

**FJC Bankruptcy Courtroom Use Study
Report to the CACM Committee**

**Technical Appendix 8
The Training Process**

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Bankruptcy Courtroom Use Study

The Training Process

We relied on staff in the courts to record the data we needed for the study. Doing so required a considerable training effort before data collection began, as well as ongoing support during the data collection period. By the time we completed training staff from each of the eighteen districts, we had instructed approximately 150 court staff on how to identify the data needed by the study and how to record it in DISCUS-B, the data recording software developed for the study (see Technical Appendix 7 for an overview of DISCUS-B). In this appendix we describe the training process.

Selection of Data Recorders

We surveyed the study courts early in the project to obtain information on, among other things, the persons who would be recording the scheduling and actual occurrence of events (see Technical Appendix 4 for a copy of the survey). The courts consistently identified the judges' courtroom deputies (CRDs) as the individuals who would have data recording responsibility. Because CRDs are in the courtroom with the judge and typically manage the judge's case calendar, they appeared to the courts, as well as to us, to be logical data recorders.

In addition, courts sometimes sent selected law clerks, judicial assistants, and electronic court recorders (ECROs) to the training sessions. Many of the individuals who worked with us to manage the project on-site (e.g., deputies in charge in divisional locations) took the training as well to familiarize themselves with the software. Finally, each study court appointed at least one court liaison for the project, and all court liaisons attended the training.

Preparation of Training Materials

DISCUS-B, the software used for data recording, was the core tool for achieving consistent data recording, but hands-on training of court staff was essential to ensuring that they used the software correctly and consistently. We prepared a comprehensive manual on how to identify and record the study data for use in hands-on training and for later reference by the data recorders.

Our plans for how best to design the training materials and conduct the training itself were largely guided by our experience providing similar training for the 2006–2008 District Court Courtroom Use Study. We also received feedback from members of a Bankruptcy Court Staff Technical Advisory Group that met with us in October 2008. A significant difference between the training provided for the study of district courts' courtroom use and the training provided for the current study is that for the current study, training was conducted in full-day sessions held in Washington, D.C. (as compared with shorter sessions held on-site in the district court study). We made this change for several reasons, including (1) allowing data recorders to train under optimal conditions, with reduced interruptions and no trainee attrition; (2) requiring fewer trainers, thus increasing standardi-

zation; and (3) providing more training time per data recorder, presumably leading to fewer data quality issues.¹

As we did in the study of courtroom use in the district courts, we turned to the Center's Education Division for assistance in developing the training program for the bankruptcy courts. We tested our first draft of the training materials and two versions of DISCUS-B with the help of participants from two pretest districts in March 2009. Feedback from these data recorders led to extensive revision of DISCUS-B both during and after the pretest, and, consequently, to equally extensive revisions of the training materials. The materials we developed after the pretest were used for training participants from the Wave 1 districts in July 2009. Based on that round of training, we made subsequent additional revisions, primarily in packaging rather than content, and used the new materials in the training of participants from the Wave 2 districts in November and December 2009.

Content of the Training Materials, Reference Documents, and Recording Advisories

From the outset and through all revisions of the training materials, our goal remained the same—to provide specific instruction on what data to record and how to record it in DISCUS-B. Consistent with this goal, the materials served two functions: first, as the instruction manual that data recorders could use during the face-to-face, hands-on training session that nearly all attended, and second, as a reference manual that could be reviewed as needed during the later data collection phase of the study. Training materials were compiled in a soft-cover binder, with tabs clearly delineating resources for use during training and resources available for later reference.

The manual walked the data recorders through the recording of several typical, and increasingly complex, court events. These included such tasks as scheduling motions hearings, scheduling events that spanned multiple days, and revising scheduling records to reflect updated information. The instruction then moved on to recording the actual occurrence of these events. An essential feature of the manual—and the training sessions—was to teach staff how to identify the events that should, and should not, be recorded. To facilitate learning, the manual provided pictures of screens that recorders would encounter as they correctly entered a scheduling or actual use event. The training introduced the recorders to each of the essential features built into DISCUS-B, including quality control reports.

Recruitment and Preparation of the Professional Trainers

As we did in the District Court Courtroom Use Study, we recruited experienced trainers from the courts to deliver the DISCUS-B training. To identify them, we asked a Federal Judicial Center education specialist, Lori Murphy, to nominate exceptionally skilled bankruptcy court trainers with whom she had worked in the past. Within their own dis-

1. Training was conducted in Washington, D.C., with two exceptions: study participants from the Central District of California and the District of Nevada were trained on-site in Los Angeles and Las Vegas, respectively, by one of the study's trainers and the Center liaison to those courts. Because of their heavy caseloads and the number of workdays it would have required for staff from these districts to travel to and from Washington, it was not feasible to have them attend training in Washington. The training content provided to these data recorders was the same as that taught in Washington.

tricts, these trainers, or court education specialists, are responsible for keeping judges and court staff up to date on IT and other innovations in the federal court system. They also train judges and staff in other districts, as not every district has its own education specialist. In addition, an experienced trainer from within the Center also led several of the training sessions.

In June 2009, Ms. Murphy led a two-day “train the trainers” session for the court education specialists to introduce them to the software application and to plan the training sessions. Their general experiences as educators and their specific experience with the software helped us further refine our training plans. We had follow-up meetings—either in person or via web conference—with each trainer in July 2009, shortly before the start of Wave 1 training.

The Center is very grateful to the following education specialists for lending their expertise to the study, and we are grateful to their districts for allowing them to serve.

Renee Mitchell-Paxton

Eastern District of Virginia

Woody Parks

District of Minnesota

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We conducted the training for the nine Wave 1 districts in July 2009 and for the nine Wave 2 districts in November and December 2009. The timing was designed to be close enough to the actual data collection period that skills would be retained, but far enough in advance that the data recorders could have all scheduling data entered into DISCUS-B one month before the actual data collection period.

In addition to a trainer, each training session was attended by at least one, and often two, Center staff members who served as liaisons for the study. The training session began with a short version of a project overview Center liaisons had given previously when meeting with judges and court staff in their home districts. It consisted of a discussion of why and how the study was being done, an emphasis on the importance of accurate data collection, and an expression of gratitude to the data recorders for the task that they would perform.

During each training session, the trainer drew on everyday scenarios to take staff through the types of events that are typically scheduled and held in the courtroom. We conducted the training in a training room of the Administrative Office, and every data recorder was able to work at his or her own computer while the instruction was delivered. We taught the data recorders how to use the basic features of DISCUS-B, but since the program is quite easy to use, the emphasis in training was on the decisions staff would have to make when recording data.

We expected court staff to ask questions about non-routine events, and they did. When a trainer was uncertain of the answer to a question about DISCUS-B, the trainer turned to a Center liaison for a response. We collected and regularly reviewed such questions so that Center liaisons could provide consistent information across districts. We also followed up with court liaisons to provide additional information when necessary.

Training featured follow-along and do-it-yourself (or do-with-a-partner) exercises that the trainer reviewed before moving to the next concept. Sessions lasted from 8:30 a.m. to 3:30 p.m., with a lunch break and several shorter breaks in between. The majority

of classes had ten or fewer trainees (with no class size greater than twelve), which allowed for individualized attention and few disruptions.

Our concerns about obtaining accurate, consistent data across a large number of data recorders who were trained by multiple instructors were balanced by two considerations. First, we built into the application both constraints and prompts to ensure data accuracy. Second, the job responsibilities of judicial staff require them to handle complex matters on a routine basis and equip them with the knowledge base for matching court events to the data collection fields in the software application. Our observations during training supported our confidence in the software, the data recorders, and the trainers. Technical Appendix 9 is a detailed discussion of the quality control process we used.

Subsequent Training and Support

Shortly before data collection began, we offered additional training to court staff. We did so mainly through web conferencing, a distance learning technology that combined telephone conference capabilities with online Internet demonstration to simulate the face-to-face, hands-on experience of our original training sessions. Our web conferences took the form of refresher training for data recorders who had completed the in-person training sessions; these conferences were also used to train the few data recorders who were unable to attend a training session.

Once data collection began, we offered continuing support to data recorders. Most important, the Center liaisons kept in close touch with their assigned districts to help any data recorder who had questions or unusual situations to record.