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Supervising in the Courts

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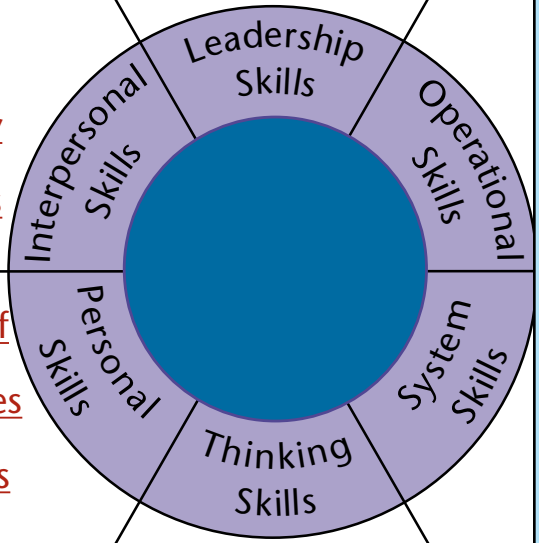

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Author:

Michael Berney

The Federal Judicial Center

May 1996

This computer-assisted guide is a reference tool for supervisors and mid-level managers in U.S. appellate, district, and bankruptcy courts, and in probation and pretrial services offices. It is designed to be installed on an individual's or court unit's computer to permit quick location of information. Users can print out materials as needed. This publication was undertaken in furtherance of the Center's statutory mission to develop and conduct education programs for judicial branch employees. The views expressed are those of the author and not necessarily those of the Federal Judicial Center.

This program provides guidance on thirteen supervisory skills identified as critical by an advisory group of court personnel. This guide condenses advice into manageable tips and strategies. Some are step-by-step procedures; others are general ideas to consider. This guide also recommends resource materials—some available right in your court.

Keep this guide on your computer and use it as needs arise. A separate Help file tells you how to quickly find information. To use an exercise or job aid, you need to print those pages.

The guide does not cover every aspect of supervising. Rather, this information should help you find the materials of greatest use to you and your office.

The Federal Judicial Center offers a wide array of educational and training programs and materials that develop supervisory and management skills. Other resources may be as close as a colleague's bookshelf or your local library or bookstore. To get you started and speed your access to information, please accept these tips for supervising in the courts.

How the Guide is Organized

The following pages are arranged under supervisory skills. Individuals who direct the work of others—at all levels of court operations and in all parts of the federal judiciary—say these skills are most important.

Below each heading you will find

- a definition of that skill;
- why that skill is important;
- tips—including options, how-to's, and examples from other courts; and
- several recommended resources.

Directing the work of court staff is not a science. Many gray areas exist. Provocative ideas, set off from the rest of the tips, will appear under several of the tasks. These ideas—because they cannot be taken literally—will encourage you to develop your own approaches to situations that you encounter.

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More Intro

How the Guide is Organized

At the end of the guide you will find several items. First, Recap of Supervisory Skills & Tips provides a quick reference to the tips covered in this guide. You will also find assistance on How to Order Tapes from the Federal Judicial Center's Media Library and How to Request Programs from the Center's Court Education Division. Finally, a Job Aid section is included as an appendix.

If you have any questions about how to move through this document—for example, how to use the buttons that appear at the top of your screen—refer to the Help file.

For further information . . .

To get started, refer to the model:

Court Management Framework
This diagram shows thirty management skills critical to directing the work of court staff. To refer to this model, click on the Model arrow.

Your local bookstore should have:

Tough-Minded Leadership
AMACOM (1989)
This short volume covers topics that will be of interest to individuals who supervise at any level in court operations. Author Joe D. Batten describes how to translate a philosophy of leadership into everyday behavior.

You or your court can subscribe to:

Court Management & Administration Report
This newsletter, designed for both state and federal court managers, covers many supervisory topics. Examples include "Job Burnout: Court Managers at Risk?" and "Strategic Planning." To subscribe, call CMAR at (609) 896-0351.

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Model
More Resources

Supervisory Management

American Management Association

The American Management Association publishes this monthly newsletter, which contains a range of advice that will interest court personnel who direct the work of others. To subscribe, call AMA at (518) 891-1500, ext. 670.

The Federal Judicial Center lends:

Stepping Up to Supervisor

Catalog No. 2100-V/85

New supervisors face a myriad of issues as they assume their different roles and functions. This 20-minute videotape acquaints viewers with mistakes commonly made during the early phases of a management career and helps them gain insight on strategies to avoid these pitfalls.

The Federal Judicial Center offers:

Applied Supervision

This 40-hour self-study course contains a text, supplementary readings, and audiocassettes. Topics include the supervisor's role; planning, organizing, and using resources; personnel management practices; and career development.

FrontLine Leadership

This 27-unit commercial training package assists supervisors and mid-level managers in enhancing their leadership skills through effective interpersonal communications. The units focus on core interpersonal skills, managing individual performance, developing team performance, making an impact on the organization, managing change and innovation, problem solving for individuals and teams, and developing leaders. The following units are included:

- FrontLine Leadership: Your Role and the Basic Principles
- Giving Constructive Feedback
- Getting Good Information from Others
- Getting Your Ideas Across
- Dealing with Emotional Behavior
- Recognizing Positive Results
- Establishing Performance Expectations
- Developing Job Skills
- Taking Corrective Action
- Coaching for Optimal Performance
- Clarifying Team Roles and Responsibilities
- Conducting Information Exchange Meetings
- Resolving Team Conflicts

FrontLine Leadership Units (continued)

- Building a Constructive Relationship with Your Manager
- Building a Collaborative Relationship with Your Peers
- Confronting Issues with Your Manager and Peers
- Winning Support from Others
- Managing Change
- Fostering Improvement Through Innovation
- Solving Problems: The Basic Process
- Solving Problems: Tools and Techniques
- Participating in Problem-Solving Sessions
- Leading Problem-Solving Sessions
- Increasing the Payoffs of Training
- The Basic Principles
- Coaching for Optimal Performance
- Recognizing Positive Results

Learning to Lead

This is a two-day packaged program for 25-30 participants that will assist court staff who have been assigned supervisory responsibilities within the last three years. The program features sessions on making the transition to the new role, acquiring job knowledge, communicating, and managing the performance of others.

The Adaptive Manager

This two-day program for 10-21 participants teaches experienced supervisors and managers to use four developmental strategies for supporting improved performance and career growth. The strategies are: (1) orienting new employees, (2) counseling employees who do not meet expectations, (3) coaching competent employees to help them reach their full potential, and (4) developing career paths for staff who consistently exceed expectations. The program can be developed for one or more of your employees.

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Knowing Yourself means learning from experiences; seeking feedback and modifying behavior based on feedback; actively pursuing learning and self development.

When supervising, you may not always receive the kinds of comments that help you to develop your skills. Yet in order to grow, you need structured and honest feedback from others.

To gain feedback, you need to actively seek it. Do not be passive. Don't wait for your colleagues to come to you about what you're doing well and what you need to change. You can initiate and guide the process by taking the following seven steps:

1. **Assess your strengths and weaknesses**

   Step back and make a list of what you think you do well and where you might improve. Do this at least once a year. One way to start is by referring to the list of supervisory skills presented at the beginning of this guide. (See Model: Court Management Framework.) Note what you do in each of those areas to put your skills into practice. For example, under the skill "Knowing Yourself," how do you learn from experience? You might jot down "keep a journal" or "solicit regular feedback."

More Tips

2. Check your perceptions with others

Don't rely on your judgment alone. In supervising others, you primarily use interpersonal skills. People with whom you work can best assess your effectiveness. Allow others to do an anonymous appraisal, noting what you do well and where you could improve. (See Job Aids: Feedback Instruments.)

Invite a co-worker to join you for lunch outside the building. Ask him or her to comment on what you do that is effective in supervising others, as well as ways you could change to increase your impact. You might also try a role reversal by asking others what they would do in a situation that you face.

3. Use your strengths in new places

It is hard to change bad habits. It is often easier to use your strengths in new ways and places. Are you putting your skills in supervising to maximum use?

For example, if you deliver briefings on rule changes for your staff, consider doing the same when the court needs someone to brief the local bar association. Some things will require asking for additional responsibility. If so, make a note of your request and seek support as described in Step 6, below.

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4. Improve in two or three weak areas

Be focused. Tackling "leadership" is just too broad. Narrow it down to a specific area, such as "contribute to an automation review" or "propose ways to improve fine collection." These are more concrete aspects of leadership and are thus easier to turn into action.

5. Write up an action plan with goals and actions

Once you have identified an area where improvement is needed, develop a specific action plan detailing how you will try to improve. Make your goals specific and concrete. Choose a target date to accomplish the goal, and identify a result that will show you have achieved it. Also, choose two or three "check-in" dates that you will use to monitor your progress along the way.

Write down what you will do in the areas identified for development. For example, if your goal is to improve in the area of organizing and planning, then one action could be to prepare a bi-weekly status report for your staff and manager. In some courts, and some agencies in the executive branch, connecting goals to actions is referred to as preparing an individual development plan. What you write will serve as a guide, helping you to accomplish your goal. Keep practicing the change in behavior until it becomes second nature.

More Tips

6. Seek and obtain support

Once you have identified steps that capitalize on your strengths and improve areas needing development, sit down with your manager. Jointly assess the situation. Say, "These are my thoughts on what I am doing well and where I can improve. I am interested in your perspective."

Ask for help. You might want more opportunities and a broadening of some areas of responsibility. Some managers have asked for temporary assignments that allow them to practice a particular skill they are trying to develop. (See Staying Flexible.) A peer might be available to offer an impartial appraisal of your new actions and serve as a mentor to help you improve.

7. Check on your progress

For each goal identified on your plan, check to see if you have achieved the results by the chosen dates. If you haven't, think about why, and reset those goals with appropriate dates. Perhaps introducing more check-in points will increase your awareness of your progress. Write these dates on your calendar and treat them like appointments or meetings that you cannot miss.

Seriously review your progress. Ask peers, subordinates, or superiors if they have noticed any changes. Celebrate: This is hard work! Then avoid reverting back to the past behaviors.

Dream of success

People often remember only their failures. Instead, imagine succeeding! Imagine what it would be like to meet your goals. Warren Bennis, author of *On Becoming a Leader* (see Resources), describes one way to do this: Close your eyes, walk yourself through a challenging situation, and imagine in fine detail how you will handle and surmount the anticipated obstacles. Remember to focus on surmounting the obstacles—don't pretend that they don't exist.

A court employee who has served in a variety of management positions over the past 20 years had this to say about knowing yourself:

> You really have to deal with the people above you in the organization. Even when they're angry, even when you've disappointed them, you just have to keep going back. Because when you get into a leadership position, it's not just how much you produce that determines your effectiveness. It's how the people you work for view what you do.
>
> And the only way you can find that out is to be involved with them and ask them in various ways, "How am I doing?" Sometimes when you're not doing so well and you find the feedback is kind of negative, you have a tendency to shy away. You can't do that.
>
> It is equally important to talk to your staff. In some ways they are in the best position to judge your effectiveness in supervising. They see you trying to motivate people, making decisions, leading meetings, trying to build teamwork. So they can probably tell you what you're doing that works and what doesn't.

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More Insights

Approaching someone on your staff or your boss to find out how you are doing can be very intimidating, at least the first time. Let me suggest an approach that I think works pretty well: Ask this person for a time when you can meet together for a few minutes on an issue you would like to discuss. When you meet, start the conversation with a statement like, "I am very interested in making sure that the work my section is doing is meeting the needs of the organization. Is there anything that I could do differently that would help you accomplish your goals in a more effective way?"

This approach has worked well for me; in hindsight, I only wish I had taken more time to ask others how I was doing.

For further information . . .

To get started, use the following job aid:

Feedback Instruments

Manager Feedback
Co-Worker Feedback
Staff Feedback
Feedback Analysis: Making Sense of Multiple Perspectives

This set of forms will help you collect and analyze feedback from people who work with you.

Your local bookstore should have:

The Leadership Equation

Eakin Press (1989)

This book helps you understand your preferred style of operating and how to use your preferences to work effectively in whatever role you occupy. Authors Lee and Norma Barr offer many practical tips.

On Becoming a Leader

Addison-Wesley Publishing Co., Inc. (1989)

Warren Bennis summarizes interviews with some 30 leaders from the public and private sectors. These leaders identify the importance of knowing yourself: being your own best teacher, accepting responsibility, learning anything you want to learn, reflecting on your experiences, and having a strong sense of mission or purpose.

Your local community offers:

Leadership positions in volunteer agencies

Leadership skills can be developed. By taking on leadership roles in community organizations, you can gain experience that will help you supervise in the court.

The Federal Judicial Center offers:

Myers-Briggs Type Indicator

This well-tested and widely available questionnaire helps people understand their preferences. For example, it helps identify whether you use intuition or your senses when gathering and using information. This assessment exercise may allow you to understand yourself better and to appreciate the preferences of others.

Applied Supervision	Lesson 9: Career Development
FrontLine Leadership Unit	FrontLine Leadership: Your Role and the Basic Principles

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Balancing Priorities means setting priorities; focusing on the important, not only the urgent; delegating effectively; allocating time for renewal and development.

In a time of tighter budgets and growing caseloads, court leaders face constant pressure to do more with less. You juggle an increasing number of duties. Every task seems crucial. It is hard not to let any one task suffer.

You can gain some control by clearly defining your goals. Competing demands do not disappear, but you can better navigate through this rough water when your priorities are clear. Try the following six steps:

1. **Identify what matters in the long run**
   Identify priorities for this coming year. These are usually long-term activities, such as relationship building or recognizing new opportunities. Ongoing activities, like editing presentence reports, and one-time activities, like preparing a budget request, are seldom priorities.

More Tips

In *The Seven Habits of Highly Effective People*, Stephen Covey suggests that, if you have trouble identifying what matters most, you answer the question, "What is one thing in your professional life that you could do, that if you did it on a regular basis, would make a tremendous positive difference in your life?" Knowing what counts in the long run will also help you reduce the time and energy you spend on tasks that are essentially unimportant. (See Managing Stress.)

2. Analyze how you spend your time

Record meticulously what you do on an hourly basis for a period of one week. Your list might include some of the following:

- analyzing case-management problems,
- making decisions,
- coordinating building access with the U.S. Marshal's Service, and
- providing feedback.

If you spend time on the phone, write down the underlying activity, such as "coordinating work flow with supervisors," rather than just listing "phone calls."

Making this list will seem difficult, but the results will be worth the effort. At the end of the week, analyze your activity. How much time did you actually spend on low-priority items? How much time did you spend on high-priority items? You may be surprised by where your priorities are in the overall work that you accomplished.

3. Select some important, non-urgent activities

Review the list of activities you are doing right now. Compare it with the list of high-priority activities you developed. Put an "X" next to any activity that helps you accomplish your goals. If that activity is important but not urgent, it will require special attention so that it does not get overlooked. Consider that a ringing telephone conveys urgency, but who is calling and what they are calling about determines the call's importance. (See Exercise: Importance Audit.)

4. Add some new high-priority activities

Expand the number of important, not urgent, activities you undertake during a week at work. For example, if one goal is to develop staff, some important activities you might add if you are not already doing them are to assess performance, research developmental opportunities, and arrange job rotation.

Separate important activities into discrete steps. For example, if "Meet with team leaders" is an important activity related to accelerating case processing, you could subdivide that activity into two steps: "Draft a meeting agenda for a discussion on expediting cases" (see Fostering Communication Through Meetings) and "Track how long cases spend on each desk."

Carry an index card that has the three or four tasks you want to accomplish this week. Add a page to your planning calendar and list high-priority activities.

5. Eliminate some time wasters

Go back to your analysis of how you spend your time and identify what has little importance to the overall work of the court. You might find some low-priority tasks that could be eliminated completely. For example, are all weekly reports necessary? Could a monthly or quarterly report provide the same data? Are the data really needed?

6. Delegate: You coach or train, they carry out

Many people who supervise in the courts report that their biggest problem in giving others authority and responsibility for projects is their own perfectionism. Many supervisors and managers believe (and it may be true) that they can do it best. Effective delegation means trusting and training staff to accomplish work goals. It also means accepting that there is more than one way to get something done.

For example, if you evaluate the status of closed cases, you might instead ask each individual to complete a report. Alternatively, you could ask one individual to take responsibility for collecting responses from the rest of the group.

Drop some balls from your juggling act

What happens if you don't do something? What is the worst thing that could happen? As a way to let go, exaggerate the worst possible catastrophe ("If I don't do it then it won't get done and we'll all get fired and I'll never find another job . . ."). You'll probably find that you hold on to more than you need to. If you try to juggle too many balls at once, you're bound to drop some. If you don't drop some balls by choice, you'll drop some by accident. Or you'll drop them all.

For further information . . .

Try this exercise:

Importance Audit

You can use this exercise to analyze where you are spending your time and energy. Also consider inviting your staff or co-workers to do the exercise. This activity should increase the amount of time spent on work that is important but not urgent. To use this exercise, click on the Exercise arrow.

Your local bookstore should have:

The Seven Habits of Highly Effective People: Restoring the Character Ethic

Simon & Schuster (1989)

Stephen R. Covey presents seven habits for personal and organizational effectiveness:

- Be proactive.
- Begin with the end in mind.
- Put first things first.
- Think win/win.
- Synergize.
- Sharpen the saw.
- Seek first to understand, then to be understood.

Covey believes that when individuals achieve balance, that, in turn, will improve organizations.

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Exercise

More Resources

The Federal Judicial Center lends:

The Seven Habits of Highly Effective People

Catalog No. 2081-A/90

This six-audiotape program by Stephen Covey takes listeners through a seven-step personal renewal program designed to balance four areas of an individual's life: the physical, the mental, the emotional, the social, and the spiritual.

Your local video store lends:

Field of Dreams

In this Hollywood movie, an individual pursues his vision of building a baseball field on his farm. Nothing deters him from succeeding, in large part because of his personal conviction. The story suggests that when your own priorities are clear, you will find tremendous energy to pursue them and inspire those around you.

Applied Supervision	Lesson 2: Planning, Organizing, and Utilization of Resources
FrontLine Leadership Unit	Building a Constructive Relationship with Your Manager

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Making Decisions means making timely and sound decisions; taking action and risks when needed; making decisions under conditions of uncertainty.

Being a part of the court's management team gives you a key role in making decisions. Furthermore, your position gives you the best vantage point to make the right decision as the need arises. It is up to you to properly implement decisions.

By having staff contribute to decisions and sharing the rationale for decisions with staff, you can positively affect how decisions are implemented. Try the following eight steps:

1. **Take note of problems or opportunities**

   Show interest in operations that are your responsibility. Walk around and survey operations. Make notes when you see or hear about something that affects those operations. Check it out: Is there a problem? Is there an opportunity?

   In one court, case filings slowed down because intake clerks were receiving so many requests for photocopies. The intake supervisor gathered information on the situation and identified the disruption to clerks' office work—the problem—and the public's need to copy materials—the opportunity. This information was critical in establishing the need to take action.

More Tips

2. Set objectives

Determine your approach to the problem or opportunity you have identified. Write out what you expect to achieve by solving the problem or capitalizing on the opportunity. You might run this past your manager. If you work with teams, circulate your draft to team members and incorporate their input.

If your court unit has a mission statement, ask yourself, "Is my direction in line with those goals?" Involve your team in resolving any differences.

3. Generate alternatives

Don't try this alone. Pull people together who think differently than you and ask them to jot down two or three responses to the situation, then discuss their suggestions. (See Valuing Diversity.) Remain neutral and encourage people to voice their best ideas. Say, "Can anyone expand on that idea?" or "Does that suggestion bring to mind other possibilities?"

Another option is to write a one-page memo detailing your understanding of the situation and the reasons you want to address it (your objectives). Then circulate this memo and ask for alternatives. Still another approach is to throw out a wild idea as a way to get your group to take a fresh approach.

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4. Gather information

The temptation, once you've identified alternatives, is to select the one that makes the most sense. Resist that temptation. Whenever possible, gather information on the two or three best courses of action. Ask people outside the court and from different court units for their input. (See Thinking Strategically.) Remember, gathering information does not mean you do this all yourself. Delegate. Network.

Devise a form or a worksheet that will allow you to compare the various alternatives while considering such factors as time available, cost, resources, and acceptance/rejection by your staff.

5. Evaluate the alternatives; consult those affected

Review the information you have gathered. Note advantages and disadvantages. (See Job Aid: Pro/Con Analysis.) Determine which course best meets your overall goal or objectives. Decisions seldom affect you alone, so unless it's an urgent matter, consult those affected. Involve them in the analysis. That way, they'll develop a rationale for the best course of action. This will also save you time in implementing the decision.

You may want group members to evaluate alternatives independently and then compare their findings before the group makes a decision on the best one.

More Tips

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6. Choose the best alternative and announce it

In the end, you decide. Acknowledge the assistance you received in making your decision. Announce (or include in a memo) your reasons for the decision.

If it is critical for a team to support a decision that greatly affects them, consider having the group make the decision. Narrow down the list to alternatives that are acceptable. Then have each person assign a rank to the alternatives.

7. Implement the decision

Putting a decision into action is different from making a decision. First, sit down with the people most likely to ensure successful implementation. Coach them. Get them started. That way, they'll serve as models for the rest of the group. If you expect strong opposition from particular individuals, do this in reverse by working first with the potential opponents.

In the court that faced burdensome copy requests (see Step 1), the intake supervisor arranged for a private copy firm to set up a station in the waiting area. The supervisor involved a representative of the copy firm when planning the setup.

More Tips

8. Evaluate the effectiveness of the decision

Before implementation begins, list those areas that will be most affected by your choice. Then, during implementation, pay attention to the impact your decision might be having on those areas. Watch what happens.

Implementing a decision often gives rise to other problems and opportunities. If the impact is significant or negative, go back to Step 1. Treat decision making as an ongoing cycle, as implementation raises other questions and problems requiring new decisions.

For further information . . .

To get started, use the following job aid:

Pro/Con Analysis

This form is designed to help you weigh the pros and cons of decisions that you need to make. Fill in the analysis yourself, or distribute it to a group to collect opinions. Click on the Job Aid arrow.

Your local bookstore should have:

Leadership and the Computer

Prima Publishing (1991)

Computers can help you make better decisions. They can help you monitor operations, analyze information, and present recommendations in a persuasive fashion. Author Mary E. Boone interviews 16 of North America's most successful and forward-looking executives to discover how they use computers. For example, Debbie Fields, of Mrs. Fields Cookies, tells how she can quickly gather data from remote locations.

The Federal Judicial Center lends:

Decision Exercises: Dealing with Difficult Situations

Richard Chang
Catalog No. 2483-V/90

These are open-ended exercises that give managers the background they need to make crucial decisions about a wide range of common employee problems. The 30-minute video portrays difficult situations that require immediate attention and carefully thought-out decisions, and it helps you learn to be prepared for such situations.

How to Solve Problems

Catalog No. 2717-V/93

This 22-minute video presents a four-step method for solving problems encountered by individuals at every organizational level.

FrontLine Leadership Unit

Solving Problems: The Basic Process, Solving Problems: Tools and Techniques, Participating in Problem-Solving Sessions, Leading Problem-Solving Sessions

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Staying Flexible means being willing and able to adjust to multiple demands, ambiguity, and rapid change; challenging the status quo and encouraging initiatives to improve court operations.

Society and the courts are always changing. Budget decentralization, changing personnel systems, downsizing, and reduced resources are just some of the forces that currently affect court operations.

In this environment, flexibility is a vital supervisory trait. Flexibility permits people to adjust to changing demands. Try the following three steps:

1. **Be willing to not know**

   Because many people moved into supervising from technical areas in the courts, some may still believe that they know best how to get things done. Walt Whitman warned, "It ain't what ya don't know that hurts you. It's what you do know that ain't so."

   Let your co-workers hear that you are open to other perspectives. Start by saying, "I have always done it this way, but I am willing to try something new," or, "I used to think there was one way to approach that, but lately I've been thinking there might be a better way." Not only do you show openness to new ideas, you create an opportunity to learn something new.

More Tips

2. Explore several ways to approach a situation

When you work with others, explore a variety of options. Don't reach a decision too fast. You will have more success if you truly understand the suggestions of others than if you try to get them to accept all of your ideas. (See Making Decisions.)

Consider asking a staff member to play devil's advocate. Have him or her challenge a current procedure so you all can see potential pitfalls in that procedure.

3. Yea-say, don't nay-say

Rather than immediately identifying all the reasons why you can't do something the way a colleague suggests, consider the suggestion seriously. Imagine it working well. Ask the person, "What do you think some obstacles may be in implementing this?" Then focus on how to surmount them.

Often, when someone joins your office from another agency (for example, a state court), he or she brings ideas on how to improve your operations. You may be tempted to teach the lesson that federal courts and state courts are worlds apart. Don't. Instead, try to understand the idea. (See Communicating.) Then try testing out the procedure and helping the new employee implement it.

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Mentally bungee-jump

Do something that breaks you out of your routine. Challenge yourself to use an alternative approach to solving a problem.

Several supervising U.S. probation officers have been able to arrange temporary duty assignments in which they exchanged places with a supervisor in another district. Others have gone behind the scenes at private companies. They not only broke out of their routine, they had to adapt to the demands and pressures of a different office. They also discovered alternative approaches to solving some of their own workplace challenges.

Staying Flexible During Change

When you deal with change in your court, you need to promote flexibility. Here are two additional suggestions:

1. Acknowledge the ending

Change provides new opportunity, but also involves loss. Before people can successfully adjust to new ways of working, new procedures, or office reorganizations, they need to let go of the past. Find ways that those affected by the change can acknowledge what is past so that they can move on.

More Tips

At a 1994 joint Federal Judicial Center/Administrative Office seminar on downsizing, court teams from all parts of the United States commented on how downsizing represented an end to things like job security that people had come to take for granted. Court managers emphasized the value of meeting with staff—and meeting early in the process—to let them know what was going to end. They also said that staff needed an opportunity to vent frustrations at these changes.

2. Involve your staff in marking the ending

Have your staff create a simple list of what is ending—for example, they won't have access to LEXIS/NEXIS anymore, won't be working in the same office, won't be handling subject X. Have them share their lists with each other at a group meeting. For a group that will no longer be working together, have them list accomplishments from the past year.

Have your group keep their lists. After a couple of weeks have passed, ask if they are ready to look at the positive side of the change. Expect that they will take longer than you might want, and be patient. Trying to move ahead too quickly will undermine morale and actually slow down adjustment to the changes.

When your group is ready to consider the positive aspects of the changes, ask them, "What benefits do you see?" or, "How can we make the most of this situation?" Suggest that they devise a symbolic way to move from the ending to this positive future.

For further Information . . .

Your local bookstore should have:

The Psychology of Adjustment and Well-Being

Reinholdt & Winston (1988)

Stanley L. Brodsky provides some exercises for use in increasing your personal adaptability. He emphasizes the positive impact of a flexible approach to the challenges one confronts in work and life in general.

Managing Transitions: Making the Most of Change

Addison-Wesley (1991)

William Bridges reviews factors that make change difficult. He offers many strategies to managers for helping their staffs get through organizational changes. These strategies will allow your court staff to continue to contribute productively after changes occur. Quotations in the margins make for interesting reading, and each chapter has a helpful checklist.

The Federal Judicial Center lends:

Life After Downsizing

Catalog No. 2710-V/93

This 26-minute, two-part video program is designed to help employees and supervisors deal with the changed circumstances and atmosphere that follow a downsizing: guilt, lingering fear and distrust, the tension of trying to do more with fewer people, adverse reactions to changed job definitions, and the loss of colleagues. Understanding these normal reactions and learning to cope with them will greatly hasten the organization's return to desirable levels of productivity and help to restore morale.

Your local community offers:

Volunteer work different from your job

Instead of volunteering at a community organization to do something you do at work, volunteer in an area that will expand your repertoire. If you are an introvert who keeps to yourself, pick something that will get you up in front of a group. If you are a detail person who could develop your intuitive skills, paint a mural.

Building Relationships means creating supportive relationships around work; considering and responding appropriately to the needs, feelings, capabilities, and interests of others; providing feedback; treating others equitably.

Whatever your area of work in the court, tight deadlines, budget pressures, and escalating demands from the public may strain working relationships.

Those who supervise can play a critical role in building and maintaining supportive relationships at work. You can help establish trust between management and staff, and among staff. Try the following six suggestions:

1. **Meet regularly**
   Use one-on-one meetings on a regular basis to build relationships with your staff. Plan group meetings (see Fostering Communication Through Meetings and Job Aid: Agenda). Find out how staff members are doing at their work and what obstacles they face this week. Help them surmount those obstacles. Show interest in their ideas by asking, "What do you think is the best approach for us to take?"

More Tips

As a supervisor or manager, spend quality time with each employee. Assign them to meaningful committees and task forces where they can observe your style. Consider meeting for social events. Perhaps invite a group to view one of the movies suggested in this guide.

2. Cross-train

Arrange for staff members to learn what others around them are doing. Have people cover for one another and share responsibilities. Where possible, consider short-term, temporary assignments. For example, bring a person from a branch office to headquarters for a week and vice versa.

A judicial services supervisor in a district court described how cross-training improved the working relationship between courtroom deputies and docket clerks. Some pretrial services offices have found that teamwork improved when clerical staff accompanied an officer to the county jail to conduct an investigation and when they sat in on counseling sessions between an officer and a client. Direct exposure to the officer's work helped change the role of clerks from subordinates to partners. (See Resources.)

Main Menu

3. Delegate challenging assignments

From time to time, ask your staff, "How are you feeling about your work?" Ask if they are feeling challenged. See if you can offer additional activities to meet their interests and to help them develop professionally. (See Valuing Diversity.) By increasing employees' interest in work, you can raise the quality of their work. This will build commitment to the performance of your court unit and to court operations overall.

Have staff members develop job aids for specific tasks they perform to be used in case of emergencies. Test job aids by allowing employees to observe you as you complete the tasks as written. Together revise and publish them for future use in actual emergencies.

4. Recognize performance: give positive feedback

Positive comments by a manager to an employee are highly motivating and can increase productivity. Show interest in employees' work. Catch people doing things right, and let them know you noticed. (See Communicating.)

Where possible, share with the judge outstanding individual performance in your court unit. Submit articles to appropriate publications suggesting that others might benefit from the innovative work of your employees.

More Tips

Post a suggestion to the Administrative Office's bulletin board, on cc:Mail, or to the Federal Judicial Center's training bulletin board, which is part of the AO/ITD electronic bulletin board on (202) 273-2696. Always give full credit for employees' ideas.

Several courts promote positive feedback by having staff members single out each other for recognition. There are different methods of doing this, including one in which staff can trade in rewards accumulated for prizes. Most important, design a system that works for you, your office, and your staff.

5. Discover what works

Ask employees to find out what other federal agencies and companies do to build better relationships. Get your group together and evaluate the ideas that people collect. Select two or three ideas and try them over the next year in your court unit.

Make this an ongoing effort. Have a suggestion box that anyone can use to pass on ideas for improving working relations. Say, "Let's work together to make this a better place to work."

6. Develop support systems among staff

Make a list of areas in which individuals can help each other out. Use the Job Aid: Peer Support to compile a short directory on operations and procedures. Then make copies for everyone and encourage people to approach one another for assistance. Say, "Let's take out more time to help each other learn shortcuts and get started with new procedures."

Main Menu

More Tips

Count to 27! 1 . . . 2 . . . 3 . . . 4 . . . 5 . . . 6 . . . 7 . . .

If you start to lose your temper with someone, you should wait before speaking with them. Think the situation over and write down what is upsetting you. Take some time away from the situation. Then come back and look over what you wrote. This technique of writing down your reactions can help you separate out your emotions and better see if the problem is as severe as it first appeared.

A mid-level manager in one of the judiciary's larger districts has this to say about the qualities her staff valued:

> One thing that meant a lot was my availability. I was involved in an awful lot of projects, so often I was out of the office. Staff wanted to know that they could get my attention, even if I wasn't in the office.
>
> Staff need to know that you support them, that you are with them, that you are providing a safe environment for them to learn. They want to know that you want them there in the unit, that it's okay to try something different or new, and that you will be there with them.
>
> And, having some kind of open communication with your staff is important. When possible, I ask not to be surprised because I can support or defend an action better if I have participated in the decision. I ask staff to meet me halfway, to give me a sense that we are in this together.
>
> I see my role in supervising as doing my best to help my group do their best. I draw on all my strengths to help staff be successful. I want staff to understand that, to the best of my ability, I will try to help them.

Relationships are built on trust and respect for human dignity. If staff trust me, because of that relationship, they will be more willing to try something new and different. Without that trust, they may not go down that path.

I really feel that we spend the best hours of the day at work. We give our best energies of our day on our job. So, I am committed to having that environment be the most gratifying, the most challenging, the most exciting that it can be for us.

For further information . . .

To get started, use the following job aid:

Peer Support

This is a form for you, your staff, and your co-workers to complete. Each person identifies one or two areas in which he or she is willing to help others. You compile and distribute a directory of these areas, and individuals contact each other as they need assistance.

Your local bookstore should have:

The Empowered Manager: Positive Political Skills at Work

Jossey-Bass (1989)

Relationship building is more than reacting to situations and trying to make peace. Author Peter Block describes how supervisors and managers “in the boiler room” of organizations can make the office a better place to work, increasing job satisfaction and productivity.

The Federal Judicial Center lends:

Delegating

Catalog No. 2079-V/81

This 20-minute videotape describes which parts of a job are right for delegation, who the candidates for these delegated tasks are, and how managers can avoid taking back what they have delegated. The program shows how to break habits of "holding on" and how to build stronger departments while easing the workload.

Your local video store lends:

The Wizard of Oz

This film teaches a lesson about how people can build relationships while pursuing a common goal. Task and relating go hand-in-hand: people get to know each other better in the process of working together. Watch this film and consider Dorothy's role in leading and supervising her group.

The Federal Judicial Center offers:

Structured On-the-Job Training

This highly interactive three-day workshop provides court personnel with the requisite skills for training employees. It covers such topics as conducting task analysis, constructing job aids, and delivering training in the workplace.

FrontLine Leadership Unit

Basic Principles, Giving Constructive Feedback, Dealing with Emotional Behavior, Recognizing Positive Results, Clarifying Team Roles and Responsibilities, Building a Collaborative Relationship with Your Peers

Main Menu

Communicating means ensuring a consistent, timely flow of high-quality information within the court and to court constituencies; conveying information clearly in writing and in oral presentations; encouraging open expression of ideas and opinions.

You have an expanding number of communication channels available, including memos, faxes, voice mail, and electronic mail. Yet you may not get messages across the way you want or collect the information you need from others.

Every aspect of your court's work depends on effective communication. You are a conduit, and you create conduits for the flow of information. When supervising, you need to use a variety of strategies to convey information to managers, co-workers, and staff. Try the following eight suggestions:

1. **Promote two-way communication**
   When you communicate with people—whether it's face-to-face, on paper, or via electronic messages—be a model of the effective communication you want from others.

More Tips

In face-to-face conversations, try to listen actively and hear the other person's point of view. Give the other party the benefit of the doubt and assume that his or her message is important. When talking with the person, at first remain silent. Pay attention, but resist the temptation to make comments right away. This allows people to say everything they need to get across to you while allowing you to listen and focus only on the message they are sending.

Show concern in understanding what others have to say. Use phrases like, "Let's see if I understand the situation: What you said was . . ." and paraphrase what people have told you. Another way to make communication two-way is to use the speaker's own words. If an employee describes a computer problem as a "BANCAP malfunction," use those same words. Do not challenge his or her description. There will be time later to ask questions. Don't jump in too quickly with your view, or employees will get a different message—that you disagree with their interpretations.

In your written messages, use clear, simple language. Use the active voice. Avoid jargon. Don't sound like a government document.

2. Foster dialogue

Open-ended questions are ones that cannot be answered with a simple "yes" or "no." The point is to explore. Try saying, "Give me a little more background," or, "Can you help me understand your reasoning?" Say, for example, "I understand the need for a wide area network, but could you say more about the impact it has on the divisional courts?"

Use more open-ended questions in your conversations and encourage your co-workers to do the same. When you think you or others may be rushing to action without understanding one another, try saying, "Let's be sure we hear what each of us is saying. Can you back up and go over that again for me?"

3. Report status

Give people around you frequent updates on your work. This includes not only your superiors but also your co-workers and staff. To find out how often you should provide that update, first try a biweekly report. Adjust the frequency of the report based on how the people who receive the update respond.

Your report, whether oral or written (see Job Aid: Status Report), should let people know how work is moving along, what issues have surfaced, and other topics of interest. Remember that your work will affect the work of your manager, co-workers, and staff. Let them see your perspective on operations so that they can better coordinate their work with yours.

Always close with an offer for further comment. Don't assume that everyone knows exactly what you are talking about. At the end of your report, say, "Please see me if you have any questions," or write, "Feel free to give me a call to discuss this further."

4. Reflect feeling

Use words that demonstrate to the speaker that you are sensitive to the emotional quality of the situation. For example, if you've been told of a run-in with an argumentative attorney, say, "It's aggravating when someone treats you like that," or, "That would make me angry."

In the courts, it may seem like dwelling on feelings takes too much time. The idea is to give attention to feelings so that people can move forward. Take the time to pay close attention to emotions. You are likely to see a payoff in morale. (See Motivating Others.) If the emotions are too much for you to address, consider seeking support—for yourself, as well as the employee. (See Managing Stress.)

5. Choose the most effective method

No single method will do. To start, make sure you know all the methods you and your group can use. Here are some methods:

- handwritten comments on drafts
- face-to-face meetings
- formal reports
- highlighted comments
- group decision-making software
- faxes
- group meetings
- voice mail messages
- adhesive note tags
- formal letters

6. Provide balance in your communication methods

You may find yourself relying on just a few methods because they work best for you. That's a signal to try something new. Any method, if you or your co-workers rely on it to the exclusion of others, will eventually limit communication. That is one reason why Apple Computer, Inc., enacted a policy banning electronic mail and requiring people to talk to one another face-to-face.

7. Check clarity of message with someone else

People often write down thoughts without testing them for comprehension. What makes sense to you often will not make sense to others. The solution is to ask someone to read something before you send it.

In one probation office, management switched from having supervisors review presentence reports to having officers review each other's work. Officers wound up writing more carefully when they knew that their colleagues and friends would be examining their work. Everyone's writing improved as a result.

8. Summarize

Much communication in the office is spread out in bits and pieces. You can help people connect those pieces and focus on the result. First, review all that has been said. Scan the papers or messages that have been sent. Then let people know any agreements or decisions that have been made. Make sure to note feelings as well as the facts covered along the way.

At times when no decision has been reached, let people know where you are in the decision-making process. Write, "Here is an update on our ongoing discussion about (the subject)." Highlight issues by saying, "At this point, the major concerns identified are . . ." Then list them, staying faithful to the perspective of the people who expressed those concerns.

More Tips

Don’t cry wolf

When you repeat the same message too many times, people start to tune you out. Remember the fable about the little boy who cried “wolf” in jest so many times that people didn’t believe him when he really encountered a wolf. You may be communicating important and truthful messages, but repetition will discourage people from taking you seriously because they’ve “heard” it all before. So be strategic. Make your point in different ways. And save your most urgent appeals for when you truly need people’s attention.

One former chief U.S. probation officer, who has trained court supervisors and managers across the United States, has this to say about communicating:

> I believe it was Dr. Tom Peters, in his book *In Search of Excellence*, who coined the phrase MBWA, or "management by walking around." I first learned this idea as a social worker at a prison early in my career, although I didn't have a catchy name for it.
>
> No manager can manage from his or her desk. You must walk around and become familiar with the territory your staff must cover. In my case, I have made it a practice to visit the branch offices and, where possible, to ride with officers on their field visits. I have enjoyed this part of the job more than any of the other tasks. The problem has been that there were never enough opportunities to do MBWA. If I could set the clock back, I would schedule no less than one day a week for MBWA.
>
> As the old Indian saying goes, "Do not criticize another until you have walked a mile in his moccasins." How can we, as managers, know what our staff faces unless we MBWA? Oh yes, we can say, "I remember when I did that job." But jobs and environments change daily. Rather than bring staff to my office to answer their requests, I visited their offices and talked to them where they were. This really helped me to understand their problems and requests.
>
> Take time to manage by walking around. Your staff deserves it.

For further Information . . .

To get started, use the following job aid:

Status Report

This is a sample report designed for you to use to keep your manager and staff informed of project status. You might also ask your staff to complete this form and submit it to you. Click on the Job Aid arrow.

Your court librarian can help you obtain:

Good Communication That Blocks Learning

Chris Argyris
Harv. Bus. Rev. (July—August 1994), 77—85.
Argyris argues for candor in office communications. He warns that managers often undermine the motivation of employees through communication that glosses over genuine fears and concerns.

The Federal Judicial Center lends:

Successful Communication Skills

Catalog No. 2215-A/89
This six-audiotape program takes listeners through the content covered in the Pryor Seminars on supervising. This material may be of interest to staff in general, as well as the court management team.

The Federal Judicial Center lends:

Expressing Yourself: The Art of Being Heard

Catalog No. 2449-V/90

The way we express ourselves can mean the difference between being ignored or misunderstood and having others really hear us. This 16-minute videotape helps participants plan messages, understand differences between listeners, use the power of the positive, and employ effective communication skills for presenting their viewpoint.

The Federal Judicial Center offers:

Put It in Writing

This video-based, commercially produced program teaches participants how to write more clearly and more easily. Course topics include clarity, organization, techniques for outsmarting deadlines, and refining the final product.

Applied Supervision	Lesson 3: Communications
FrontLine Leadership Unit	Giving Constructive Feedback, Getting Good Information from Others, Getting Your Ideas Across

Fostering Communication Through Meetings

People in court management spend a lot of time in meetings—meetings that they convene as well as attend. Consequently, people want to see that these meetings accomplish something.

When run effectively, meetings can energize a court. Meeting leaders can let participants know ahead of time what will be up for discussion. Leaders can encourage preparation that will ensure good use of people's time. At the meeting, these leaders can facilitate communication and learning by taking the following eight steps:

1. **Have a purpose, or don't meet**

   Too often, people gather with little forethought. Managers hold meetings out of habit or a perceived need. If there is no reason to meet, don't bother. Here are possible reasons to meet:

   - to clarify responsibility;
   - to provide mutual assistance;
   - to identify and solve problems; and
   - to coordinate activity.

   Whatever the purpose for the meeting, write it down and circulate it in advance.

Main Menu

More Tips

2. Prepare for a focused meeting

Use an agenda (see Job Aid: Agenda) to define the purpose and desired outcomes of the meeting. A purpose could be "To plan a self-assessment of the Enhanced Supervision program." An outcome could be "Finalizing draft calendar showing coverage during the circuit judges' conference." Inform those attending the meeting of the agenda before the meeting takes place. Make specific assignments on the agenda so that people know what you want them to do at the meeting.

At the start of the meeting, briefly review the agenda. Develop or review ground rules. Present background information that will help the group focus on the subject at hand.

3. Encourage different points of view

Let people know you want them to participate. Say, "I want to hear ideas and opinions." Hold back your personal views—as hard as that might be to do. Actively seek out different points of view and protect new ideas. If no one offers anything, ask someone to play devil's advocate and come up with another view. Use the nominal group technique and other methods that ensure participation by everyone present. (See Communicating.)

When there is a lot of interest in a topic, break your group into smaller groups so that everyone can speak to the issue. Then ask someone to summarize the group's consensus. This will give more people a chance to have their say.

4. Handle disruptions

Start by reinforcing helpful behavior (remembering to use nonverbal cues like a nod or smile). When a staff member dominates the discussion or is too negative, put the ground rules to use by reminding everyone to follow them. Say, "Can I hear from someone who has not spoken yet?"

Equally disruptive is the staff member who leaves during the middle of the meeting because he or she needs to return to other work. You may not be able to confront the situation when it happens. Talk with this individual as soon as possible and describe the impact of his or her behavior. For example, say, "When you left I found it hard to keep people focused on the discussion." Or say, "You are an important part of our meeting. What needs to change to get your full participation?"

5. Keep your group focused and maintain momentum

Ask questions or make a statement to regain focus. Refer to the agenda to stay on track. For example, say, "We have spent five minutes on Item 1. Are there any other ideas before we move on to the next item?"

More Tips

6. Summarize what you accomplished

Ask a meeting participant to review or recap what was decided regarding each item on the agenda. You might also do this yourself.

Reviewing the meeting gives those involved a clear understanding of what was covered and what agreements were reached. This also allows everyone to feel that something was achieved and the time was well spent.

7. Plan next steps

Don't adjourn before you make sure that there is a follow-up. Make sure people take part in planning action and assuming responsibility for some of the work you've identified. Set dates. Assign someone to follow up on progress made before the next meeting. That way, when people get together again, there is greater chance that progress will have been made.

8. Publish the minutes

Someone once said that the minutes of a meeting should be published within minutes after the meeting adjourns. Record only the decisions made. Do not rehash who said what.

Make sure that all tasks have staff members assigned for follow-up and anticipated completion dates. In this way, your minutes become a plan of action.

For further Information . . .

To get started, use the following job aid:

Meeting Agenda

This blank form will help you set up a focused meeting and make better use of everyone's time. Notes on how to use the form are shown on your computer screen but are not visible when you print out the actual form. Click on the Job Aid arrow.

The Federal Judicial Center lends:

More Bloody Meetings

Catalog No. 2444-V/84

Winner of many national and international awards, this 27-minute videotape, featuring John Cleese, shows the three laws of meetings: unite the group, focus the group, and mobilize the group.

The Federal Judicial Center offers:

Facilitating Successful Meetings

This commercially produced program is designed to help participants plan and conduct meetings. The two-day program addresses developing and adhering to an agenda, using effective strategies for handling disruptive behavior, encouraging diverse points of view, and ensuring that appropriate follow-up steps are taken.

Applied Supervision	Lesson 3: Communications (see checklist for planning group meetings from pp. 3–22)
FrontLine Leadership Unit	Conducting Informational Exchange Meetings

Main Menu

Valuing Diversity means recognizing the mix of similarities and differences among staff and court users; building respect for differences; drawing on the unique skills and background of each employee to build effective teams and enhance productivity.

In 2000, court employees and users will be more heterogeneous by race, ethnicity, gender, age, physical ability, religion, language, parental and marital status, and educational background.

As court staff become more diverse, their unique talents can be tapped to serve increasingly diverse users. Supervising this changing work force presents both challenges and opportunities. Here are seven suggestions:

1. **Acknowledge that differences exist**
   All employees have similar needs for recognition, dignity, and survival, but these needs may be satisfied differently. For example, individuals' sense of respect and space may vary depending on culture, age, gender, geographic location, and other factors. In fact, there are so many factors that go into individual preferences that you should stay away from generalizations.

More Tips

Ask people what name they prefer to be called. Don't assume everyone likes nicknames. Be careful in using first names, especially with older workers. Guard against being overly familiar with employees. Not everyone is as formal or informal as you might be. Start by learning about your own assumptions. (See Exercise: Inventory of Values.)

2. Don't assume others know what you really mean

For example, courts in which staff members have different cultural backgrounds (i.e., where they grew up, family structure) invariably run into problems about what it means to be "punctual." When you notice people operating on different understandings of time, or any variable that affects your court unit, it's time for you to talk to them. Share what you observed, not what you may guess underlies the behavior. Say, "I notice that people are starting work at different times. Can we come up with a system that works for everyone?"

3. Find common ground

Talk about similarities—those values, goals, and ideals that bring individuals together as a unit and as people. Ask your staff, "How do you view the situation?" Then point out areas where you all seem to agree. You might summarize a discussion with a statement like, "So for all the different concerns we have voiced, the points we seem to agree on are . . ."

Main Menu

4. Look beneath the surface

View people as you would an iceberg. The tip of the iceberg is barely visible above water. Only when you look below the surface can you really see the depth and magnitude of the iceberg.

Ask yourself whether you would react the same way if this person were someone else in your group. If not, there is a good chance that you are getting stuck on personal characteristics and losing your focus on the underlying issue or the concern being raised.

Many courts have conducted training programs like *FrontLine Leadership* (see Supervising, in General). These programs provide an approach to work built on what are called "basic principles." The first principle addresses the challenge of overcoming outward appearances: Focus on the situation, issue, or behavior, not on the person.

5. Discover what motivates employees

People are different. (See Motivating Others.) Get to know all of your employees and find out what motivates them. When possible, take that into consideration in assigning jobs. Find out how employees prefer to be rewarded and recognized, then add appropriate incentives into the rewards and recognition system. Provide employees with coaching and mentoring that will vary in form and content at different stages of their careers.

More Tips

In one district court, staff were very focused on family. Managers took several steps to respond to that family orientation. For example, on the day the school district encouraged school children to visit their parents' workplaces, the managers invited staff with children to bring them to the court.

6. Build teams

Diversity works best in teams in which members build on and respect others' ideas. Have employees state their ideas and, for each idea, have them develop a plan of how it could work. Have them solve problems that require them to rely on each other's expertise. (See Fostering Teamwork.)

7. Take a break

If there seems to be conflict or tension among your staff, and if they are not willing to talk about it, have everyone write a couple of sentences as to why your group is not working well. Call a break in work or in the meeting. Read the comments and decide what to do.

If people do not want to talk in a large group, break them up into smaller groups before they discuss something as a large group. When you call the small groups back together, have each one choose a representative to speak.

For further information . . .

Try this exercise:

Inventory of Values

Use this exercise to learn about the assumptions you make in dealing with people. Also consider inviting your staff or co-workers to do the exercise. The instructions include some general information on values. To use this exercise, click on the Exercise arrow.

Your local bookstore can order:

Beyond Race and Gender: Unleashing the Power of Your Total Workforce by Managing Diversity

American Management Association (1991)

R. Roosevelt Thomas emphasizes the limits of traditional approaches to dealing with diversity issues. He stresses the importance of an organization's assessing and modifying its cultural roots with a "culture audit." Case studies and a culture audit are provided.

Managing Work Force 2000: Gaining the Diversity Advantage

Jossey-Bass (1991)

David Jamieson and Julie O'Mara outline a management model based on greater responsiveness to diverse individual needs and talents. The authors forecast the makeup of America's workforce in 2000 and suggest implications for organizations.

The Federal Judicial Center lends:

A Winning Balance

Catalog No. 2615-V/93

This 34-minute videotape introduces workforce 2000 and promotes the importance of appreciating and understanding differences in the workplace. Interactive exercises illustrate a range of workplace behaviors and encourage discussion. This is a useful and instructive videotape for an introduction to diversity for all employees.

The Federal Judicial Center offers:

Diversity in the Courts: A Guide for Assessment and Training

Federal Judicial Center (1995)

This resource guide is designed to help courts develop diversity training programs for general staff, supervisors, and managers. The guide provides suggestions on managing a diverse workforce, enhancing productivity, and fostering employees' understanding of one another. It includes instructions on how to assess the need for diversity training, develop a curriculum, locate and work with consultants, and build support for the program. An annotated list of readings and training videotapes is also provided.

Main Menu

Managing Stress means developing strategies that help staff maintain productivity and efficiency during stressful situations; creating a desirable and supportive work environment; providing a balanced perspective on work.

Overwork just does not work anymore. People cannot sustain too high a pace and still remain healthy and productive. In courts in which pressure is high, staff may feel burnt out.

In supervising others you are in a position to affect—positively or negatively—the stress levels of your staff. There is hope. You can manage stress and provide a model for those around you. Try the following seven steps:

1. **Plan ahead**

   Surprises are most likely to trigger physical stress responses—what doctors call the "fight or flight" response. Try to reduce surprises by looking down the road.

   Anticipate problems. As a particularly busy season approaches, call your staff together and ask them to recall what happened last time. Say to them, "Let's realize that we cannot control the volume of case filings, but we can do better for ourselves and each other if we plan on how to deal with it."

More Tips

Get people to talk about what happened last time and how they would want to do it differently this time. Use these experiences to come up with a flexible approach for the future. (See Staying Flexible.)

2. Inform upper management of current stress levels

Know and observe physical signs of stress displayed by your employees: procrastination, inability to say no, lack of stamina and sensitivity, difficulty listening, and lack of rewards. Help your superiors and top management understand the current stressors affecting your staff. You have the best perspective on what is affecting performance. You will also have a sense of whether conditions are improving.

When you meet with other managers to discuss office operations, bring up working conditions. Pose questions like, “Are others noticing any changes in stress in our office?” and, “Do we see any changes in the coming months that might increase stress on our staff?” Remember and remind colleagues that a major decrease in cases can be as much a contributor to stress as a major increase. It’s the change that is stressful.

Main Menu

3. Inform your staff

Be sure that you share valid information with your staff as soon as possible. Watch for and eliminate rumors. Even if you don't know all the facts and effects of a proposed change, your open stand will reduce stress rather than allow rumors to build. When you are silent, people will tend to imagine the worst. It's better to say, "I don't have an answer to that, but I can check it out and get back to you," or, "I'm not sure, although I know they are discussing that upstairs," than to have your staff think that you know something but are not telling them.

4. Initiate some overall improvements

Don't wait to react to a crisis. Take steps to improve working conditions before a crisis occurs. Come up with some creative solutions. Here are some you might try:

- Organize staff support groups of working parents as a tool for helping court employees juggle the stresses of raising families while working.
- Provide staff with a sign that they can display outside their work area to signal that they would like to avoid interruptions. Such a system allows employees to maintain some control over the stress of work and interruptions.
- Invite your management team or staff to spend a few minutes assessing their stress levels and coping mechanisms (see Exercise: Stress Equation).

More Tips

5. Prepare for emergencies

At home, you probably have important numbers posted in case an emergency arises. Do the same at work. Have the phone number for your Employee Assistance Program (EAP) somewhere that is easy to find. Better yet, meet with your EAP counselor and learn about the services that the EAP provides and how to take advantage of them.

Provide a hotline for employees to raise questions regarding their work. Use the expertise of your staff members to answer hotline questions. This set-up is common for work on the computer, but you need this also for regular operations. Ensure that a person seeking an answer gets the best answer when he or she needs it.

6. Exercise and encourage your staff to exercise

If you have exercise facilities in the building or close to your office, make a point to use them and suggest that your staff do the same. Instead of going out to lunch with your staff, set up a lunch-hour walk.

Use less electronic mail; instead, go to see people in person. Take the stairs instead of an elevator.

7. Take time for yourself

Once a week, take time out—literally. Take off your watch, hide every clock, and pace yourself by your own natural rhythms. Replenish your personal energy through your own thoughts and actions. For example, try closing your door or going to an isolated place and doing stretching exercises. Take some of this time to think about the future and focus on your goals. (See Balancing Priorities.)

Lend an ear

One chief deputy points out that, under present conditions in the judiciary, court staffs are more and more likely to be affected by major life crises. If you spend an hour listening to an employee in your office, you'll get six hours more work than if he or she had called in sick. Let staff know that you are available, and make time to hear their personal concerns so that they can get back to work. (See Communicating.)

For further information . . .

Try this exercise:

Stress Equation

You can use this exercise to measure your own stress levels. Also consider inviting your staff or co-workers to do the exercise. The instructions include some general information on stress. To use this exercise, click on the Exercise arrow.

Your local bookstore should have:

Coping with Difficult People

Dell (1981)

When you supervise, you face added stress from your work relationships. Author Robert M. Bramson distinguishes between different types of difficult people and suggests strategies for coping with each. He suggests that you identify the kinds of difficult behavior that most frustrate you and recommends disengaging to handle those situations most effectively.

The Federal Judicial Center lends:

Stress Management: A Positive Strategy

Catalog No. 1822-V/90

This program outlines strategies for coping effectively with stress: becoming aware of sources of stress; responding to stress; managing feelings and reactions; practicing relaxation techniques; using problem-solving and communication skills; balancing work, health, and personal life. Two videotapes include five lessons with an accompanying workbook.

The Federal Judicial Center offers:

Achieving Balance

This modular, commercially produced program has been tailored for use by court personnel. The objective of the program is to help court staff balance their focus and energy between home and the workplace. The program includes modules on managing stress, planning and organizing activities, enhancing interpersonal communications, and building support systems.

FrontLine Leadership Unit

Dealing with Emotional Behavior

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Next Skill

Motivating Others means encouraging and enabling others to achieve; fostering enthusiasm, a feeling of investment, and a desire to excel.

Downsizing and higher caseloads in the courts have affected staff morale. Especially for those who joined the federal courts during a period of growth, there is a sense that an informal contract has been broken. The court family is no longer safe from external pressures.

Those who supervise have a responsibility to build and maintain morale. It's necessary to find out from staff members what motivates each of them. Supervisors can help people manage their jobs in difficult times. Take the following seven actions:

1. **Get to know your staff**
   Take time to learn what helps each individual do his or her best work. Ask, "What most excites you about the work you do or could do here?" Spend time with each staff member on neutral ground (i.e., outside your office; for example, in a conference room) finding out what motivates that person. Invite each person for a walk outside the building instead of a coffee break. (See Building Relationships.)

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2. Inspire: Use motivational quotes to begin a meeting

A supervisor in a probation office asked, "If Proctor and Gamble can find meaning in detergents, and McDonald's can rejoice over low-cholesterol french fries, how much persuasion is necessary for the pretrial services officer to celebrate the Constitution?" Post a motivational quote when you gather staff together and ask for reactions: Can your staff link this idea to their work in the court?

Purchase a series of motivational posters and place them in strategic locations in the office. Change them monthly. Encourage staff members to develop a motto, theme, organizational patch, or banner to represent their team.

3. Give credit where credit is due

You may not be able to provide money, but for many folks, recognition—in a public setting or in a personal note—often means more. Here are some occasions for praise:

- completing a new and difficult job
- ably handling someone from outside the court
- working overtime
- redesigning an old form
- restoring equipment to working order
- getting favorable mention in a local newspaper
- giving another employee a hand

More Tips

Share these achievements with other staff members. Sometimes it is appropriate to praise privately, but for most situations, public recognition is more effective. Make praise a habit, but use it only when it is deserved.

4. Provide perspective

People want to know how their work contributes to that of others. They want to see how they fit into the operation. When people better understand the importance of their individual contribution to the overall organization, there is less room for passivity, boredom, and apathy. The Federal Judicial Center's programs for clerks, described on the resources page, are an excellent way to let everyone in your office see the big picture.

One probation office required the probation officers to cover the telephones for one day while the secretaries received training. The office was never the same again, as empathy replaced criticism.

5. Listen to staff complaints

People feel their jobs and their positions in the court are more significant when their complaints are taken seriously. This does not mean that you can solve—or even need to solve—every problem presented. (See Making Decisions.)

Whenever possible, take action on a complaint. Respond with empathy so that the person feels understood. For example, if a staff member objects to the way an attorney addresses him or her, don't say, "What's the big deal?" but rather, "That must be difficult for you. How can I support you?" If you cannot support the complaint, say so without an apology. There are some things you cannot change. Employees will understand this.

6. Encourage initiative

You can often encourage people to take the lead in addressing situations on their own. One savvy manager has a sign on her door that reads, "Please come in, but before you do, think about the problem and be prepared to offer a solution." Another supervisor reminds his staff, "If you cannot be a part of the solution, don't be a part of the problem."

7. Solicit advice: Use your staff as sounding boards

Seek counsel from within your staff. First, think about the skills and unique perspectives that each person can offer so that you turn to the right person for advice. Then show people that you value their input by putting some of their ideas to use.

One chief regularly asked staff members to list the changes they wanted to see made. Then he shared this list with managers at the next management meeting. The management team listed the problems in priority order and posted the results as the problems were resolved.

One chief deputy in a mid-sized district court offers this perspective on motivating others:

> Whenever an opportunity presents itself for you to deliver good news, deliver it yourself. For example, if you can personally hand out the paychecks, do it. When an attorney comments on the service he or she received from a member of your staff, take the time to let that employee know that his or her work was noticed and appreciated. If you are involved in ordering court logo shirts, mugs, or the like, deliver them when they arrive. If pictures have been taken at a court event, get them developed and post them on a bulletin board.
>
> Whenever you can, pass on good news, praise, and rewards.
>
> There is enough bad stuff that happens at work. Supervisors and managers are often the first to pass on that type of news. Sometimes we take good aspects of our job for granted. We can improve the perception of our court as a workplace by paying attention to the good side and by highlighting it. The first step is to notice what is positive and let others know about it.

In addition, we need to treat each other as complete human beings, not just cogs in the wheel of the judicial process. That means we need to go even further to notice important events in people's lives. We may not go to every happy or sad event, but we need to tie the business with the personal if we want to get the most out of our co-workers.

Everyone wants someone to care about them, to listen to them, to remember things about them. If you listen to and care about each member of your office, then each person will listen to and care about you and the office.

For further information . . .

The Federal Judicial Center lends:

Bringing Out the Best in People

Catalog No. 2482-A/91

Based on the international best-seller by the same title, this set of six audiotapes outlines the "12 simple guidelines used successfully time and time again to obtain extraordinary efforts from ordinary human beings." The program presents the tools used by such successful leaders as Lee Iacocca and Mother Teresa to inspire and energize others.

The Best of Motives: Nobody Ever Asks Us (Part I)

Catalog No. 2700-V/94

This 32-minute video focuses on motivating teams through sharing information and providing feedback and recognition. It portrays a group whose only interest is their next paycheck. Instructions and goals provided by the team leader are regarded as irritating interruptions. Once the team leader helps team members understand how their individual jobs fit into the overall context, the team starts to perform at its potential.

The Federal Judicial Center offers programs that you can arrange for your staff:

Deputy Clerks—Making a Difference

This day-and-a-half program can help your staff see how their work fits into the overall court operation. It is designed to provide deputy clerks with an appreciation of the people and processes at work in administering the caseloads in their courts. It features two modules. The first depicts a hypothetical case as it progresses from initial filing to case closing. Officials from the court participate in a dramatization and answer questions from participants. The second module identifies typical reactions deputy clerks have to changes in their roles and responsibilities and describes strategies for adapting to these changes.

Understanding the Changing Role of Probation and Pretrial Services Clerks

This day-and-a-half program is designed to provide clerks with an appreciation of the people and processes at work in administering criminal justice in their courts. It features two modules. The first depicts a hypothetical case as it progresses from arrest to pretrial interview, arraignment, sentencing, and the initial supervision interview. The second module identifies typical reactions clerks have to changes in their roles and responsibilities and describes strategies for adapting to these changes. The Center provides experienced clerks to present both modules.

Applied Supervision

Lesson 8: Motivation

FrontLine Leadership Unit

Coaching for Optimal Performance, Recognizing Positive Results

Fostering Teamwork means forming appropriate structures and teams to meet organizational goals; fostering a work climate in which collaboration and teamwork can flourish; managing team differences; rewarding group and team efforts that advance the court's mission.

The courts have traditionally rewarded individual performance. Increasingly, however, superior organizations are successful because of the collective efforts of their teams.

People can achieve more by working together than by working separately, leading to a number of benefits for the court. Fostering teamwork will ensure success. Here are six things you can do to foster teamwork:

1. **Develop team capacity**
   Begin by helping team members to know each other better. Spend time assessing individual team members' skills. Find out what unique talent each person can contribute. Encourage team members to develop their skills and abilities by giving them more challenging parts of the work. For example, take someone who has contributed to planning and ask him or her to develop a timeline for the project. If someone is not using his or her skills to the full extent, have that person undertake a more difficult task.

More Tips

2. Together clarify team and project goals

What are the desired results of a specific project? Get everyone involved in sorting them out before you get underway. Help people see how the team's work fits in with the general work of the court. (See Thinking Strategically.)

For example, if you are considering the merger of two branch offices, the needs of those assigned to the offices are valuable data for your final plan. Ask them, "What do you want this merger to achieve?"

3. Decide who does what

Work with your staff to develop a definite understanding of what is expected of them. Have them identify what they see as their roles and, wherever possible, incorporate their ideas into yours. Ask, "Given our objective, what are you prepared to contribute?" (See Appraising Performance.)

If you wanted to develop a new operations manual for your office, you would pick the most experienced employee to help develop the manual. However, you would also want to include someone who has good organizational skills, even though that person may not know all of the procedures. The least experienced employee in your office may also be an asset to the project because he or she will ask probing and clarifying questions as the procedures are written down.

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4. Decide how to make decisions

Have your team members discuss how they will make decisions. Will they use consensus, where everyone has to truly agree with major decisions before the group proceeds? Will it be majority rule, with others expected to support the majority's position? Determine what situations require a different procedure for decisions. Consensus may be all wrong for a technical application, such as how to store computer data.

Remember, sometimes both methods are necessary. Agree to differ and resolve the differences by the most appropriate method based on the task, the resources, and the time available.

5. Use conflict to solve problems

Conflict happens in teams. Seize the opportunity created by conflict and use it to contribute to team productivity. Remember that conflict is a natural step in a team's progress from formation to high performance.

First, clearly define the problem causing the conflict. Because an improper definition of the problem will lead you to develop inappropriate solutions, you probably want to spend more time on this step than you are inclined to spend. Ask people, "Are we sure we have spelled out the underlying problem?"

More Tips

Write out the problem in one sentence. Then have all of the team members discuss their interests in having the problem resolved (see Influencing & Negotiating). Team members can then brainstorm potential solutions, discuss the pros and cons involved in each solution, and determine the best course of action.

6. Always focus on the goal

Once you have figured out where you are headed, don't file it. Restate the project goal in memos that you write, mention it in correspondence, meetings, and electronic mail. In short, keep the goal visible. As your work progresses, help your group maintain a clear and common idea of the end product.

To enhance client supervision, several years ago a couple of chief probation officers coined the phrase "catch the vision." They then set out to change the way clients were supervised in every district court. Their efforts were successful because they never lost sight of the goal.

More Tips

Forget going directly to the promised land

Groups will naturally go through the stages of forming, storming, and norming (see Model: Stages of Group Development) before they can get to the high-performing stage. Be patient. It's a process. You have to go through it. Your job is to help move the group from one stage to the next.

As the group forms, help members clarify their individual roles and the overall team goals. Expect conflict as the group moves into storming and help iron out problems. In the norming phase, ask, "How are we working together (e.g., making decisions)." If something needs discussion, bring it up. Part of your job is to spot the promised land on the horizon and plot the path to reach it.

For further information . . .

To get started, refer to the model:

Stages of Group Development

This diagram shows the various stages in the development of a team. For each stage, it describes interpersonal issues, group behavior, group task, and leadership issues that are important to consider. Click on the Model arrow to view it now.

Your court librarian can help you obtain:

Building a Learning Organization

Harvard Business Review (July–August 1993), pp. 78–91.

Author David A. Garvin discusses the foundation needed within an organization to support high performance. He articulates the goal of becoming a learning organization, suggests guidelines for managing progress toward that goal, and recommends tools for measuring progress.

The Federal Judicial Center lends:

Team Building: An Exercise in Leadership (revised)

Catalog No. 2718-V/93

Based on the book by Robert B. Maddux, this 25-minute video presents a hands-on approach to team building. Topics covered include goal setting, planning, controlling, organizing, motivating, improving communications, building trust, and resolving conflict.

Team Player

Catalog No. 2102-V/92

The viewer learns key elements to a successful team effort. Topics examined in this 21-minute video include the role of the team player, team ground rules, problem solving, participation, and critical team skills.

The Federal Judicial Center offers:

Team Leadership

This seven-module commercial program provides techniques to assist team leaders in building trust and inspiring teamwork.

FrontLine Leadership Unit

Clarifying Team Roles and Responsibilities, Conducting Information Exchange Meetings, Resolving Team Conflicts

Appraising Performance means clarifying work tasks and responsibilities; accurately assessing the employees' strengths and areas for improvement; giving timely, specific performance feedback.

Appraisals may be regularly scheduled events that involve much paperwork. You may feel like a judge, trying to assess conduct and correct behavior. What's worse, the appraisal may bring to the surface confrontations you've been avoiding.

It doesn't have to be that way. The key is to manage performance. Discussions about performance, if done continually, can motivate and lead to growth. Through coaching rather than judging, people appraised can learn a great deal. Take the following seven steps:

1. **List what you want done**
   Make sure that everyone has a job description. Then start by writing out the specific activities that you would like each person to do. Type them up or write them out on a memo pad—but get them on paper. In some offices, this process starts by asking all employees to write down their current activities from their perspectives.

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Ask employees to review their job descriptions to be sure that they include all pertinent tasks. Make sure the written descriptions are accurate and complete.

2. Identify behavior that works

Take the list of activities and divide it into three categories: those activities you want the person to **keep** doing, those you want the person to **stop** doing, and those you want the person to **start** doing. If you use the employee's list, you may need to add items.

Make your list objective; don't confront, but don't avoid. For example, write,

- "Consult me before changing the filing system" instead of "Don't mess up the files;" and
- "Continue to meet deadlines, hold weekly meetings, and submit accurate reports" instead of "Keep up the good work."

Use examples to ensure that what you mean will not be left open to interpretation. State your objectives in performance terms that can be measured.

More Tips

3. Explain the reasons for your requests

Discuss with the employee why each of the requests you've written down is important. For example, how will each of your requests make presentence investigations or docketing more efficient? Do not imply that the request is your final word on the matter. Ask the person you are appraising to look at your list and edit your requests where necessary.

4. Find out how you can support the employee

Now that you have examined the employee's performance, discuss how you can help him or her do what you're asking. The employee may want you to set aside more time to review his or her work or provide additional updates on Administrative Office policy. Use this conversation to learn how to better do your job. (See Knowing Yourself.)

This step requires you to listen and not monopolize the conversation. Make sure that you understand this person's individual needs. You may want to work together to assign a percentage of time to each duty and balance the work to be accomplished.

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5. Put the performance agreement in writing

What you have talked through can serve as the basis for an agreement—what you and the employee expect from each other. Revise it so that it will become something that you can both follow. Also, schedule regular review dates during the following year. This will pave the way for next year's performance appraisal.

6. Focus on success: doing things right and doing right things

Throughout the following year, focus on things that are working. Put as much energy into noticing positive behavior as you may to spotting mistakes. Manage by walking around, not to look over people's shoulders, but to show interest. Tell individuals and teams when they do good work. (See Communicating, which describes the technique of managing by walking around.)

Establish a short "instant-report form" to record both positive and negative behavior. Keep it simple, but make it reflect what has been accomplished. For example, if a deputy clerk you supervise takes initiative to save the court money on a purchase, record this. Give the employee a copy of your report.

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7. Revisit the agreement during the appraisal

Using this approach, the scheduled appraisal can be much more relaxed than what you typically expect. Begin by having individuals appraise themselves. (See Job Aid: Self Appraisal.) Discuss problem-solving strategies, modifications to the contract, and future goals and objectives. Conclude on a positive note.

By putting time and energy into an agreement at the beginning of the year and by reviewing work as it occurs, you will defuse negative energy on both sides when it is time for the appraisal meeting.

Don't prepare for an inquisition

Don't save up negative comments for the appraisal meeting and go in with a large list. If you missed the opportunity to say something soon after a problem occurred, wait until it happens again. Write out what you will say so that you will be prepared to talk about specific, observable conduct. Remember that emphasizing what works often achieves more results than highlighting what's wrong.

Insights

A senior court executive in a U.S. district court has this to say about managing performance:

> Outside of work I was speaking with a coach about how we were going to divide up the responsibilities for this year's team. She asked me to handle all of the motivational aspects of running the team. Her reason was basically that she has difficulty concentrating on that area because she thinks that motivation comes from within each player, and she doesn't believe that coaches can provide motivation.
>
> I am troubled that she does not see how a coach's behavior can affect players' motivation. This idea is particularly important at work because many managers are frustrated by what they view as a lack of motivation in their staffs.
>
> I believe that everyone begins life with a fundamental desire to receive positive feedback from the people who shape their lives. Children quickly learn what behaviors result in approval from their parents. They also quickly learn what behaviors will result in punishment and what behaviors will cause their parents to ignore them. Each person's behavior patterns are affected, at least to some degree, by the responses they receive to that behavior.

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The challenge you face in supervising is to reevaluate those behaviors of your staff that you find frustrating. Analyze the behavior from their point of view. If people seem to avoid answering the telephone, could that be caused by the fact that your performance appraisal system only counts the number of docket entries being made? While you may argue that people ought to answer the phone anyway, why should they, if you aren't going to give them credit for it in the appraisal?

If your best workers are starting to give you trouble, could it be that you are always going to them with extra work when a crisis happens? If you find that backlogs are continuing to grow, could it be that you are assigning overflow work to the people who are the most current, creating an incentive to be behind?

Above all else, take interest in your staff's performance. Acknowledge it. Reward good performance. Make conversations about performance part of your everyday interaction with those who work for and with you.

For further information . . .

To get started, refer to the model:

What is a Performance System?
This diagram shows the various stages in a performance system and how those stages relate to one another. Click on the Model arrow to view it now.

Try the following job aid:

Self-Appraisal
Provide this one-page questionnaire to your staff prior to a formal appraisal. Use it together with your court's appraisal form to have individuals assess their own progress and areas for improvement. Click on the Job Aid arrow to view it now.

Your local bookstore should have:

The One Minute Manager
Morrow (1982)
Authors Kenneth Blanchard and Spencer Johnson point to simple actions that you can take daily with your staff and co-workers. For example, they explain how performance appraisal can be part of everyday interactions, rather than something that builds up into a pressure-filled event.

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The Federal Judicial Center lends:

The Dreaded Appraisal

Catalog No. 1663-V/90

This 34-minute program explains how to make appraisals an effective method of keeping people happy and motivated. Set in three different work environments, the program looks at some of the most common problems the appraiser encounters during an interview.

Your local video store lends:

Karate Kid

Watch how the master trains the kid. What were the tasks? How did he provide feedback? Why didn't he wait until everything was accomplished before evaluating the kid's performance? How can you apply this with your staff?

Applied Supervision	Lesson 4: Solving Performance Problems, Lesson 5: Counseling Employees
FrontLine Leadership Unit	Giving Constructive Feedback, Recognizing Positive Results, Establishing Performance Expectations, Coaching for Optimal Performance, Developing Job Skills, Clarifying Team Roles and Responsibilities

Influencing & Negotiating means persuading; expressing ideas in ways that lead others, including judges, to share a common perspective and reach agreement; appropriately using negotiation, persuasion, and authority in dealing with others to achieve goals.

Conflicts are not limited to the courtroom. Those who supervise face differences of opinion over interpretation of rules and regulations, resource use, personnel policies, and a host of other issues. There is no way to avoid these conflicts.

Those adept at supervising will resolve conflicts and help others reach consensus by satisfying different and competing interests. They will also advance their own views. Try the following seven suggestions:

1. **Focus on interests, not positions**
   An interest is "timely docketing." A position is "files closed by 3 p.m." Focus on interests by voicing your concerns and explaining what you want. Another option is to state the basis for your position. Say, "I want people to be able to speak directly to staff when they call the court," rather than, "You need to cover the phones during working hours." Ask others to describe their interests. Be truly curious about how the problem looks to them.

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Within your management team, reexamine long-held positions to see if the interests have changed. Ask, "What was the reason for this policy?" This can help you keep people focused on what is really at stake on any given issue.

Negotiating interests rather than positions is much more likely to result in multiple solutions that satisfy both parties.

2. Consider alternatives to reaching agreement

Consider your best alternative. Jot down what you could do without the agreement of any other party. Is it better or worse than the proposed agreement? These alternatives can show other options that are available, so that you don't give up too much in the negotiation.

3. Generate options—become more open-minded

Be open to new ideas. Pose the question, "What are some possible agreements that might creatively meet our different interests?" For example, one supervisor had an interest in providing the intake department with daily assistance from case managers. She addressed the case managers' concern of being away from their desks for long periods by suggesting a weekly, instead of monthly, rotation. She also came up with a plan to assure them that work left behind would get processed by others. (See Staying Flexible.)

Some managers like to bring in an outsider for this step. With less invested in the situation, this person often can better identify solutions that satisfy the underlying interests of both parties. Use universities, professional associations, and other government organizations for help.

4. Be fair

Is your proposal fair to all sides? Ask yourself whether the criteria you propose are likely to be accepted by other parties. Use objective criteria to indicate that the other side is being treated fairly.

In some cases, having a standard helps you defend the agreement. With parking, for example, you could explain choosing to rotate an extra parking space by pointing out that doing so provides everyone equal use and precludes evaluating whether one person's need is stronger than another's.

5. Make well-planned, realistic commitments

First agree how to handle the negotiation. For example, agree to spend an hour today and conclude tomorrow. Do not pin yourself down to commitments about the subject you are discussing until you are sure the solution being considered has a good chance of working.

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One way to make realistic agreements is to jointly write a statement of the agreement. Also, a commitment does not have to be final; just be sure to clarify its status (for example, tentative, subject to the clerk of court's or chief probation or pretrial services officer's approval).

6. Communicate—really listen

S.I. Hayakawa, the former U.S. Senator from California and a linguist, said, "Active listening means more than maintaining a polite silence while you are rehearsing in your mind the speech you're going to give the next time you speak." You need to understand the interests of the other party in order to propose a mutually satisfying solution. (See Communicating.)

7. Build long-term relationships

During the negotiation, build a working relationship that can handle and resolve differences. You may need to work with this person again. It is in your interest to listen, communicate well, and search for solutions that satisfy both of you. (See Building Relationships.)

This is especially true when you are the boss. Your position gives you the power to make a final decision. But sometimes personal power is diminished when you rely on your authority rather than the relationship that you are trying to establish.

More Tips

Watch yourself in the mirror

Observe yourself. Notice what does and does not work when you negotiate. Do you listen well? The next time you lead a staff meeting, jot down every time you interrupt someone else. Do you understand the other party's interest? Do you make commitments that are realistic and feasible? (See Knowing Yourself.)

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For further information . . .

Your local bookstore should have:

Getting Ready to Negotiate
Penguin Books (1995)
Roger Fisher and Danny Ertel guide readers through preparations to negotiate, using the style of negotiating summarized in the preceding tips. The book is designed to provide a refresher course on negotiation and to make negotiating situations more productive.

The Power to Persuade: How To Be Effective in Government, the Public Sector, or Any Unruly Organization
Houghton Mifflin (1994)
Richard Haas, an author with wide government experience, offers tips on how to influence in four directions: north (the boss), south (direct reports), east (co-workers), and west (those outside your organization who have the potential to affect you).

Your local video store lends:

1776
Watch John Adams as he works with challenging people and the sharply diverging interests of 13 colonies to reach a unanimous decision. Consider how he supervises a very complicated task to achieve a negotiated result.

More Resources

The Federal Judicial Center lends:

Between You and Me: Solving Conflicts for the Public Sector

Catalog No. 2927-V/95

This 23-minute videotape helps to show employees how to solve conflicts among themselves without involving their supervisors. It can be useful to teams, encouraging internal resolution of conflicts.

The Federal Judicial Center offers:

Negotiation Skills

This two-day traveling seminar is designed to teach mid-level and senior court managers the principles of effective negotiations. The seminar is fast-paced and highly interactive, and it provides participants with a method for assessing their performance as negotiators. The seminar also offers participants the opportunity to practice their skills in negotiating exercises, one of which is videotaped and critiqued.

FrontLine Leadership Unit

Confronting Issues with Your Manager and Peers, Winning Support from Others

Thinking Strategically means considering a broad range of external and internal factors when solving problems and making decisions; appropriately adjusting actions to address strategic issues.

The technical nature of work in the courts, coupled with the hierarchical structure of most court operations, often confines people to one area of an operation. Individuals may not grasp the larger picture and the interconnections between work done inside and outside the court.

A view of what is on the horizon and how each person fits in the total organization helps individuals best contribute. A more complete perspective enables personnel to better serve internal and external users. Try the following six suggestions:

1. **Detect trends**

   Talk to people in other court units and at different levels of the court to learn their perspectives on current issues and trends affecting operations.

More Tips

One way to get started is to ask, "What do you see as the major trends affecting our operations?" Or, instead of talking to people one at a time, gather a group to answer these questions together. Leaders in both probation offices and bankruptcy courts have tried this second approach, bringing together representatives of key constituencies to describe trends from various perspectives.

Consider setting up a task force to study trends and make recommendations to the management group in your court. Another option is to arrange with a local college or university for a graduate student to study your operations. This can be a low-cost way to secure expert advice. Involve your staff in this effort. It can also be a way to motivate them. (See Motivating Others.)

2. Learn about user concerns

Who makes use of the court's services? Think in terms of groups as well as individuals. Think of these people as users of your court. Solicit their views on issues and trends.

Some bankruptcy and district courts have set up user groups (for example, members of local bar associations who appear regularly before the court). If you have such a group, meet with them to ask for input or to check out an idea. Have a survey form available at the intake counter and ask people to evaluate the court services that they use.

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3. Benchmark

Informally compare your performance with that of other courts and other organizations in both the private and public sectors. When one probation manager wanted to learn about developing leaders, she went behind the scenes at Disneyland. Another went to UPS. When one clerk of court wanted a model for implementing total quality management, he linked up with a nearby Air Force base that had a successful program.

Once you have identified an organization that has an operation worth emulating, study it. Arrange to meet with your counterpart at that organization. Compare notes. See if you can use any of the strategies that work for him or her with your staff.

4. Look ahead: Describe the ideal operation

Some strategists say that you gain more from getting people to agree on where they want to be in the future than you do from trying to fix the problems of the past.

Attempt to picture the future. Say to your team, "I'd like each of you to describe working at an optimum level ten years from now. What would that entail?" Ask them to describe the leadership, how your unit would be structured, how people would work together, and any significant changes they would make to current operations. Have them submit that description to you. Then see if you can develop an implementation plan and gain support for the plan right away.

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5. Begin activities to move toward that ideal

Once you sense that people share a common ideal and are willing to work toward it, identify things people can do right now to make progress toward that goal. (See Making Decisions.)

In one bankruptcy court in which everyone wanted to promote a less-paper, if not paperless, operation, court managers formed an ad hoc committee. The court determined that a handful of attorneys did the most filings before the court, so the clerk brought in representatives from their offices to participate in the discussion. Systems people in and outside the court started to meet regularly to coordinate their plans so that they could achieve the common long-range goal. They went from talking about a good idea to implementing it.

6. Refocus your energy on priorities

Look again at how you spend your time. (See Balancing Priorities.) Ask yourself, "How can I increase the amount of time and effort that I devote to tasks that are critical to the court?"

Dig up the court's time capsule

Look at the court before you were hired and today. What is different? Automation programs? New personnel decisions? New judge or judge vacancies? Downsized or expanded staffs? How did thinking strategically affect each of these changes? Looking ahead, what is next? What must you do to be prepared?

Resources

For further information . . .

Your court should have:

Long-Range Plan for Automation in the Federal Judiciary

Judicial Conference of the United States (1995)

This document by the Committee on Automation and Technology charts the future of automation in the federal courts. It suggests how automation will contribute to achieving the judiciary's mission. According to the plan, the goal "is an integrated court system that renders distance between courts largely irrelevant and provides a modern judicial system with reduced costs to the litigant and taxpayer, greater effectiveness, wider access, and enhanced accountability."

Proposed Long-Range Plan for the Federal Courts

Judicial Conference of the United States (1995)

This report by the Committee on Long Range Planning represents the first phase within the federal judiciary to determine long-term goals and strategies for reaching them. The plan provides a perspective on day-to-day operations. For example, it states, "The mission of the federal courts is to preserve and enhance the rule of law by providing to society a just, efficient, and inexpensive mechanism for resolving disputes . . . ." Note that these recommendations are under review by the Judicial Conference, which ultimately may adopt or reject them.

The Federal Judicial Center lends:

From Red Tape to Results: Reinventing Government

Catalog No. 2708-V/94

This 30-minute video program is designed to train public-sector organizations to transform themselves into customer-driven businesses. The change model demonstrated in the video covers developing a customer-focused vision, creating a strategic plan, streamlining processes, empowering employees, and measuring results.

The Federal Judicial Center offers:

Maximizing Productivity Project

This project offers training to court management and staff on three strategies for improving productivity and quality of work life: team-based management, total quality service, and process improvement. Unit executives attend a three-day orientation workshop to learn about the three strategies. Start-up workshops are available to launch in-district implementation.

FrontLine Leadership Unit

Solving Problems: The Basic Process, Solving Problems: Tools and Techniques

Recap of Supervisory Skills & Tips

Print these pages onto heavy paper or card stock, then cut them out and keep them with your *FrontLine Leadership* fuzzy folder, in your planning calendar or wallet, next to your computer, or anywhere else that they will help remind you to think through these supervisory tasks.

Knowing Yourself

1. Assess your strengths and weaknesses.
2. Check your perceptions with others.
3. Use your strengths in new places.
4. Improve in two or three weak areas.
5. Write up an action plan with goals and actions.
6. Seek and obtain support.
7. Check on your progress.

Dream of success.

Balancing Priorities

1. Identify what matters in the long run.
2. Analyze how you spend your time.
3. Select some important, non-urgent activities.
4. Add some new high-priority activities.
5. Eliminate some time wasters.
6. Delegate: You coach or train, they carry out.

Drop some balls from your juggling act.

Making Decisions

1. Take note of problems or opportunities.
2. Set objectives.
3. Generate alternatives.
4. Gather information.
5. Evaluate the alternatives; consult those affected.
6. Choose the best alternative and announce it.
7. Implement the decision.
8. Evaluate the effectiveness of the decision.

Staying Flexible

1. Be willing to not know.
2. Explore several ways to approach a situation.
3. Yea-say, don't nay-say.

And during change…

1. Acknowledge the ending.
2. Involve your staff in marking the ending.

Mentally bungee-jump.

Building Relationships

1. Meet regularly.
2. Cross-train.
3. Delegate challenging assignments.
4. Recognize performance: give positive feedback.
5. Discover what works.
6. Develop support systems among staff.

Count to 27! 1…2…3…4…5…6…7…

Communicating

1. Promote two-way communication.
2. Foster dialogue.
3. Report status.
4. Reflect feeling.
5. Choose the most effective method.
6. Provide balance in your communication methods.
7. Check clarity of message with someone else.
8. Summarize.

Don't cry wolf.

Fostering Communication Through Meetings

1. Have a purpose, or don't meet.
2. Prepare for a focused meeting.
3. Encourage different points of view.
4. Handle disruptions.
5. Keep your group focused and maintain momentum.
6. Summarize what you accomplished.
7. Plan next steps.
8. Publish the minutes.

Valuing Diversity

1. Acknowledge that differences exist.
2. Don't assume others know what you really mean.
3. Find common ground.
4. Look beneath the surface.
5. Discover what motivates employees.
6. Build teams.
7. Take a break.

Managing Stress

1. Plan ahead.
2. Inform upper management of current stress levels.
3. Inform your staff.
4. Initiate some overall improvements.
5. Prepare for emergencies.
6. Exercise and encourage your staff to exercise.
7. Take time for yourself.

Lend an ear.

Motivating Others

1. Get to know your staff.
2. Inspire: Use motivational quotes to begin a meeting.
3. Give credit where credit is due.
4. Provide perspective.
5. Listen to staff complaints.
6. Encourage initiative.
7. Solicit advice: Use your staff as sounding boards.

Fostering Teamwork

1. Develop team capacity.
2. Together clarify team and project goals.
3. Decide who does what.
4. Decide how to make decisions.
5. Use conflict to solve problems.
6. Always focus on the goal.

Forget going directly to the promised land.

Appraising Performance

1. List what you want done.
2. Identify behavior that works.
3. Explain the reasons for your requests.
4. Find out how you can support the employee.
5. Put the performance agreement in writing.
6. Focus on success: doing things right and doing right things.
7. Revisit the agreement during the appraisal.

Don't prepare for an inquisition.

Influencing & Negotiating

1. Focus on interests, not positions.
2. Consider alternatives to reaching agreement.
3. Generate options—become more open-minded.
4. Be fair.
5. Make well-planned, realistic commitments.
6. Communicate—really listen.
7. Build long-term relationships.

Watch yourself in the mirror.

Thinking Strategically

1. Detect trends.
2. Learn about user concerns.
3. Benchmark.
4. Look ahead: Describe the ideal operation.
5. Begin activities to move toward that ideal.
6. Refocus your energy on priorities.

Dig up the court's time capsule.

This guide lists a small selection of educational programs on audiotape and videotape. These are available for loan through the Media Library of the Federal Judicial Center's Information Services Office. A complete list is contained in the Center's annual publication *Catalog of Audiovisual Media Productions.*

How and when to submit requests

Court personnel should photocopy the Loan Request Form to request items from this guide. All requests must indicate the individual borrower's name as well as the name of the court. Requests lacking complete information will be returned unfilled.

So that the Center can ship in time for scheduled dates of use, submit requests as far in advance as planning will permit and in any event no less than two weeks in advance. Assuming sufficient lead time, the Media Library will ship all available items in advance of the dates they are needed. All requests are filled in the order received. Requesters will be promptly notified in writing if specific programs are not currently available and will automatically be placed on a waiting list for those programs.

How many items may be requested

To meet the large number of requests, we must ask that you limit your requests to the following quantities: audiotapes: six catalog numbers per order; videotapes: two numbers per order.

Audiotapes

- Bringing Out the Best in People
- The Seven Habits of Highly Effective People
- Successful Communicating Skills

Videotapes

- The Best of Motives: Nobody Ever Asks Us (Part I)
- Between You and Me: Solving Conflicts for the Public Sector
- Decision Exercises: Dealing with Difficult Situations
- Delegating
- The Dreaded Appraisal
- Expressing Yourself: The Art of Being Heard
- From Red Tape to Results: Reinventing Government
- How to Solve Problems
- Life After Downsizing
- More Bloody Meetings
- Stepping Up to Supervisor
- Stress Management: A Positive Strategy
- Team Building: An Exercise in Leadership (revised)
- Team Player
- A Winning Balance

Media Library Loan Request Form

Photocopy for use. Please print or type.

Date:

Programs requested

Titles	Catalog numbers

Name: _____

Court: _____

Address: _____

_____

street (deliveries cannot be made to P.O. boxes)

_____

room number or internal mail system identifier, if applicable

_____

city state zip code

Telephone number: _____ Fax number: _____

Needed on or before: _____

Mail to Media Library, Federal Judicial Center, Thurgood Marshall Federal Judiciary Building, One Columbus Circle, N.E., Washington, DC 20002-8003, or fax to 202-273-4027.

Most of the programs described in this guide are curriculum packaged programs: cost-effective instructional programs that were developed by the Federal Judicial Center or purchased from a commercial vendor and tailored for federal court personnel to implement in their courts. A complete list is contained in the Center's annual publication *Programs & Services for Federal Court Personnel Available from the Court Education Division*.

The programs, which are available to courts on request, typically include an instructor guide for the trainer, overhead transparencies, and participant materials. Some also include a videotape.

Most packaged programs are delivered by Center-trained court personnel who serve as instructors in the courts. Some provide court staff with a Center-produced guide for developing a program that meets their court's specific training needs. One is a "traveling" seminar, wherein the Center provides a facilitator who travels to the court to deliver the training.

Funding

The Federal Judicial Center will provide limited funding for travel by facilitators and participants from outlying court units, and for rental of audiovisual equipment and meeting rooms, if required.

Requesting a program

Each of the programs listed in this guide is available now. A request for a program must be submitted by the court's training specialist or a designated coordinator at least 45 days before the proposed implementation date. Some programs require substantial planning and commitment by the court. For more information about a particular program and application materials, contact the Center staff member listed in the current edition of the Center's *Programs & Services for Federal Court Personnel Available from the Court Education Division*. The booklet is available from your court executive or court training specialist.

Achieving Balance

The Adaptive Manager

Applied Supervision

Deputy Clerks—Making a Difference

Diversity in the Courts: A Guide for Assessment and Training

Facilitating Successful Meetings

Federal Judicial Center programs (continued)

FrontLine Leadership

Learning to Lead

Maximizing Productivity

Myers-Briggs Type Indicator

Negotiation Skills

Put It in Writing

Structured On-the-Job Training

Team Leadership

Understanding the Changing Role of Probation and Pretrial Services Clerks

Agenda

Meeting called by:

Date:

Meeting room:

Starting time:

Please bring:

Ending time:

Participants:

Purpose of meeting:

Desired outcome(s):

Agenda items	*Person responsible*	*Time allotted*
1.		
2.		
3.		
4.		
5.		
6.		

Ground rules:

Action items:

(See Fostering Communication Through Meetings.)

Feedback Instruments

Manager Feedback

Instructions for collecting feedback: Provide a copy of this form to each person who manages you.

Instructions for providing feedback: The person who gave you this form is participating in a self-study training program designed to improve his or her supervision skills. As part of the program, he or she has agreed to solicit feedback.

Please take a few minutes to respond to the questions below using specific examples. Your feedback, along with feedback from co-workers and this person's staff, is critical to his or her growth. Your comments can help this person capitalize on strengths and improve in areas that need development.

Feedback is almost always more useful when given face-to-face. We encourage you to discuss your comments with this person.

TO: _____
[individual's name]

1. You perform these supervisory tasks well:

2. To become more effective in supervising, you might develop the following supervisory skills:

3. Here are some ways in which I will support you in improving your skills:

Co-worker Feedback

Instructions for collecting feedback: Provide a copy of this form to each of your supervising peers. Include individuals in other court units and also people outside your organization who are familiar with your work.

Instructions for providing feedback: The person who gave you this form is participating in a self-study training program designed to improve his or her supervision skills. As part of the program, he or she has agreed to solicit feedback.

Please take a few minutes to respond to the questions below using specific examples. Your feedback, along with feedback from this person's manager(s) and staff, is critical to his or her growth. Your comments can help this person capitalize on strengths and improve in areas that need development.

Feedback is almost always more useful when given face-to-face. We encourage you to discuss your comments with this person.

TO: _____
[individual's name]

1. You perform these supervisory tasks well:

2. To become more effective in supervising, you might develop the following supervisory skills:

3. Here are some ways in which I will support you in improving your skills:

Staff Feedback

Instructions for collecting feedback: Provide a copy of this form to each member of your staff.

Instructions for providing feedback: The individual who supervises your work is participating in a self-study training program designed to improve his or her supervision skills. As part of the program, he or she has agreed to solicit feedback.

Please take a few minutes to respond to the questions below using specific examples. Your feedback, along with feedback from this person's manager(s) and staff, is critical to his or her growth. Your comments can help this person capitalize on strengths and improve in areas that need development.

Feedback is almost always more useful when given face-to-face. We encourage you to discuss your comments with this person.

TO: _____
[individual's name]

1. You perform these supervisory tasks well:

2. To become more effective in supervising, you might develop the following supervisory skills:

3. Here are some ways in which I will support you in improving your skills:

Feedback Analysis:

Making sense of multiple perspectives

Instructions for analyzing feedback: When you have received and had a chance to study the feedback forms completed by your manager(s), co-workers, and staff, please write a one- to two-page essay that addresses the questions listed below.

When discussing this feedback with your staff, remember these guidelines: (1) Clarify messages. Don't defend your actions—rather, try to understand the perceptions people have of you; (2) Acknowledge both positive and negative feedback. People want to know that you have heard them. You might say, "One thing everyone seems to be saying is . . . ."

1. What impact did the information from your manager(s), staff, and co-workers have on you?
2. Based on the discussions with your manager(s) and staff, what do you perceive as your major strengths and areas for improvement?
3. What surprised you most about this feedback?
4. How could you make more use of your strengths?
5. If you had to choose one area in which to improve, what would it be and how would you change?

(See Knowing Yourself.)

Peer Support

The task or subject on which I can offer support is:

_____

[Describe the task or subject in two or three words]

Support available:

Describe in detail the support that you can provide. For example, start with, "I can show how to quickly set up a motion for hearing," or, "I can work with you on organizing your files using color coding so that materials are easier to locate."

What I need from you:

I prefer to be contacted:
❍ by phone
❍ by e-mail
❍ in person

I can be of most help if:
❍ you call me over when you are working on the task or with the equipment
❍ we can talk this through

Please give me advance notice of:
❍ a day
❍ at least a week
❍ none needed, just get in touch

I'd like to meet:
❍ over lunch
❍ at my desk
❍ at your desk

List any added requests you have of the person approaching you for advice (for example, write, "Fridays are best for me").

Contact information:

Your name: Phone/extension:

Peer support directory

When you have completed this form, please return it to _____. As soon as the forms are collected, they will be copied and distributed to you. Then your first step is to contact someone to ask for assistance.

(See Building Relationships.)

Pro/Con Analysis

1. _____	1. _____
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____
5. _____	5. _____
6. _____	6. _____
7. _____	7. _____
8. _____	8. _____
9. _____	9. _____

(See Making Decisions.)

Pro/Con Analysis: Commentary

Decisions are hard to make. They take time, and they affect operations. But they must be made, often with haste. The Pro/Con Analysis has helped many decision makers identify both sides of an issue.

By charting advantages and disadvantages on paper, you can speed up the evaluation process. Remember that not all staff members will see the same "pro" or "con" on an issue. Some points are very clear, and all will agree. On others, there may be two sides.

In any case, you are the decision maker. You carry the responsibility for the final outcome, so get all the help you can. Listen to others, brainstorm, take a survey, or let your staff show the "pro" and "con" of the issue. Then decide and move on.

Here are two ideas for using this aid:

1. **Collect anonymous ideas**

   Send this aid around to your staff and co-workers with a cover note briefly stating the proposed solution. Ask people to write in the advantages and disadvantages that they see and to get the form back to you by a certain date.

   Promise to let them know the results and follow through with this. That is, once you make your decision, send around a note saying thanks and, for example, "Most people listed more advantages than disadvantages, but one of the disadvantages that everyone agreed on was '*X*,' and that is such a critical point that I have decided to look for a different solution."

2. **Group brainstorm**

   Gather together the key people involved in a project and draw the Pro/Con Analysis on a flip chart, blackboard, or white board where all can see it. Ask people to take a couple of minutes to write their ideas down on a piece of paper.

   Go around the group and take one idea from each person. Stay neutral; avoid giving away your reaction to what people say. At this stage, getting everyone to speak their ideas is most important. Once all the ideas are posted, ask the group to discuss them. You can then conclude by adding your own points to "Advantages" or "Disadvantages." Surprisingly, the group may reach the conclusion that you would have made yourself. The benefit is that now everyone is more likely to support the decision as you move forward.

Self-Appraisal

The questions below are designed to help you reflect on the past year and to help us both prepare for the appraisal session. Please review your personal performance, behavior, and progress. Think through how I can support your continued growth. Then appraise yourself by answering these questions and by completing a copy of our court's appraisal form (attached).

1. What are my major accomplishments during this past year?

2. How can I better use skills not fully used in my present position?

3. In what areas do I need to improve?

4. In what parts of my work might I need more experience and training?

5. What have I done for my personal and professional development?

6. How can my supervisor or manager help me do my job better?

7. What specifically can I do this year to continue my development?

(See Appraising Performance.)

Status Report

The following is a sample of a weekly status report used by a systems manager to keep a record of projects, as well as to inform his manager. (See Communicating.) It is offered as a model that you might use or encourage your staff to use.

Oct. 16 08:23 1990 SYS.MEET7 Page 1

This is a listing of the current status of my projects, user requests, observations, and concerns for the reporting period ending with the above date.

(10.3.90) I've finished the report package that was started on September 7, 1990. These scripts can be found in directory below civil's $DBPATH called NRPTS. There are two shell scripts that spawn three awk scripts and two C executables. I've enclosed copies of all the scripts and source code. Please let me know what you think.

(10.4.90) I would like to meet with you sometime this week to discuss the installation of the new hardware in the computer room. I would like to be more informed as to what is going on.

(10.4.90) Today I noticed that our uucp connection to the training center, SATC, has not been working properly. I received E-mail this morning with information that a "call had been flushed from the queue...NO DEVICE...CALL FAILED..." I will need your approval/assistance on this. Please advise.

(10.16.90) I will be taking a notebook PC with me while training in DC next week. I will dial into the system in the evening to complete some ICMS dictionary modifications and general checking of the system.

Project Status

Workshops:

I've completed all of the workshop materials for the first three workshops. The info is enclosed with this report. We'll need to schedule time to hold these training sessions.

New Events:

There are over 100 events to modify to get ~FILERS to work the way that our court would like it to work.

There are several events that I have slated to be in operation by the middle of November. There is a more detailed list attached to last week's SYS.MEET6.

Operational Skills

Court Management Framework

Back to tips

NOTE: Training in these skills is included in current FJC/AO workshops and packaged programs and will be a continued focus in future training.

	DESCRIPTION
Managing Resources ❖	Fostering strategic use of resources; making resource decisions that enhance the organization's efficiency and effectiveness.
Human Resources ❖	Ensuring effective recruitment, selection, training, performance appraisal, recognition, and corrective/disciplinary action; promoting employee well-being.
Budget & Finances ❖	Forecasting budget trends; preparing and justifying budget; monitoring obligations; making decisions that enhance the organization's financial position.
Procurement & Contracting ❖	Making purchasing and contracting decisions that maximize use of funds.
Automated Systems ❖	Applying new technologies to organizational needs; encouraging staff to keep abreast of new technology; ensuring that staff are properly trained and proficient in using court-adopted automated programs.
Knowing Court Operations	Maintaining technical competence in relevant areas of court operations; accessing and using other expert resources when appropriate; understanding the court's culture and dynamics.

❖ The Ad Hoc Advisory Group on Identifying Competencies for Managing in a Decentralized Environment identified these skills as critical to managing in a decentralized court environment.

Personal Skills

	DESCRIPTION
Knowing Yourself ❖	Learning from experiences; seeking feedback and modifying behavior based on feedback; actively pursuing learning and self-development.
Balancing Priorities	Setting priorities; focusing on the important, not only the urgent; delegating effectively; allocating time for renewal and development.
Acting with Integrity ❖	Demonstrating principled leadership and sound ethics; building trust with others through openness; following through on commitments.
Making Decisions	Making timely and sound decisions, taking action and risks when needed; making decisions under conditions of uncertainty.
Staying Flexible ❖	Being willing and able to adjust to multiple demands, ambiguity, and rapid change; challenging the status quo and encouraging initiatives to improve court operations.

❖ The Ad Hoc Advisory Group on Identifying Competencies for Managing in a Decentralized Environment identified these skills as critical to managing in a decentralized court environment.

Interpersonal Skills

	DESCRIPTION
Building Relationships	Creating supportive relationships around work; considering and responding appropriately to the needs, feelings, capabilities, and interests of others; providing feedback; treating others equitably.
Communicating	Ensuring a consistent, timely flow of high-quality information within the court and to court constituencies; conveying information clearly in writing and in oral presentations; encouraging open expression of ideas and opinions.
Valuing Diversity	Recognizing the mix of similarities and differences among staff and court users; building respect for differences; drawing on the unique skills and background of each employee to build effective teams and enhance productivity.
Managing Stress	Developing strategies that help staff maintain productivity and efficiency during stressful situations; creating a desirable and supportive work environment; providing a balanced perspective on work.
Managing Conflict	Anticipating and seeking to resolve conflicts, disagreements, and confrontations in a constructive manner; mediating conflicts; building consensus.

❖ The Ad Hoc Advisory Group on Identifying Competencies for Managing in a Decentralized Environment identified these skills as critical to managing in a decentralized court environment.

Leadership Skills

	DESCRIPTION
Motivating Others	Encouraging and enabling others to achieve; fostering enthusiasm, a feeling of investment, and a desire to excel.
Fostering Teamwork ❖	Forming appropriate structures and teams to meet organizational goals; fostering a work climate in which collaboration and teamwork can flourish; managing team differences; rewarding group and team efforts that advance the court's mission.
Appraising Performance	Clarifying work tasks and responsibilities; accurately assessing the employees' strengths and areas for improvement; giving timely, specific performance feedback.
Coaching & Developing Others	Coaching employees to enhance performance and expand skills; providing challenging assignments and opportunities for development; ensuring that staff receive adequate training.
Influencing & Negotiating ❖	Persuading; expressing ideas in ways that lead others, including judges, to share a common perspective and reach agreement; appropriately using negotiation, persuasion, and authority in dealing with others to achieve goals.

❖ The Ad Hoc Advisory Group on Identifying Competencies for Managing in a Decentralized Environment identified these skills as critical to managing in a decentralized court environment.

System Skills

	DESCRIPTION
Creating a Vision ❖	Creating a compelling picture of the organization's values, purposes, and direction; involving staff in developing the vision; facilitating needed organizational improvement.
Focusing on Customers ❖	Staying in tune with customers' expectations about quality and service; taking actions to meet customer needs and increase customer satisfaction.
Managing Change ❖	Acting as a catalyst to pave the way for needed change; encouraging employee suggestions; assisting staff in accepting and implementing new policies and processes; managing court changes effectively.
Committing to Quality	Emphasizing the need to deliver high-quality products and services; setting quality standards and continuously evaluating court products, processes, and services against these standards; taking action to make improvements as required.
Championing System & Profession	Actively seeking opportunities to educate court constituencies and others about the court's mission and work; promoting awareness of the impact of employees' performance on the court and the community.

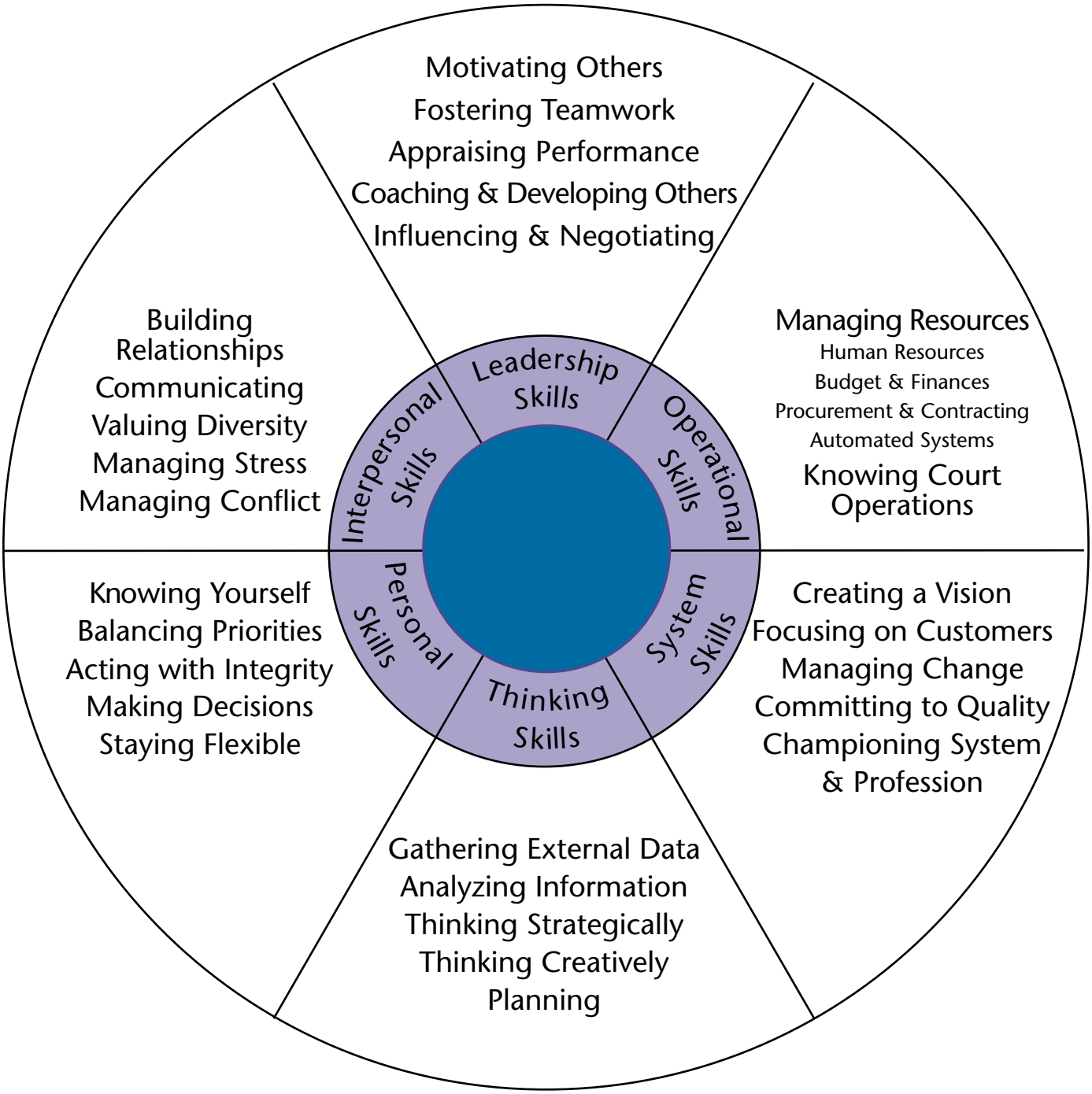
❖ The Ad Hoc Advisory Group on Identifying Competencies for Managing in a Decentralized Environment identified these skills as critical to managing in a decentralized court environment.

Thinking Skills

	DESCRIPTION
Gathering External Data ❖	Keeping current on what is going on in other courts, government agencies, and in businesses; keeping abreast of laws, policies, trends, and issues that have an impact on the court; using information in decision making.
Analyzing Information	Using quantitative information effectively to improve the court's efficiency, including assessing customer needs, defining standards for quality, and evaluating outcomes.
Thinking Strategically	Considering a broad range of internal and external factors when solving problems and making decisions; appropriately adjusting actions to address strategic issues.
Thinking Creatively	Generating insights, new ideas, and solutions; fostering innovation; bringing perspectives and approaches together and combining them in imaginative ways.
Planning ❖	Developing short-range and long-range plans that are comprehensive, realistic, and effective in meeting goals; establishing policies, guidelines, and priorities; identifying required resources; coordinating planning efforts with others.

❖ The Ad Hoc Advisory Group on Identifying Competencies for Managing in a Decentralized Environment identified these skills as critical to managing in a decentralized court environment.

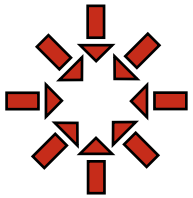
Court Management Framework



Stages of Group Development

Back
to tips

Forming



Stage 1

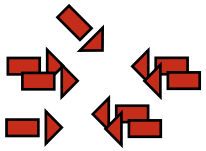
Interpersonal issue: inclusion

Group behavior: focus on similarities, suppress anger and frustration, remain neutral and polite, tolerate ambiguity and confusion

Group tasks: define membership, note similarities and differences, orient and introduce members

Leadership issue: dependence

Storming



Stage 2

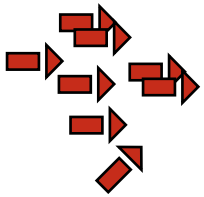
Interpersonal issue: control

Group behavior: establish operating rules, attempt to create order, attack leaders, respond emotionally to task demands

Group tasks: establish decision-making process, clarify power and influence of members

Leadership issue: counterdependence

Norming



Stage 3

Interpersonal issue: affection

Group behavior: seek cohesion, negotiate with one another

Group task: establish functional relationships

Leadership issue: interdependence

Performing

Stage 4

Interpersonal issue: affection

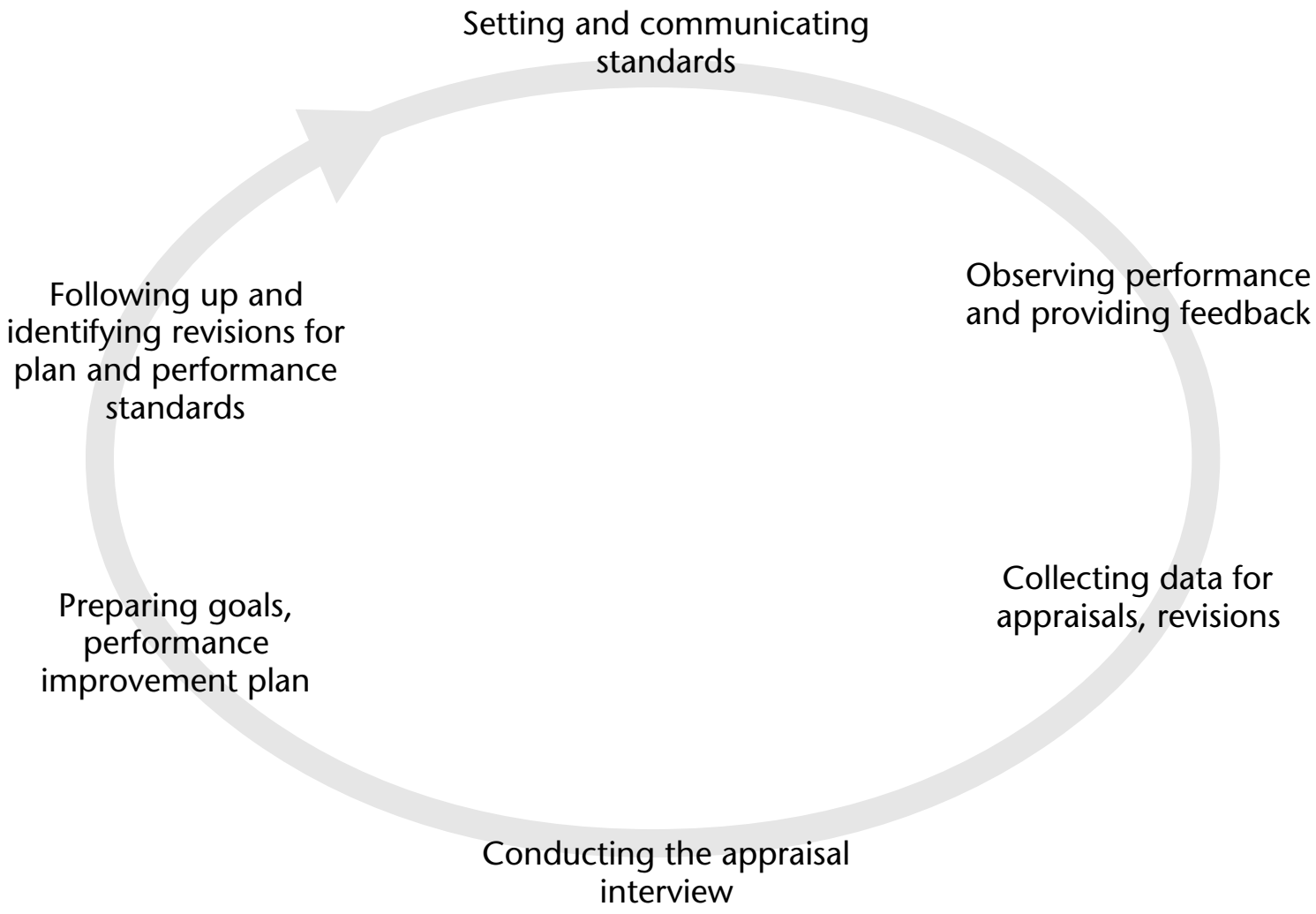
Group behavior: seek growth and insight, collaborate with one another

Group task: maintain high productivity

Leadership issue: interdependence

What Is a Performance System?

Back
to tips



Importance Audit

Back *to tips*

Exercise Objective: To help you and your co-workers analyze where you spend your time and energy.

Materials: pen or pencil.

Time Required: 10 minutes on your own; 30 minutes with a group.

General Information: Because so much of our work in the courts is driven by deadlines, we often have the sense that we have little control of what we do hour to hour. It helps to take time out to survey how you spend your time and energy. The easiest things to let slip are those activities that are important but not urgent. You can find more time to do those activities by cutting back on the time you spend on urgent activities that are not important. You can also reduce, if not eliminate, time and energy spent on time wasters: activities that are neither important nor urgent.

This exercise is based on the work of Stephen Covey. For further information, including activities and frameworks for analyzing your priorities, see Stephen R. Covey et al., First Things First (New York: Simon & Schuster, 1994).

Individual Instructions

1. Begin by finding a place where you will not be interrupted for ten minutes. One possibility is to go to the court library. Take the attached audit and a pen or pencil, which are all that you will need.
2. Complete the audit.
3. If you like to talk through analyses, find a colleague or friend and discuss your analysis and resulting decisions. Ask that person to support you in better balancing your priorities.

Group Instructions

1. Introduce the activity, explaining that your interest is to encourage people to make the most effective use of their time and establish appropriate priorities. Suggest that it will help every member of the group to hear what each of them considers important, as they may have different views on which subject would be useful to discuss.
2. Begin by introducing the concept of "important versus urgent" activities. Distribute the audit and have people look at the diagram in Step 2 of the audit. Walk people through the different examples—use no more than five minutes.
3. Ask people to remain silent while taking five minutes to complete the audit (starting at Step 1).
4. When more than half the group has filled out the audit, ask people to finish up in a minute. Then direct people to find a partner and compare what they wrote. Allow ten minutes for this discussion.
5. Reassemble the group. Ask for comments on doing more of the important parts of their work in the court.
6. End the session on time, suggesting, if appropriate, that people follow up with you or each other to continue this discussion.

Audit of Activities and Importance

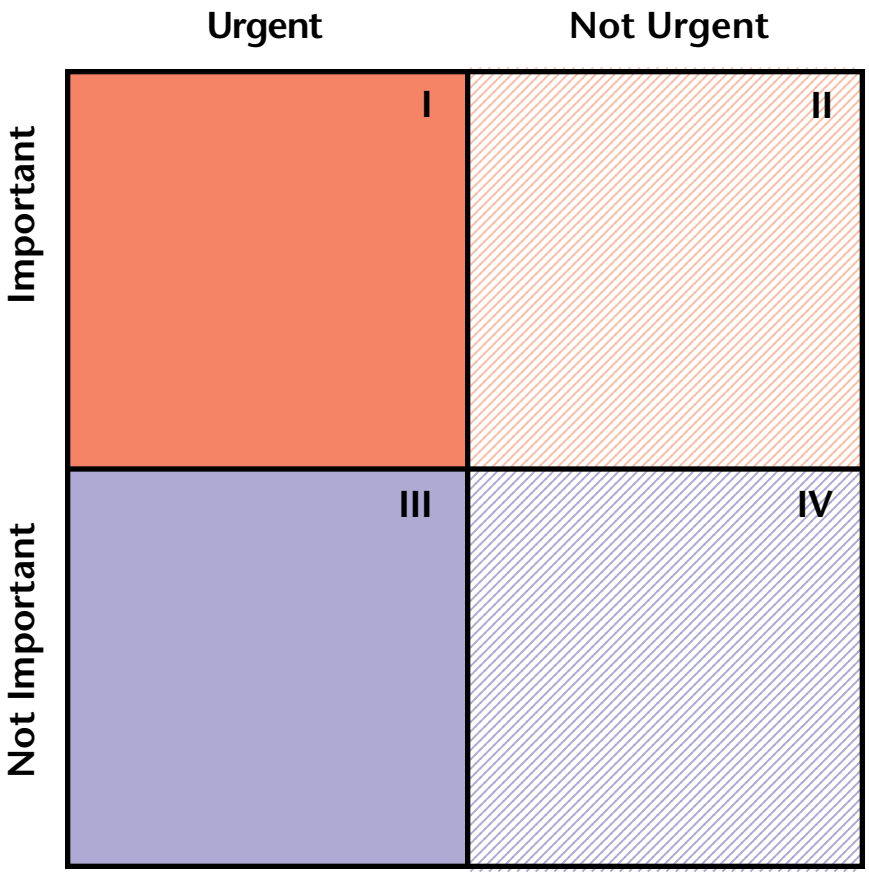
Instructions: Take ten minutes to complete the following activity.

1. In the space below, list all the activities that you perform during an ordinary month at work. Make sure that you come up with at least twenty different activities. When you are finished, review your list and see if you can add a few more.

2. Now study the following diagram, which divides activities into four categories: important and urgent; important but not urgent; not important but urgent; and neither important nor urgent:

	Urgent	Not Urgent
Important	**I** • Crises • Pressing court business • Trial-driven deadlines, filings, meetings, preparations	**II** • Preparation • Court staff development • Prevention • Planning • Relationship building • Improving service to the public • Providing feedback
Not Important	**III** • A ringing telephone, many interruptions • Some mail or reports • Some meetings • Some steps in office procedures	**IV** • Trivia, busywork • Some personal requests • Junk mail • Some phone calls • Time wasters • "Escape" activities

3. Now transfer the items on your list (Step 1) to the following boxes, referring to the example as a guide.



4. Count the number of activities that you listed in each of the four boxes. Note where you see the heaviest concentration of activities.
5. To free up some time to do important but not urgent activities (Square II), cross out at least three activities that are not important. In the space below, make notes to yourself to help you really stop doing those activities. For example, you may want to let your staff or manager know that you will no longer do something, and this may require negotiation.

Stress Equation

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Exercise Objective: To help you and your co-workers identify and examine stressors (stressful events or situations) and your coping skills and mechanisms.

Materials: pen or pencil.

Time Required: one to one-and-one-half hours.

General Information: Because we live in a world fraught with social and psychological pressures, we tend to think more about negative stress than we do about positive stress. Much is written on how negative stress can prevent us from functioning or can cause chronic anxiety and tension that can lead to health problems. Other signs of negative stress are strained relationships, lack of motivation, irritability, and absenteeism.

Good stress (or "eustress" or "Type I stress"), on the other hand, is something we often experience when learning a new and useful skill. Learning how to think critically and analyze can be invigorating. The "Stress Equation" provides participants with a model for identifying and examining the causes of and remedies for stress in their personal and professional lives. It also helps people to distinguish between good and bad stress.

Researchers have developed some useful theories to explain different kinds of stress. You may want to introduce this exercise by citing the following information from past studies.

Scientific studies reveal that humans, like animals, involuntarily respond to danger by preparing for combat or running away. This response is called "fight-or-flight." Although we no longer live as hunters whose instinctive responses are critical to survival, we still have complex biological reactions to threats or challenges which translate into physical and psychological stress symptoms, such as the following:

- hormone levels rise and sugar and fat reserves enter the bloodstream, increasing energy;
- the heart beats faster, breathing increases, and digestion stops, which permits more oxygen and blood flow to the brain and muscles;
- muscles tighten, preparing for action; and
- blood vessels constrict in the hands, feet, and skin, protecting limbs from bleeding excessively if cut (this explains the principle behind Biodots and other devices that rely on skin surface contact to indicate stress level).

These biological reactions can cause

- a rapid pulse
- tense muscles and stomach
- increased perspiration
- shortness of breath
- clenching of the jaw
- extreme difficulty in concentrating
- overly sensitive emotions

None of these reactions need be debilitating. Athletes and hard-working professionals commonly put on the steam to finish a race or meet a deadline. In fact, we all need some measure of "fight-or-flight" stimulation to achieve top performance. But stimulation, or positive stress, becomes negative stress when we misdirect or extend our "fight-or-flight" response.

Stress management experts recommend that people curtail long-term stress by finding their individual "comfort zone"—that is, a level of stimulation sufficient to energize and motivate without destroying their calm. Although the general concept of stress management applies to most people, what specifically causes stress and how much stress is too much or too little differs for everyone. Finding one's comfort zone, then, becomes a personal matter. By completing the "Stress Equation," individuals will have a better understanding of the kinds of stress they regularly confront and what they can do to break patterns of misdirected and extended "fight-or-flight" responses.

This exercise is adapted from materials in the program *Putting Effective Learning Skills to Work*, which contains additional material on dealing with stress. *Putting Effective Learning Skills to Work* assists nonsupervisory deputy clerks in developing critical thinking skills that will lead to increased job competence and satisfaction. It is a multimodule program that is customized for the court unit. The modules are Identifying and Clarifying Values and Setting Goals, Building Learning Confidence, Reading and Writing Critically, Problem Solving, Decision Making, and Learning Collaboratively. The program also offers strategies for lateral career growth appropriate for courts with limited opportunities for upward mobility. Your court training specialist has information on how to request this and other Federal Judicial Center programs.

Instructions

- Present a five-minute introduction based on the general information above.
- Distribute copies of the stress equation on the next page to each person. Explain the equation to ensure that people understand it. Offer a few examples of stressors and coping skills:

Step 3:

job/career stress	+	home/family/ community stress	+	personal stress
new boss		*divorced sister & her kids*		*car problems*
		moved in with us		
equalization				*had flu 3 times this year*
		violence at kid's school		

Stress =

professional competencies/skills	+	support system	+	personal strengths
wrote orientation manual		*Parish priest counseling*		*walk regularly*
working on professional portfolio		*Police "Partners" program*		*take initiative to study on my own*

- Ask participants to choose a partner and read the exercise instructions. Allow 15 to 20 minutes for individuals to complete Step 3.
- Allow 20 minutes for partners to define a common or major item from each component of the equation.
- Lead a discussion (20 to 30 minutes), beginning with the partners sharing the common or major items they identified. Record these items on a flip chart or transparency. Emphasize the coping mechanisms expressed: professional competencies/skills, support systems, and personal strengths.
- Close with a reminder about eliminating or decreasing negative stress, cultivating positive stress, and finding comfort zones.

Stress Equation

Objective: To identify and examine your stressors and your coping skills and mechanisms.

Instructions: Choose a partner. Work individually for about 15 minutes reviewing Steps 1 and 2 and listing your stressors and your coping skills and mechanisms on the blanks provided in Step 3. Then spend 20 minutes sharing your lists with your partner. Between the two of you, identify a few common or major items from each of your lists to share with the group.

Step 1:

$$\text{Stress} = \frac{\text{Stressors}}{\text{Coping}}$$

Step 2:

$$\text{Stress} = \frac{\text{job/career stress} + \text{home/family/community stress} + \text{personal stress}}{\text{professional competencies/skills} + \text{support system} + \text{personal strengths}}$$

Step 3:

job/career stress	home/family/ community stress	personal stress

Stress = ———

professional competencies/skills	support system	personal strengths

Inventory of Values

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Exercise Objectives: To help you identify some of the values you hold and the expectations you have based on those values. To encourage you and the people with whom you work to acknowledge differences in values and expectations, bridge those differences, and work together better.

Materials: photographs and other mementos from school or childhood, a pen or pencil, a piece of paper.

Time Required: 15 minutes on your own; one hour with a group.

General Information: Where you grew up and how you were raised have a lot to do with how you view the world, what you value, and what you expect in life. The purpose of this exercise is for you and your co-workers to examine some of the values you learned as children and see if you can connect them to assumptions you make now regarding the people with whom you work.

You may find that some of your most frustrating interactions are those with people who hold different values and make different assumptions. By understanding more about people's values, you can bridge those differences.

Individual Instructions

1. Study your past. People do this in various ways. You might find some photo albums that show the home and neighborhood where you were raised. Find pictures of your parents or grandparents or other individuals who taught you lessons about how to behave. Pull out a high school yearbook and remember the teachers who influenced you most. Take the time to reread your favorite book (find it at the library if you don't still have a copy).
2. Set aside 15 minutes to respond to the attached questions.

Group Instructions

1. Introduce the purpose of the exercise. Emphasize that this exercise is voluntary, that people should only participate if they want to learn more about the expectations they bring to their interactions with others. Also note that for some people these reflections on their lives, neighborhoods, and family will be easy and fun, but for others it may bring up unpleasant memories.

   The point in looking at the past is to trace the development of values and assumptions. Each person will then need to decide what, if any, of that personal background he or she wants to share with co-workers.

2. Give participants at least one week to conduct their own search into the past and assemble some materials that they are willing to share. People do this in various ways. Offer the suggestions listed in Step 1 under Individual Instructions.

   Explain that some things people rediscover will be private; while they are important to the person, they do not need to be shared. Things that are shared will help co-workers get a glimpse of how a person was raised and better understand the values that influence him or her.

3. Have participants set aside one hour to study and compare values and expectations. Either ask people to answer the accompanying questions on their own before the session, or start the session by allowing 15 minutes for people to respond to these questions in silence.
4. If you have a small enough group (ten participants or fewer) ask for volunteers to say something about what they wrote and share some of the mementos they brought. If you have a larger group, ask people to form groups of four to five persons and have people compare their notes.
5. Save about five minutes at the end of the hour for closing comments from participants. People will commonly say that they learned as much about themselves as they did about others. In closing you might comment, "Perhaps we should all agree to try to be less quick to judge each other when we run into what may be different values or expectations."

Questions for Exploring Value Differences

Instructions: Set aside 15 minutes to answer the following questions. Record your responses on a separate piece of paper.

1. Think back to some of the important people in your childhood. These may be parents or other relatives, or perhaps a teacher. If you have a photograph of the person, look at it. What are some of the lessons these people taught you about what is most important in life? What lessons did you learn about how to behave?

2. Think back to some of the places where you learned lessons when you were growing up about how to behave with people. It may have been a school or a religious institution; it may have been a playground. What are some of the lessons you learned from teachers or religious leaders?

3. What sayings do you recall? (For example, some people grew up with "Cleanliness is next to godliness," some with "Let it be," some with "You can be anything you want to be," some with "Know your place.") Write down some of the sayings you recall from childhood.

4. Think of a time when you may have gone from your home in a small town to a large city (or from your home in a large city to a small town), traveled to another country, or had someone from a different background stay with you for an extended period. Interacting with people who hold values different from our own can help us better understand our own values. What did your interactions reveal about your beliefs? Jot down some thoughts.

5. Now see if you can tie these values to some of the expectations you have of others. Complete the sentence, "Given the values I have and how I was raised, I often expect . . ." Try to list at least ten expectations you have.

We Want to Hear from You

We want to learn how Supervising in the Courts *worked for you and your office. Please take ten minutes to jot down your thoughts in the space below and fax this form to us.*

1. Which sections of the guide did you read? (Check "✔" all that apply.)
   - ❍ Introduction
   - ❍ Tips
   - ❍ Pop-up comments from court supervisors & managers
   - ❍ Insights from court managers
   - ❍ Resource recommendations
   - ❍ Recap of supervisory skills & tips
   - ❍ How to order tapes
   - ❍ How to request programs
   - ❍ Job Aids
   - ❍ Court Management Framework model
   - ❍ Stages of Group Development model
   - ❍ What Is a Performance System? model
   - ❍ Importance Audit exercise
   - ❍ Inventory of Values exercise
   - ❍ Stress Equation exercise
   - ❍ Help (on how to use the software)
2. Which job aids and exercises did you or your staff use? (Check "✔" all that apply.)
   - ❍ Agenda
   - ❍ Feedback Instruments
   - ❍ Peer Support
   - ❍ Pro/Con Analysis
   - ❍ Self-Appraisal
   - ❍ Status Report
   - ❍ Importance Audit exercise
   - ❍ Stress Equation exercise
   - ❍ Inventory of Values exercise
3. Which subject areas were of greatest interest to you?
4. Please list three things you liked most about this program.
5. How can this product better serve its purpose, namely, to provide a ready reference to individuals in the courts who direct the work of others?
6. If the Federal Judicial Center develops a follow-up guide, what would you like it to include? If the Center develops other resources for supervising in the courts, what might they be?
7. Additional remarks:
8. Tell us about yourself and your office:

   Position:
   Size of staff you supervise:
   Region: ❍ West ❍ Midwest ❍ South ❍ Northeast
   Years in current position:
   Total years supervising:
   Total size of your office:

Please fax this page to Michael Berney at the Federal Judicial Center at (202) 273-4020. If you would like to talk about any of these items, just note that here, and I'll call you:

❍ Please call me at (_____) _____ _____

(area code & phone number) (name)