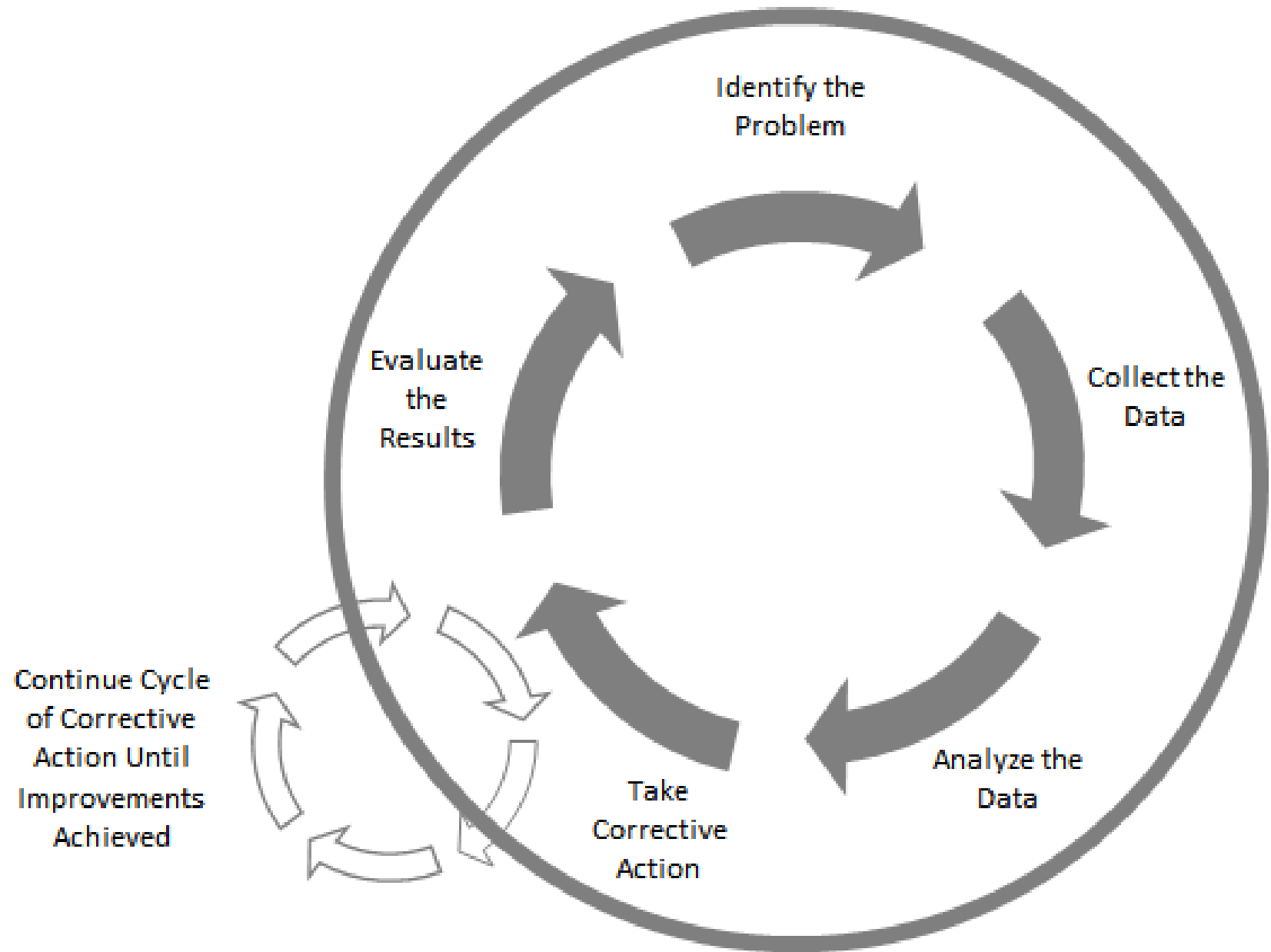


# High Performance Court Framework

## Quality Cycle

# The Quality Cycle

Systematic  
problem solving  
and continuous  
improvement

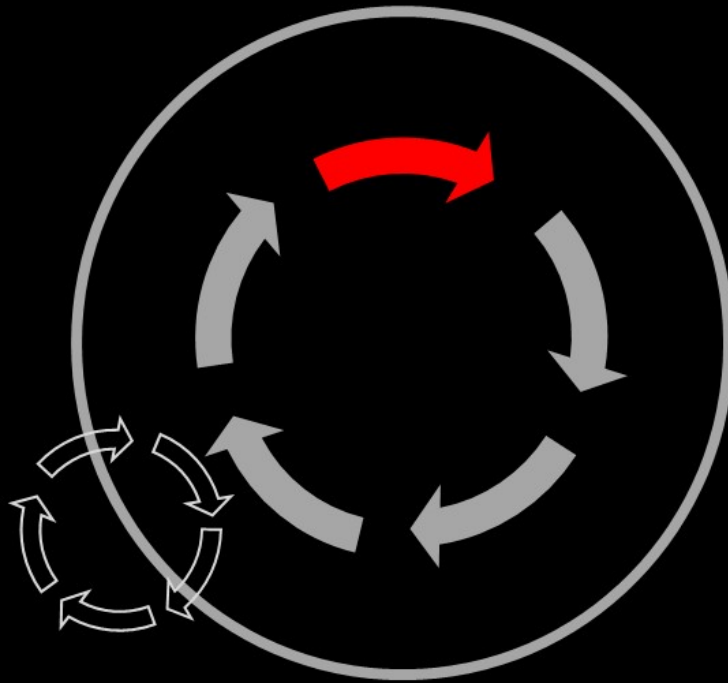


# Scottsdale City Court Case Study

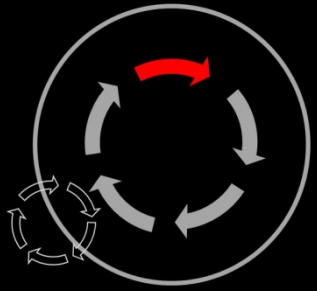
- 4<sup>th</sup> largest Municipal Court in AZ
- 4 judges, 2 hearing officers, 57 staff
- 70,000+ criminal and civil filings in 2013
- Of roughly 13,000 criminal filings, 3,000 (22%) are DUI cases
- 95% of courts jury trials are for DUI cases
- DUI cases were backlogged
- Choose to follow the quality cycle steps



# Identify and Define the Problem

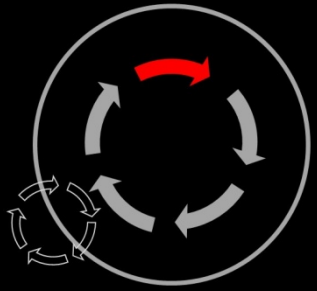






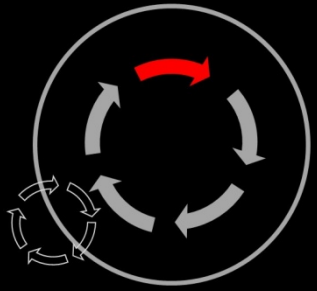
# Identify and Define the Problem

- Court management undertook a detailed examination of DUI cases to identify case processing issues that negatively impact the timely disposition and termination of DUI cases.



# Identify and Define the Problem

- 84% of DUI cases disposed within 180 days [AOC standard of 93%]
- Inventory of pending DUI cases increased by 23% in past year
- Age of the active pending caseload over 120 days (19% to 34%) and 180 days (5% to 13%) increased in past year
- Number of pending jury trials over 120 days increased from 54 to 138
- Most scheduled jury trials had at least one continuance

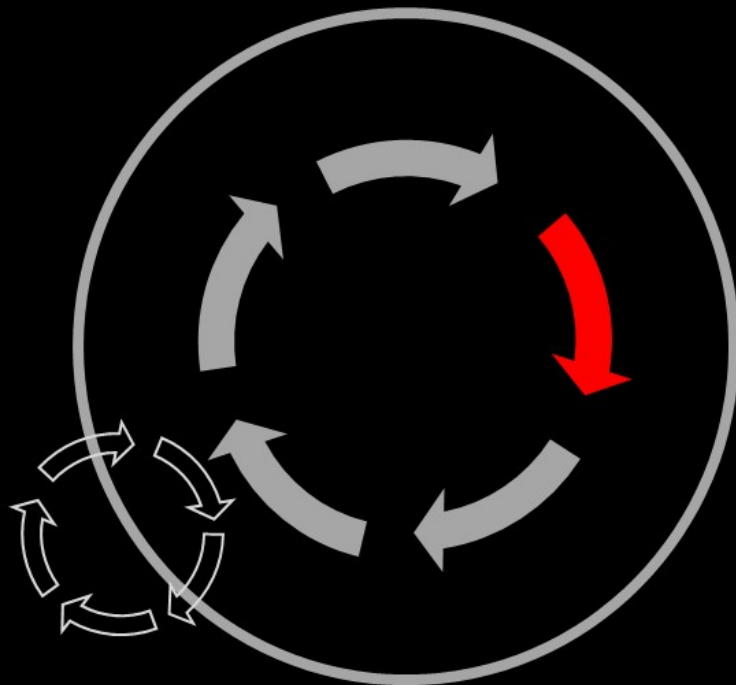


# Identify and Define the Problem

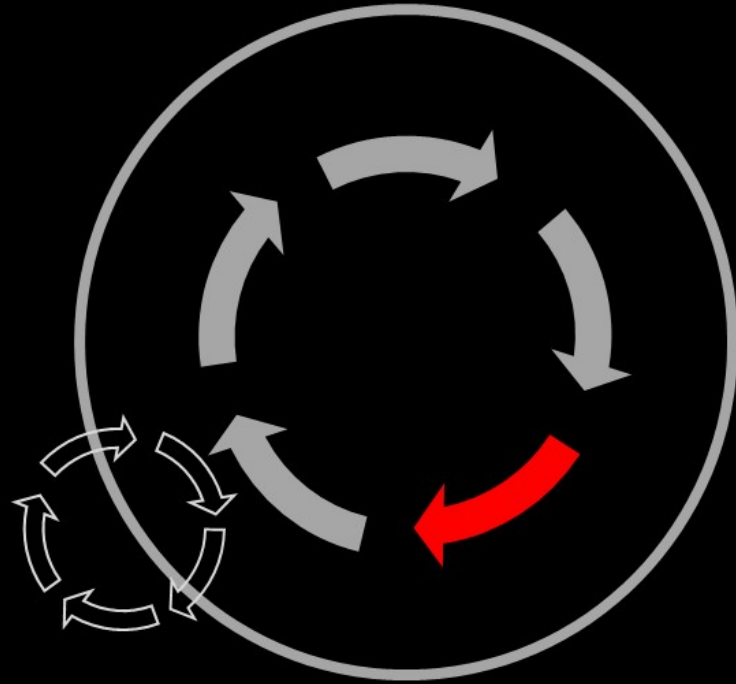
Problem statement:

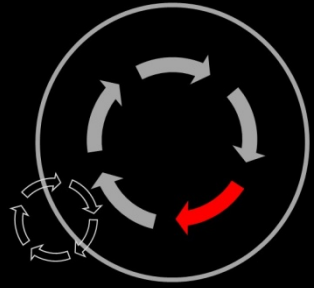
The courts DUI cases appear to be backlogged, with an increase in pending cases and pending jury trials.

# Collect Data

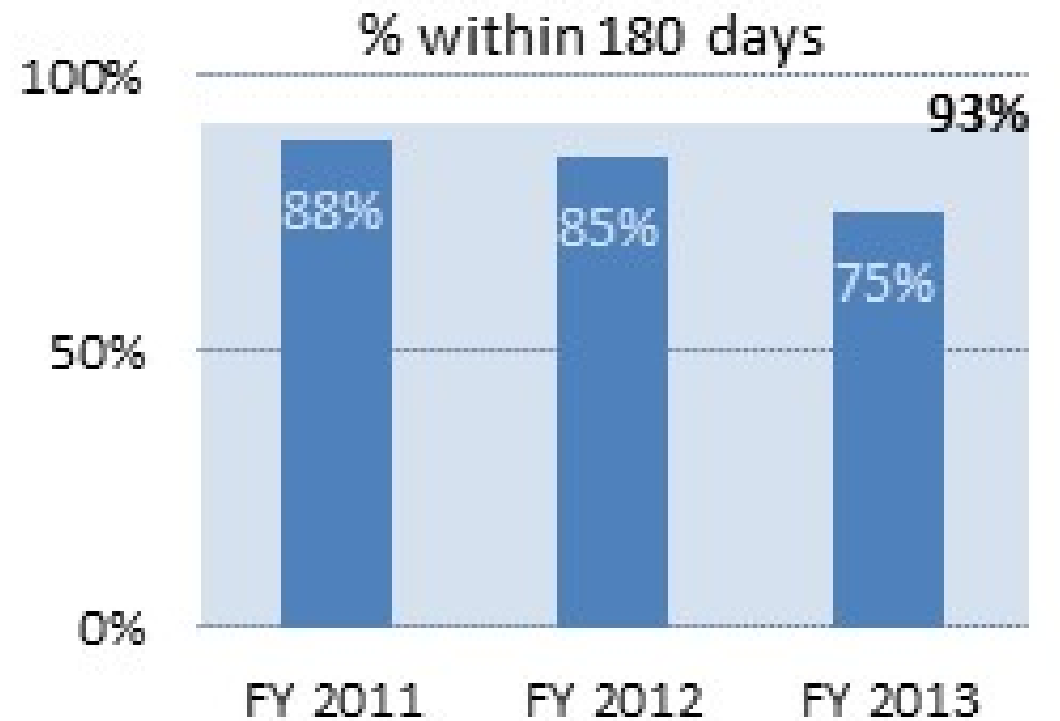
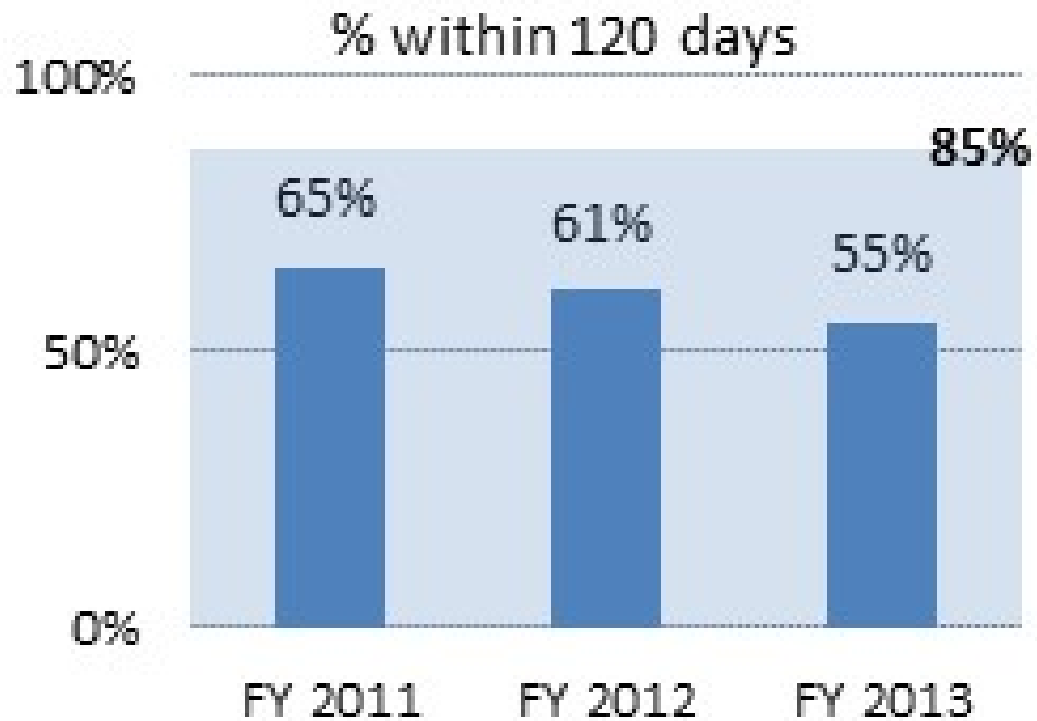


# Analyze Data

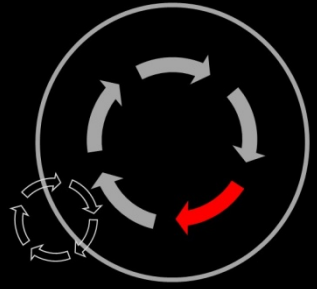




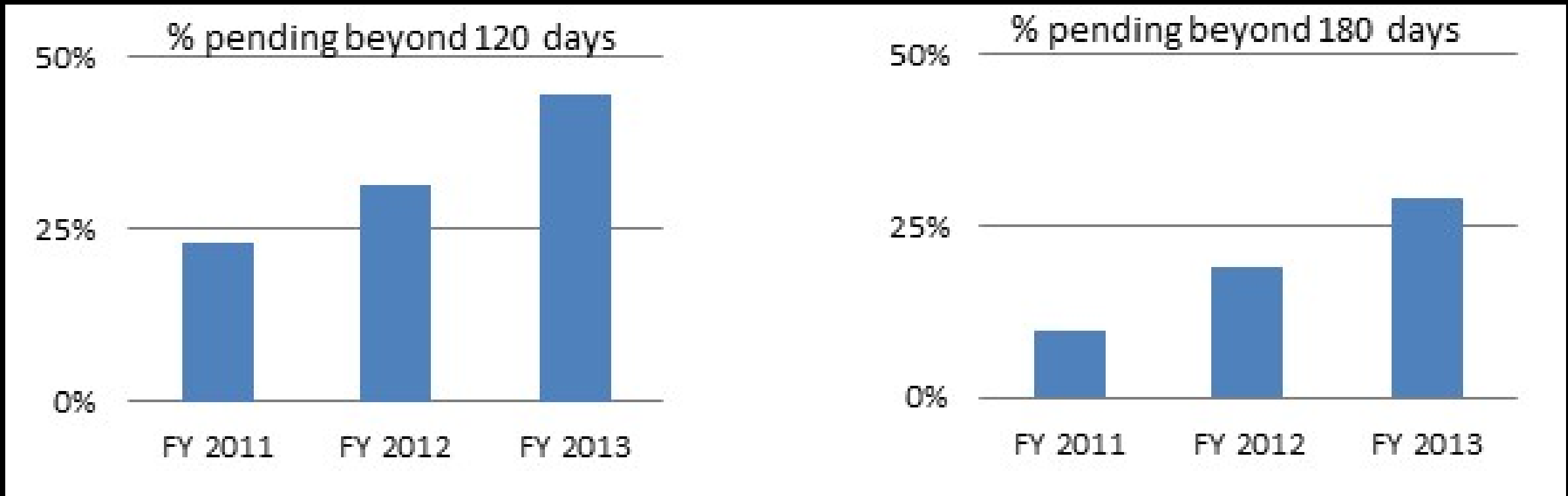
# Analyze Data



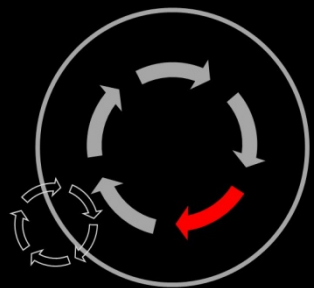
Time to Disposition



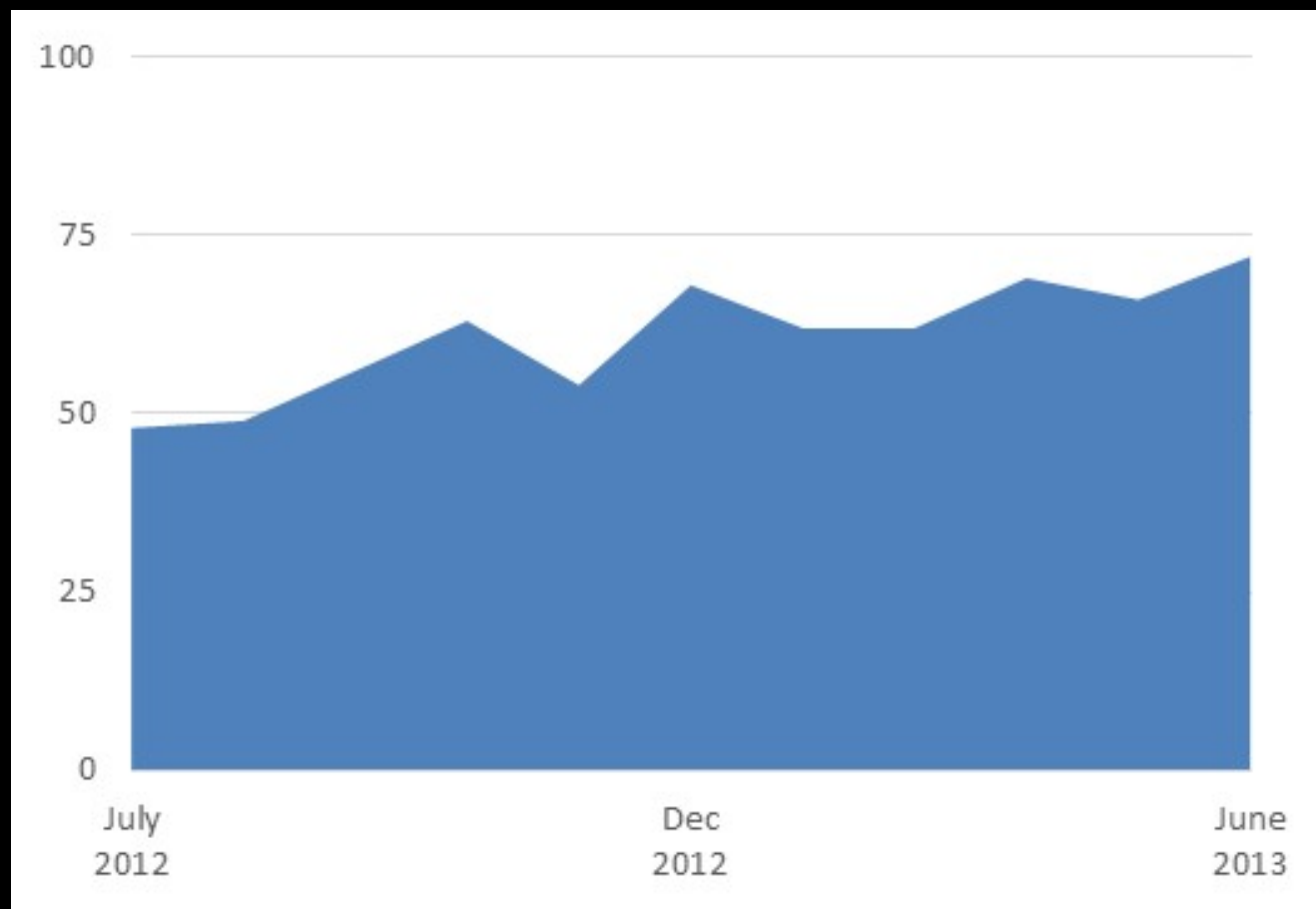
# Analyze Data



Age Pending



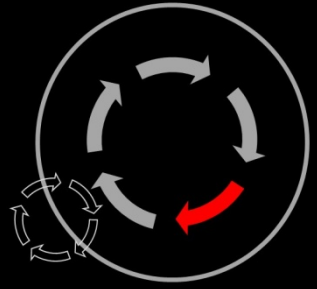
# Analyze Data



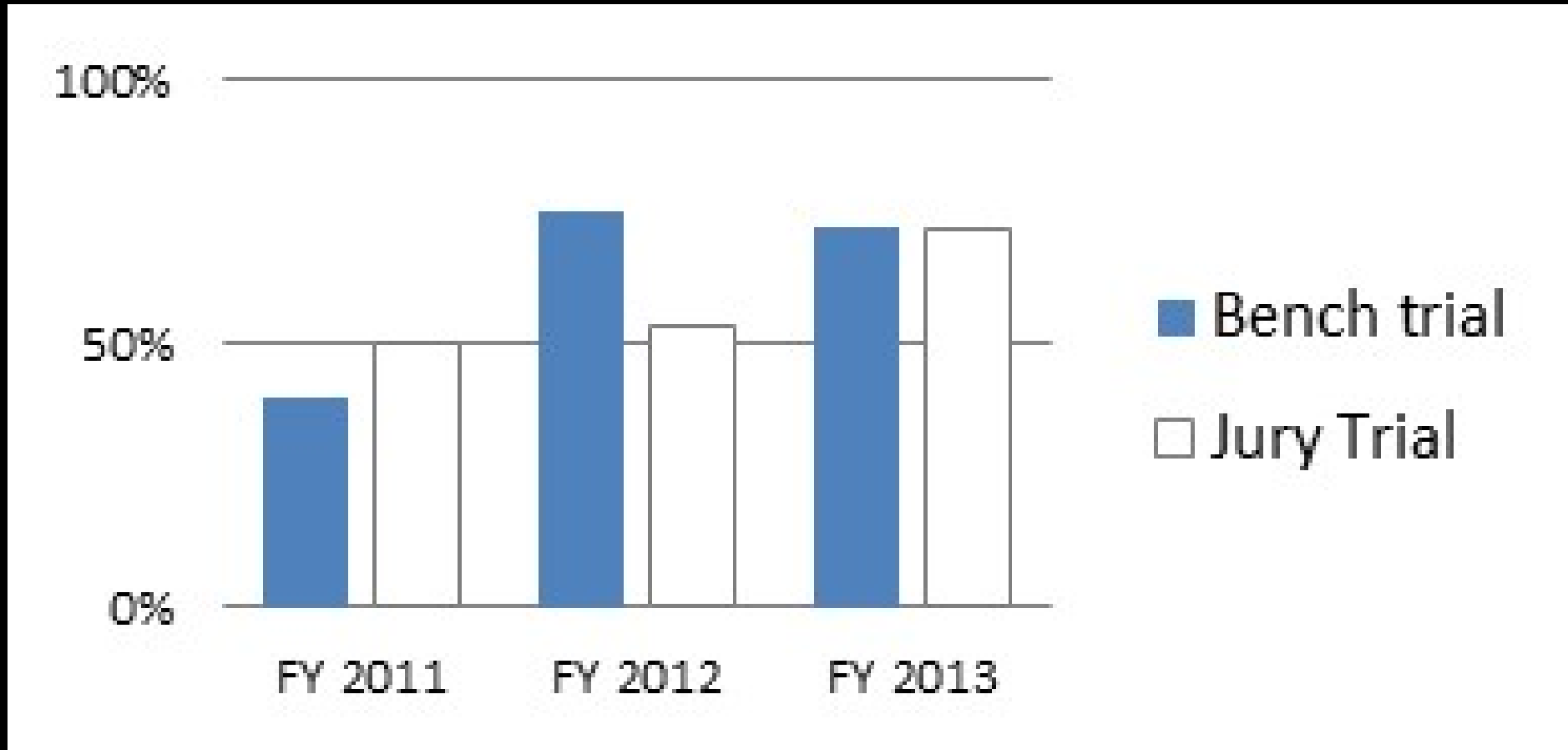
Number of cases  
increased from  
48 to 72

Pending Cases over 365 days



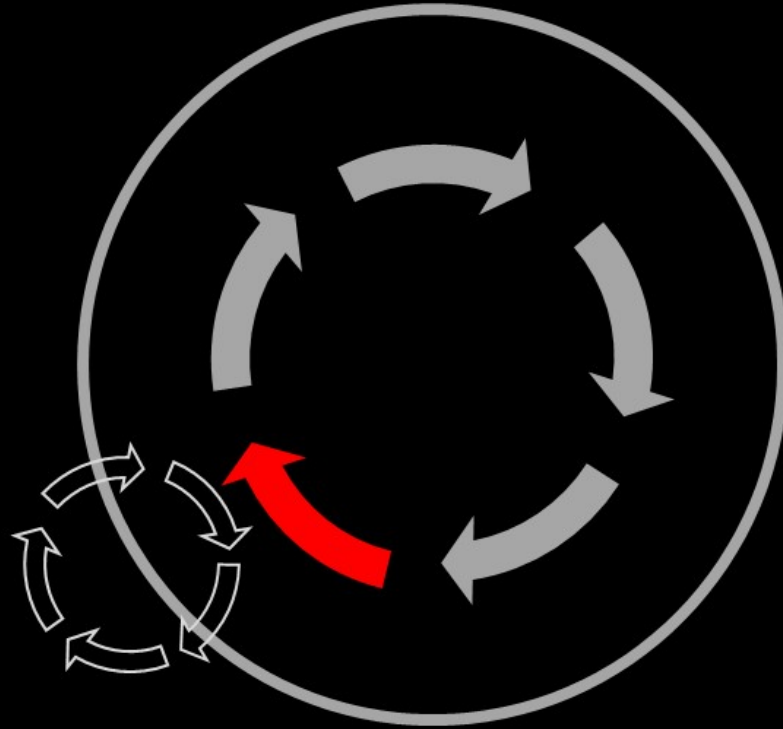


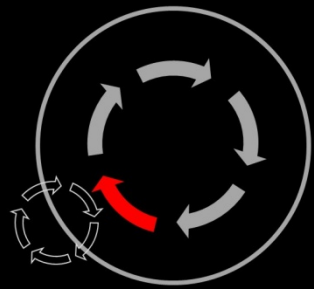
# Analyze Data



Percent with 3 or more jury trial settings

# Take Corrective Action

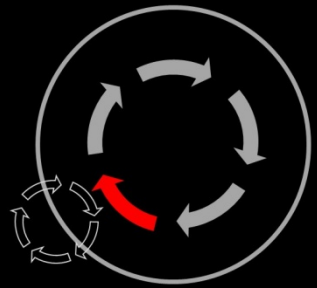




# Take Corrective Action

- Initiate expedited jury trial calendar project (jury blitz)
- Focus on DUI cases older than 365 days that were set for trial
- Add a fifth courtroom, staffed by 2 pro-tem judges
- Expand number of available jury days in the 4 regular criminal courtrooms from 10 days a month to 14 days per month

Goal of increasing the number of available jury days and decreasing number of pending cases greater than 120 days and 180 days and to decrease time to disposition

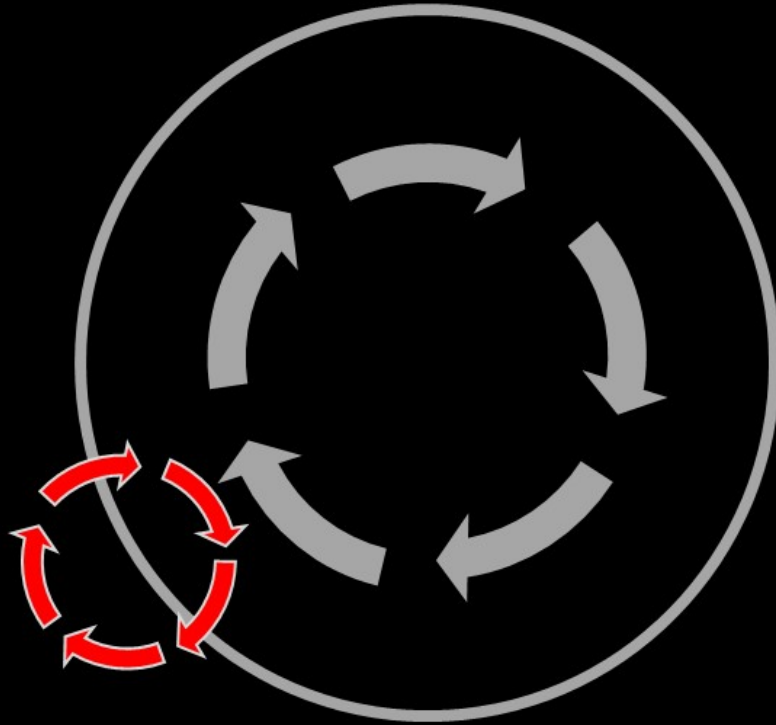


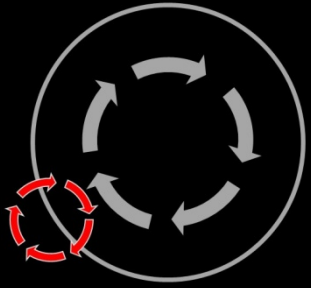
# Take Corrective Action

Preliminary Results from first three months of jury blitz

- Reduction in the number of DUI cases over 120 days with a jury trial set by 47 cases (26%) [Positive]
- Number of pending DUI cases over 120 days and 180 days continued to rise [Negative]

# Continue Corrective Action

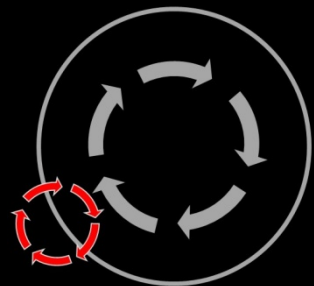




# Continue Corrective Action

## *High Performing Court Meeting*

- Judges, hearing officers, senior administrative staff
- Identify barriers and solutions to improved handling of DUI cases



# Continue Corrective Action

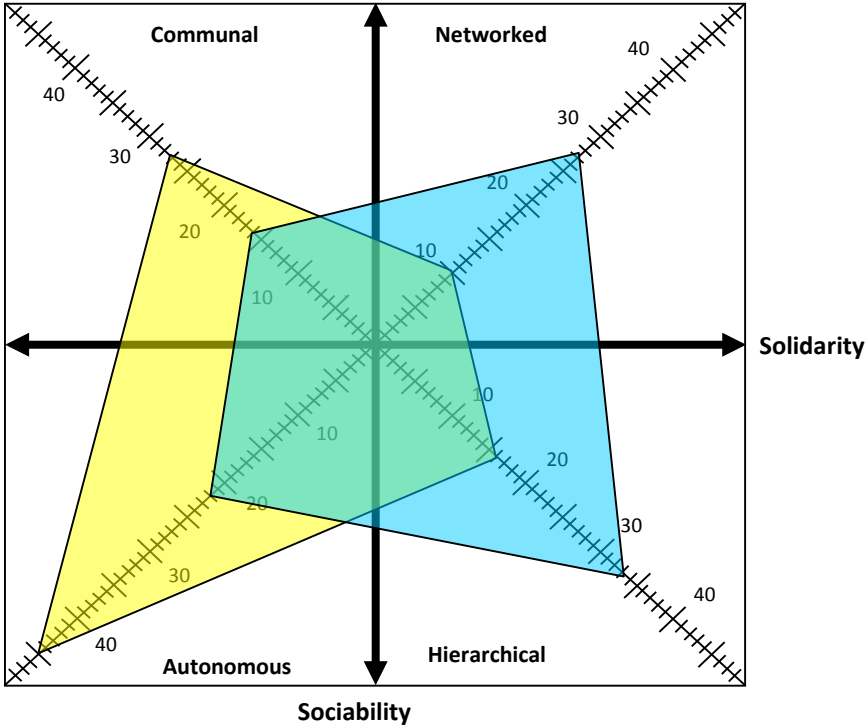
## *Culture Assessment*

- 6 judicial officers (100%)
- 8 senior administrators (100%)
- 39 staff

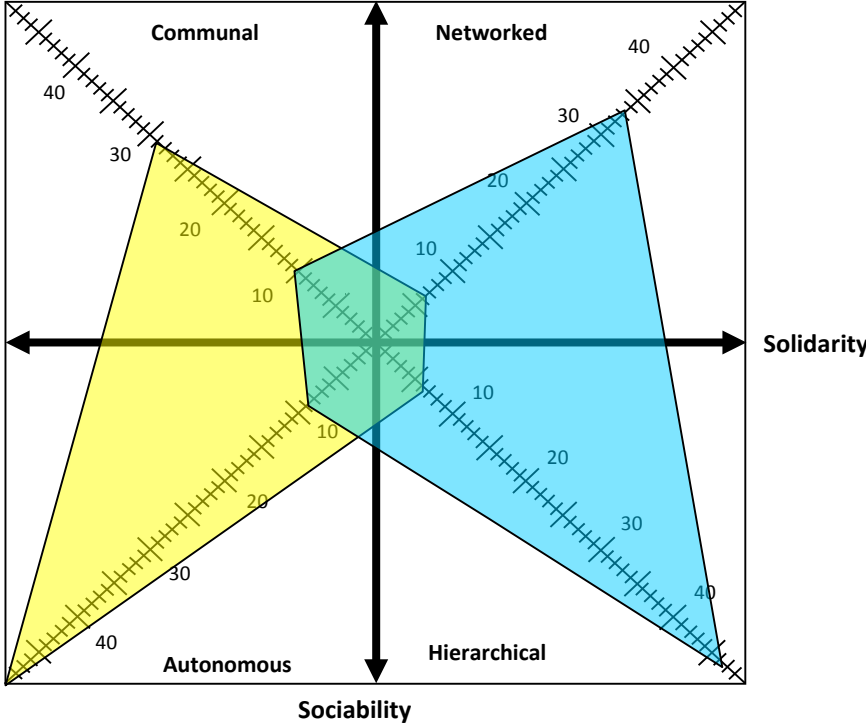
# Scottsdale City Court

## Case Management Style

Judge or Hearing Officer  
N=6

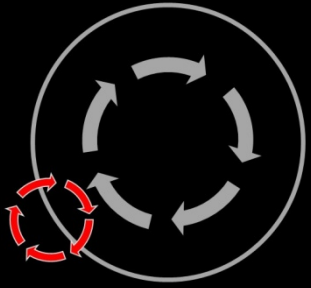


Management Team  
N=8



■ Current  
■ Preferred

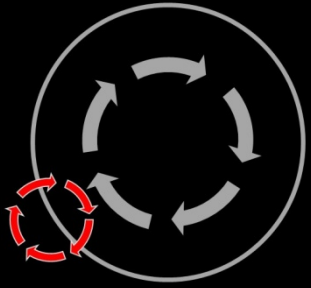




# Continue Corrective Action

## *High Performing Court Meeting*

- Issue of continuances and need to reschedule hearings – differences of perspectives between judges and administrative staff
  - Delay in receipt of blood analysis from the lab
  - Delay in defendant securing legal representation
  - Slow exchange of discovery between prosecution and defense
  - Ongoing scheduling conflicts for a high-demand expert witness

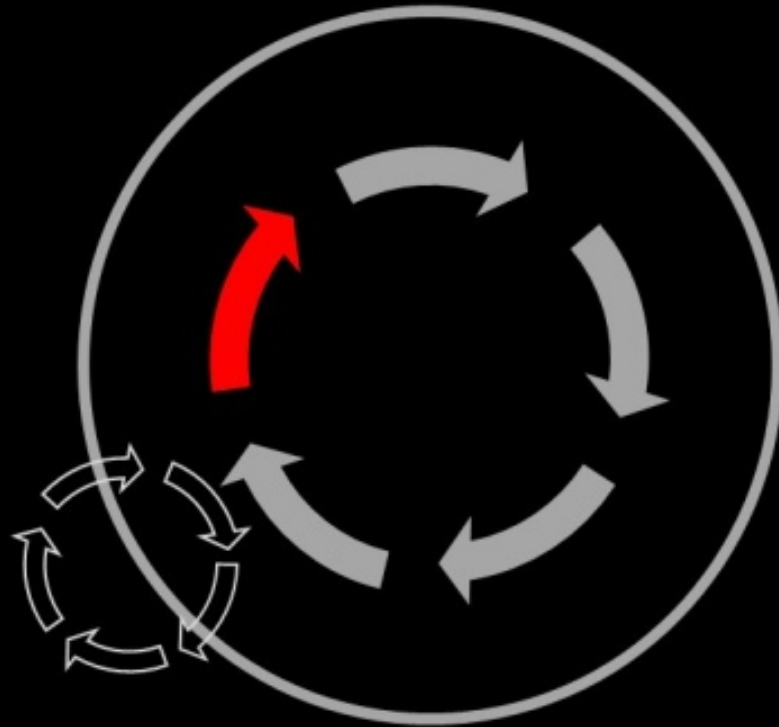


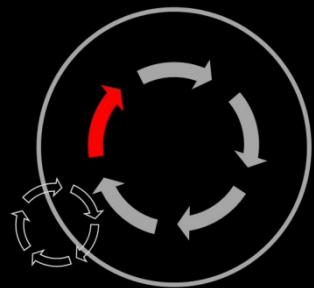
# Continue Corrective Action

## *Continuances*

- Nearly 60% of reasons for granted motions to continue were for scheduling issues (defendant or defense attorney unavailable)
- 13% of jury trial day continuances granted were due to a conflict with an expert witness
- 5% due to delay at the lab

# Finalize Corrective Action

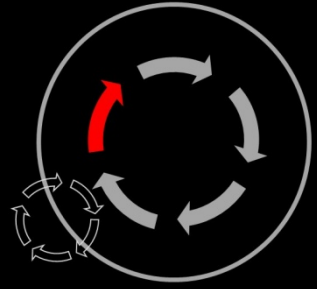




# Finalizing Corrective Action

## *Case Preparedness Form*

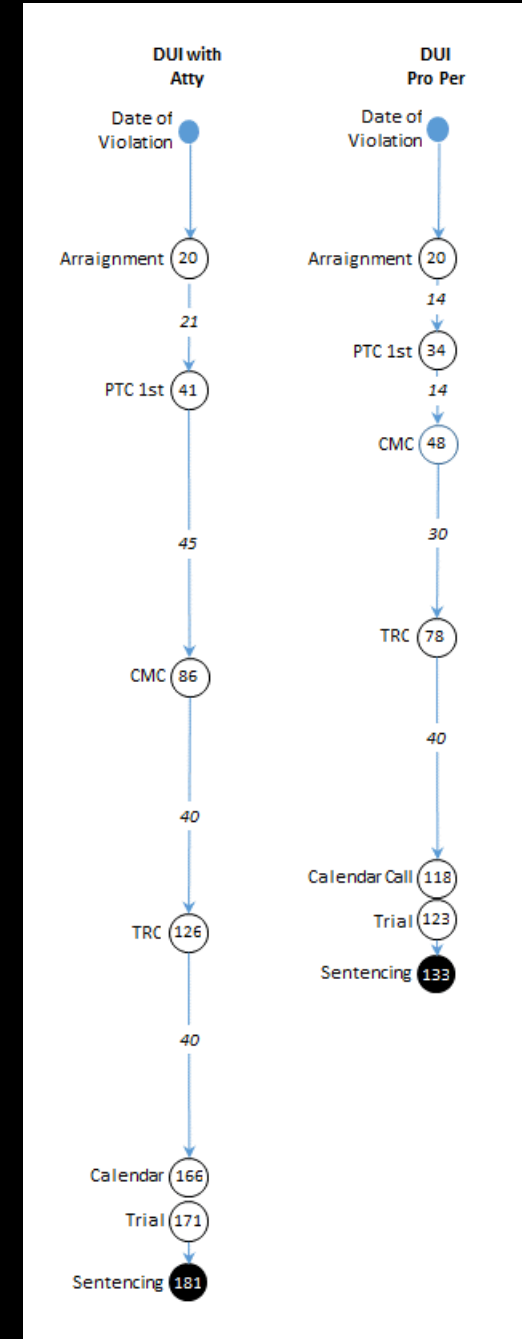
- Determine the status of the case shortly after the arraignment
- Document issues to be resolved
- Example – exchange of discovery: form indicates date of initial request, date discovery received, and if not received reason for delay and anticipated delivery date



## Case Management Plan

### Differentiated Model -- 2 Tracks

1. DUI with Atty (181 days)
2. DUI pro per (133 days)



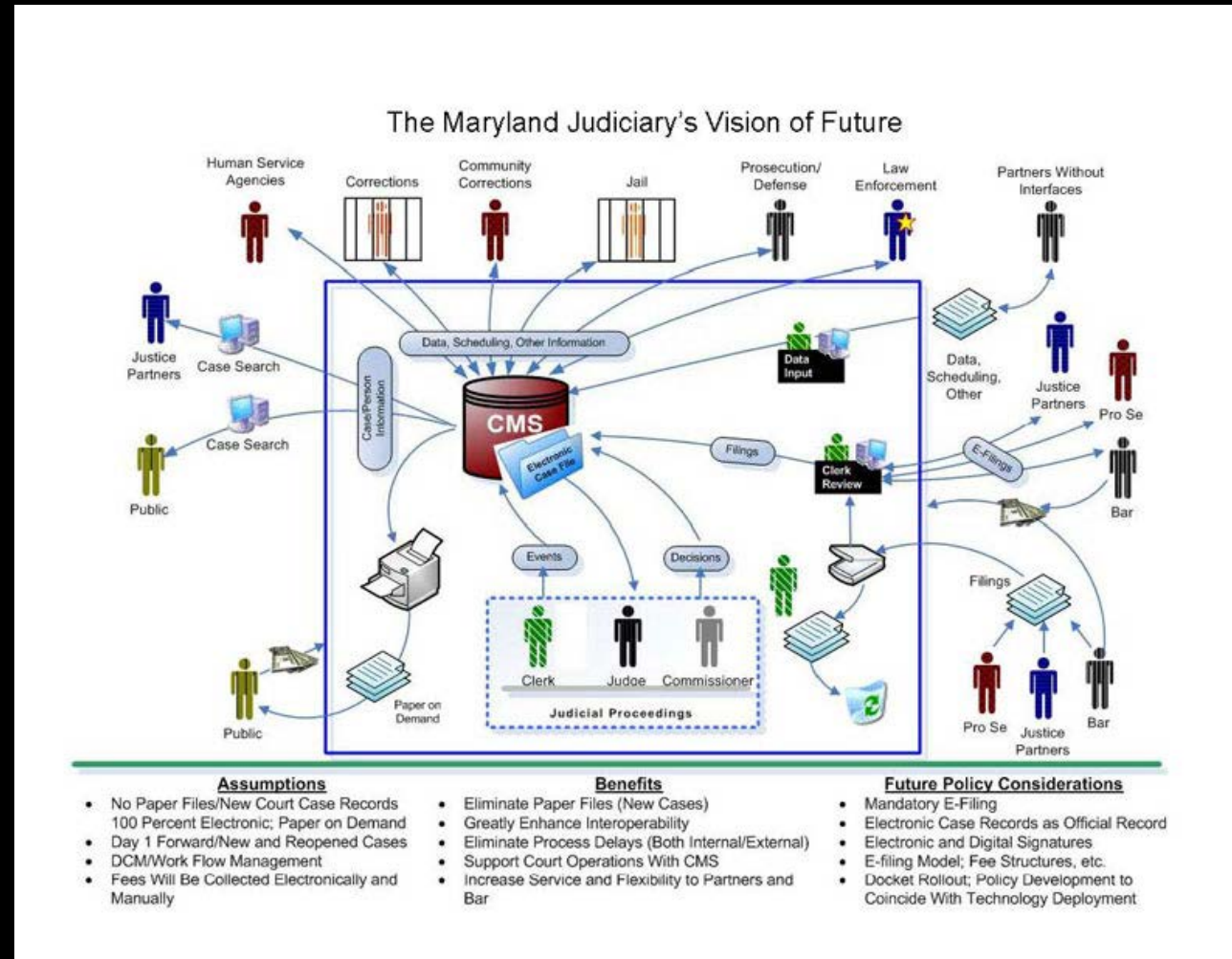
# MDEC – Maryland Electronic Courts Project

Project Goal: create a single Judiciary-wide integrated case management system that will be used by all the courts in the state court system.

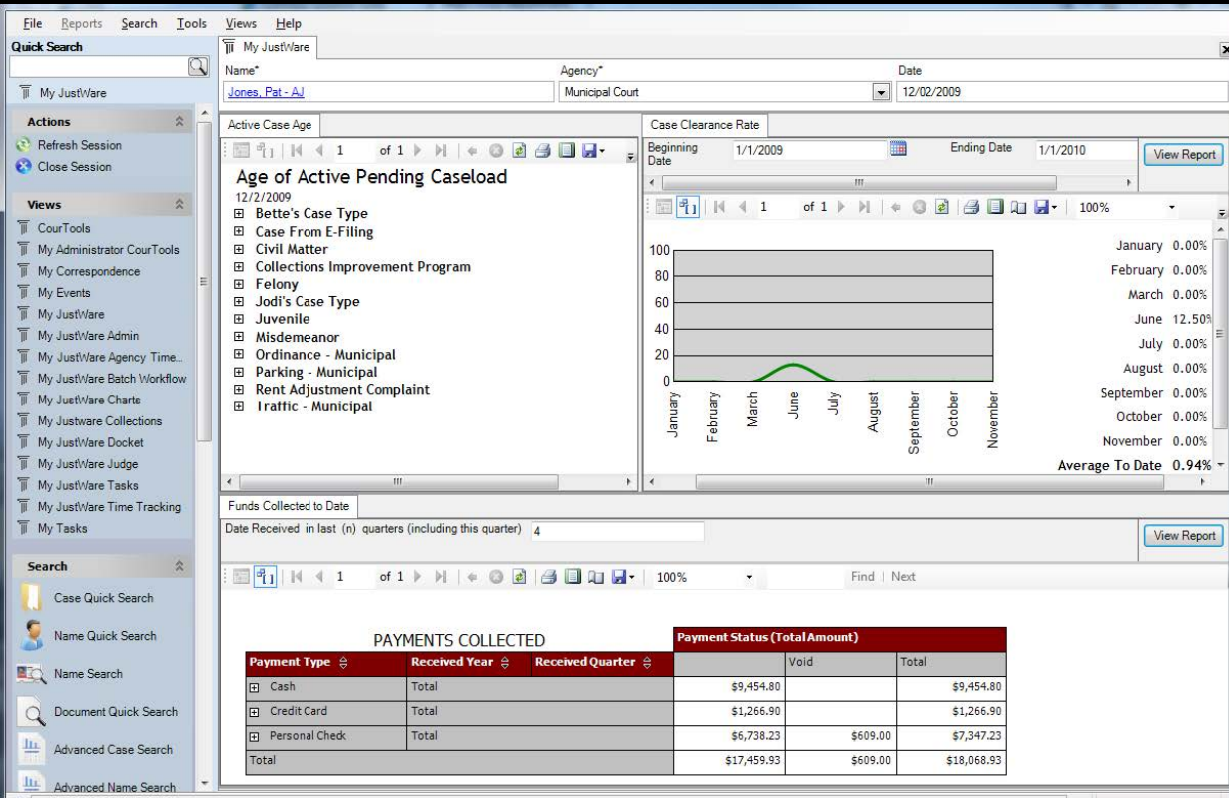
Courts will collect, store and process records electronically, and will be able to access complete records instantly.

The new system will ultimately become “paper-on-demand,” that is, paper records will be available when specifically requested.

# MDEC – Maryland Electronic Courts Project



# Judicial Dashboard





# Judicial Dashboard

File Reports Search Tools Views Help

Quick Search

My JustWare

Name: Jones, Pat - AJ Agency: Municipal Court Date: 12/02/2009

Active Case Age: Case Clearance Rate

Beginning Date: 1/1/2009 Ending Date: 1/1/2010 View Report

### Age of Active Pending Caseload

12/2/2009

- Bette's Case Type
- Case From E-Filing
- Civil Matter
- Collections Improvement Program
- Felony
- Jodi's Case Type
- Juvenile
- Misdemeanor
- Ordinance - Municipal
- Parking - Municipal
- Rent Adjustment Complaint
- Traffic - Municipal

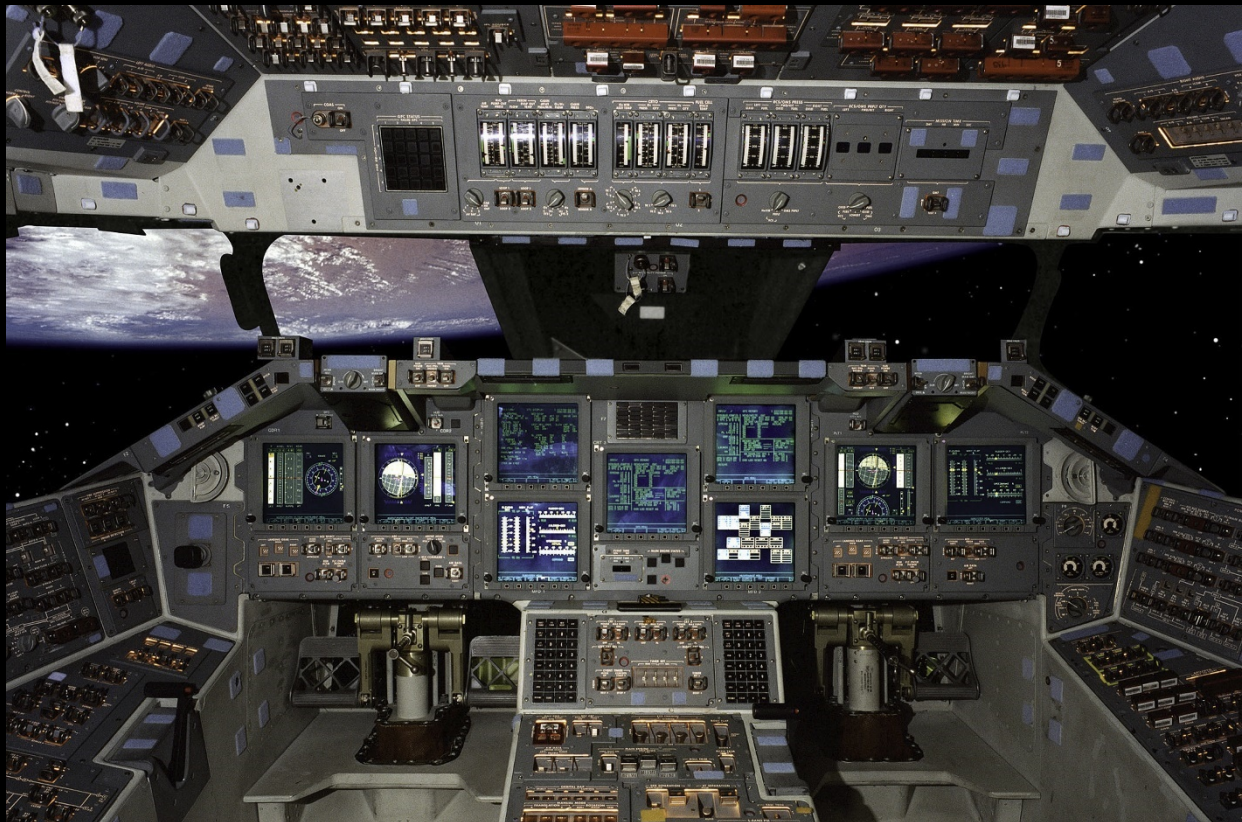
Month	Rate
January	0.00%
February	0.00%
March	0.00%
June	12.50%
July	0.00%
August	0.00%
September	0.00%
October	0.00%
November	0.00%
<b>Average To Date</b>	<b>0.94%</b>

Funds Collected to Date

Date Received in last (n) quarters (including this quarter) 4 View Report

### PAYMENTS COLLECTED

Payment Type	Received Year	Received Quarter	Payment Status (Total Amount)	
			Void	Total
Cash	Total		\$9,454.80	\$9,454.80
Credit Card	Total		\$1,266.90	\$1,266.90
Personal Check	Total		\$6,738.23	\$7,347.23
<b>Total</b>			<b>\$17,459.93</b>	<b>\$18,068.93</b>

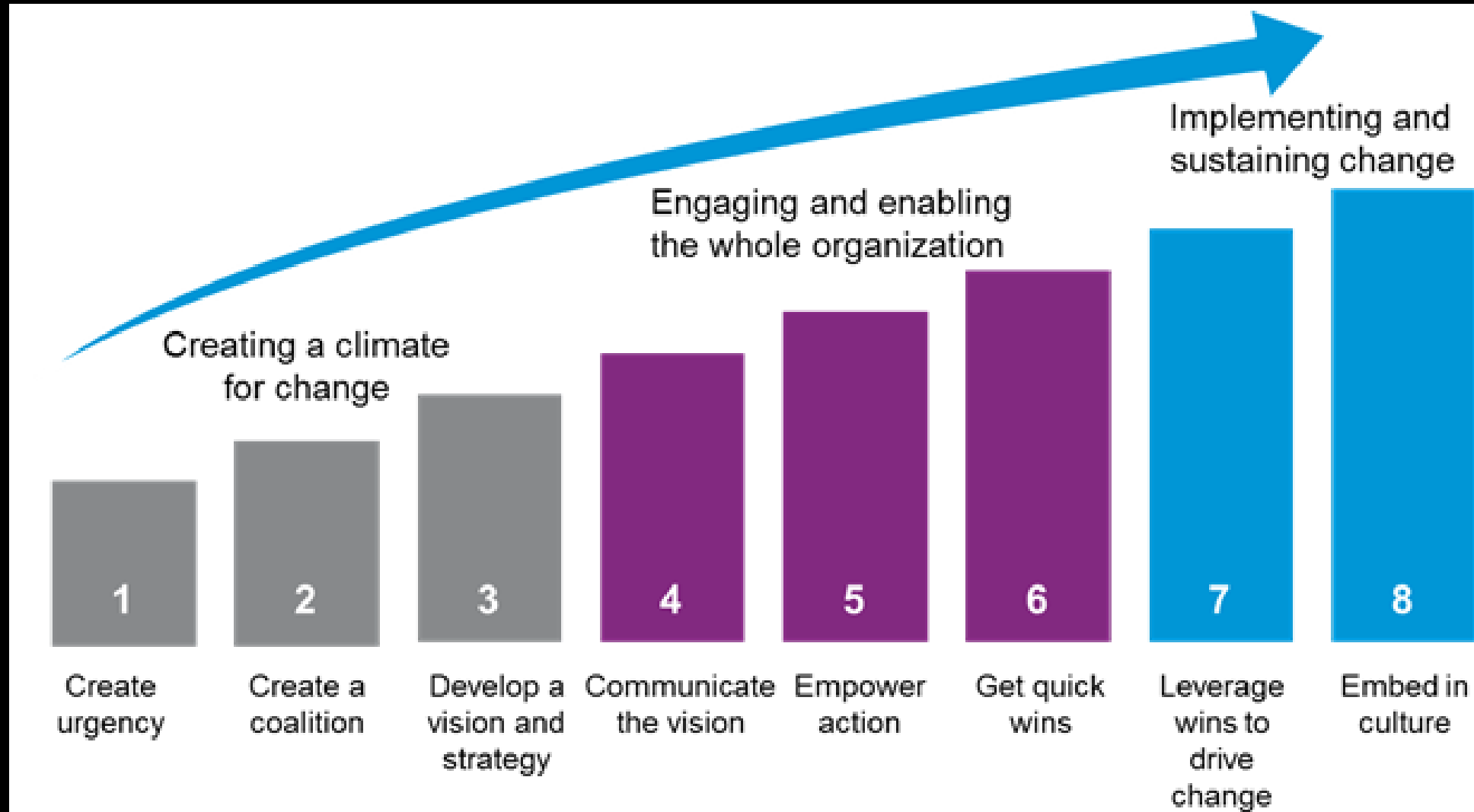




Intended uses  
by intended  
users



# Process for Change



“If you always do what you’ve always done,  
you’ll always get what you’ve always got.”

– *Anonymous*