



Municipal Court Clerk Certification Program

Level III

Study Questions

Municipal Court Clerk Certification Program

The Texas Municipal Courts Education Center, in cooperation with the Texas Court Clerks Association, the Texas Municipal Courts Association and Texas State University- San Marcos, is sponsoring the *Municipal Court Clerks Certification Program*. This optional program for municipal court clerks is designed with three levels of certification. In order to advance through the different levels, clerks must pass a standardized written exam and satisfy other conditions.

Purpose of Study Questions

The study questions provided here are to be used as an aid in preparing for the Level III exam. There is a set of questions for each of the books required for Level III. The best way to be prepared for the Level III exam is to read each book on the reading list. As you read each book, answer the questions prepared for that book. Before taking the test, review the questions.

See the following pages for a complete list of the books required to be read for Level III. The test is comprised of questions built from the content in each books. These questions are produced by the Texas Municipal Courts Education Center (TMCEC).

TMCEC is a project of the Texas Municipal Courts Association and is funded annually by a grant from the Court of Criminal Appeals. Its purpose is to provide educational programs and materials to assist municipal court judges and court support personnel in their work.

Secondary Source of Law

These materials are for educational purposes only and may not be used as a substitute for legal advice or counsel. Should any material in these publications conflict with required legal procedures in the State of Texas, contact your city attorney for advice. If you have any questions or comments about the required books, please contact the Center at 800/252-3718.

The views expressed in the required readings are solely those of the authors and not those of the Center or the Board of Directors, the Texas Municipal Courts Association, or the Texas Court Clerks Association. Judges and their staffs should contact their city attorneys with any specific questions about the operations of their courts.

Questions or Comments

TMCEC intends to periodically review these books and your ideas and suggestions concerning this material will be greatly appreciated. If you have any questions about the material in this study guide or if you would like to send us your ideas and suggestions concerning this and subsequent revisions of this work, please contact the Center:

Texas Municipal Courts
Education Center
2210 Hancock Drive
Austin, TX 78756

(512) 320-8274
(800) 252-3718
(512) 435-6118 (fax)
www.tmcec.com
tmcec@tmcec.com

Study Tips for the Municipal Clerks Certification Program

The following is a list of study tips that is intended to help you successfully prepare for taking the tests for each level of the Clerks Certification Program, which is co-sponsored by the Texas Municipal Courts Education Center (TMCEC), the Texas Municipal Courts Association (TMCA) and the Texas Court Clerks Association (TCCA). If you find other practices that helped you prepare for testing, please contact TMCEC at 800/252-3718 and we will add those to this list.

- Relax! You can do this. After all, there are many clerks who have already passed and say that the experience has added greatly to their confidence in their abilities and to their career.
- Be pleased and proud that you have a program that recognizes your professionalism and the complexities of your work. You now have a means of developing a career path that should make you more valuable to your city.
- Keep a positive focus: success includes reaching retake status. This is a professional program that requires effort on your part. You already know that you deal with a set of complex, complicated laws that require much thought and analysis to administer.
- If you are concerned about having to tell people that you did not pass the first time, avoid telling anyone that you are taking the exam. Announce your success after you pass. However, some people do better with motivational support from others. Get together with other clerks to study. This support from may help throughout your preparation.
- Register within the time deadline for the test. Do not postpone the date you take the exam because you get nervous. (The money is not refundable.) Everyone has second thoughts. Just take the exam anyway, even if you haven't studied as much as you had planned. If you do not pass and get into a retake situation, then you can focus your study on the areas of the test that you experienced the most difficulty.
- Remind yourself as you study that you will reap rewards though your increased knowledge. Also, you will earn the esteem and respect of your colleagues and others in your profession. Keep this in mind when you may be tired and discouraged.
- Cities are beginning to recognize the importance of the program and making the certification program a requirement for performing the job. To encourage clerks to participate, some cities are giving merit raises for achieving each level of the program.
- Become a "smart reader." Being a "smart reader" means reading faster, improving reading comprehension and improving reading recall. "Smart readers" read long phrases instead of words; pre-read as a filter for deeper reading; scan documents for key words; skim material for structure; and deep read for comprehension when necessary. The following are tips to help you become a "smart reader": (1) skim each topic in the study guides by reading the table of contents; (2) scan each chapter by asking yourself, "Do I already know this?"; (3) review legal terminology before reading the text of each chapter; (4) prioritize the information in each chapter into the following categories: completely understand; general knowledge, no knowledge; (5) after prioritizing the information, generally review information that you understand; read information that you have general knowledge of for concepts, key words and issues; and information that you have no knowledge of learn definitions and then break information into smaller segments and master each segment before moving on to the next.

- Develop a study plan, breaking up your focus areas into weekly exam sessions. Take all the practice questions in the study guides and the study sessions. Do not get discouraged if you score poorly on the practice questions—remember that practice makes perfect. Retake the practice tests until you are comfortable with the knowledge and the types of questions that you will encounter on the test.
- Reading the material and answering the questions in each guide will make a big difference in understanding the questions on the test. Just studying the answer key in each guide and not reading the material may cause you to fail the test. To understand principal legal concepts and procedural issues, you must read the material.
- Attend educational programs provided by TMCEC, TMCA and TCCA. Along with the knowledge that you gain, you also receive credit toward your educational requirement of the certification program for each program attended.
- Reserve at least three to four months prior to the exam for studying. Commit to concentrated study each day for 60 to 90 days prior to the exam. Prepare a schedule of two to three hours each study period several times a week.
- Adults do not all learn the same way. Determine how you learn best (listening, writing, reading, note-taking, working with another clerk or a combination of these methods) and organize your time accordingly.
- Locate a book at your local library or college bookstore on general test taking strategies and apply them to your study and knowledge to improve your test taking abilities.
- Locate someone else who is preparing for the exam and form a study group to keep you focused and to help you study. Many of the local chapters of the TCCA have already formed these types of study groups. They are motivational and a great support in this endeavor.
- Find a clerk who has already passed the exam for which you are studying and ask the clerk to be your mentor. Everybody in the program is willing to help other clerks working for this professional designation.
- Remember that “false” questions usually have words like “only,” “always,” “must,” and “never.” “True” questions usually have words like “may,” “generally,” “after,” and “could.” Look to match verb tense and singular or plurals when answering multiple-choice questions.
- Prepare sets of flashcards with legal terminology and take them with you everywhere there might be a chance you will have a few free moments to use them.
- For Level III, you have to write a journal of your 40 hours of court observations. The best way to practice writing is to write, write, and write. Practice your punctuation and sentence structure. Use *The Elements of Style* by William Strunk Jr. and E.B. White and/or *The Elements of Grammar* by Margaret Shertzer for reference. After a while, it becomes second nature.
- Be aware of details, logic and reasoning when writing your journal. You will be graded in these areas. Practice by writing memorandums in your court that uses logic, analysis and reasoning. Review policy and procedures manuals for the logic behind performing certain functions in your court.

- Get plenty of rest and exercise as you study. Do not burn yourself out.
- Do not give up. Keep a positive attitude. Stick to your goal and see yourself as successful.
- Get a good night's sleep before the examination, relax and do your best! If you get discouraged, find a mentor clerk who has gone through the process successfully for encouragement and help.

**Municipal Court Clerks Certification Program
Study Questions
Level III**

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Part A: Book 1
Integrity: The Courage to Meet the Demands of Reality
Author: Dr. Henry Cloud

According to Dr. Cloud, what are the three qualities that you must have to be a successful leader?

Explain Dr. Cloud's introductory thoughts on the definition of "Character"?

In Dr. Cloud's description of "Character", list some key areas of performance that some people fall short of to completely become successful even after they might be classified as people of good character:

What are the 3 pitfalls that Dr. Cloud identifies are affected by character?

What are the 2 sides of "The Wake"?

Explain "The Wake" concept that Dr. Cloud discusses regarding a person's character.

What is Dr. Cloud's definition of character?

Is character fixed? Can it be changed?

What are the 6 dimensions of character?

What is the "Gap"?

What is dysfunction?

What is Empathy?

When does true listening occur?

What is the connection and trust killer?

What is the cost of not having a connecting character?

What is trustworthy character at the “Next Level”?

How does Dr. Cloud describe the dynamic of power and trust?

What is internalization?

How does vulnerability play into character?

What is the most difficult lesson learned for those who fudge the truth to make others happy and avoid the negative consequences?

What is always your friend?

Identify the character issues that may get in the way and create fear of truth about ourselves and cause us to hide:

Dr. Cloud describes every human as having faults, weaknesses, delusions, distortions and emotions that are not totally mature. What questions does he recommend asking oneself to ensure we are observing and keeping ourselves on the right track?

IF Dr. Cloud could teach one thing to kids about success, what would it be? And why do people need to know how to lose?

Describe what Dr. Cloud means when he says “Blame is the parking brake for improvement”.

What does Dr. Cloud mean by “You and I versus the problem”?

Explain the concept of “The best way to solve a problem is not to have it to begin with”.

When Dr. Cloud talks about the “Cringe Factor”, list the thoughts from that little voice in your head that you need to pay attention to:

What is integration of character?

Describe the difference between a “Good Maintainer” and a “Grower”.

What is the first principle of growth?

What are the necessary ingredients to create growth?

List a few things that a person who is oriented toward growth might have in their calendar:

How does a person of growth subject themselves to their inability?

What is transcendence?

List the 3 things recommended by Dr. Cloud the help you understand your “Character Chinks”:

Do genetics play a role in your character?

Part A: Book 2
The Loudest Duck: Moving Beyond Diversity While Embracing Differences to
Achieve Success at Work
Author: Laura Liswood

What is the “Noah’s Ark Problem”, and how does it relate to true diversity?

Look up the definition of meritocracy in the dictionary.

When will the benefit of a true meritocracy emerge?

What is the main action that people need to realize will create a diverse environment?

Look up the dictionary definition of diversity.

True diversity requires that we tackle subtle and unique categories head on. Name some of the distinct types that extend beyond the traditionally defined distinctions such as age, race, gender, national origin, and religion:

Take notes about the twelve areas of possible diversities the author covers that are remarkable or surprising to you.

Are diversities a finite or infinite set of characteristics?

What are your thoughts on how you would react or process the 1st “Litmus Test” of the example provided on page 17 regarding the employee who is joining the US Army National Guard?

Why is confirmation bias also known as implicit theory?

Diversity itself is only the first step on the journey. What must happen within the organization to garner the true benefit of hiring for difference?

What are the seven objections to diversity, and why is it a difficult task for many to embrace diversity? Make sure to understand how each of these is defined.

Explain the Elephant and The Mouse theory and identify the two groups within an organization this theory is describing.

What mice traits are similar to those that are considered part of women's intuition?

How do the strengths of The Elephant (dominant) and The Mouse (non-dominant) work together to create the best leaders for diverse groups were not everyone is experiencing the same thing?

Briefly describe the theory of "Grandma".

Will the building blocks of a diverse workforce actually change cultures?

List 5 major ways unconscious thinking and preconceived ideas originate:

What are some ways the Manager is responsible for achieving the true benefits of diversity?

What are some ways the Employee is responsible for achieving the true benefits of diversity?

What are your thoughts about the Litmus Test on Page 78 regarding the Japanese woman who tells her manager of her ambitions?

What is the “Like” to “Not Like” phenomenon?

What is the difference between positive and negative allusion and how does it affect critical feedback?

Name the 5 mentoring pitfalls and their meaning:

What do indirect speakers focus on when they communicate?

What do direct speakers focus on when they communicate?

What are the terrible too's?

What tools can you use as a manager for an even playing field for dominant and non-dominant groups?

What tools can you use as an employee to insure you are being heard or someone from a non-dominant group is being heard?

Part A: Book 3
The Leader's Guide to Emotional Intelligence
Author: Drew Bird

In your opinion, what does a good leader look vs. a bad leader look like? (Complete a two column, side-by-side list for each)

Good:

Bad:

List the 7 realities of Leadership and briefly describe them:

What are the 3 layers of the pancake model?

Which one of these skills from the 3 layers of the pancake model does Daniel Goleman believe to be the most important?

What is a reinforcing cycle?

What is one reason great leadership is seemingly so rare?

Beginning with page 40, read the description of “Beth” the emotionally effective leader. Rate yourself according to the description of Beth on a scale of 1-3, with 1 being the lowest rating and 3 being the highest rating. Rate your performance beginning with the 2nd complete paragraph on page 41 that begins with “Beth challenges herself to meaningful...”

You will have 14 Assessments from Beth’s Leadership Descriptions (ending on Page 46) with “encouragement of others.”

What is the knowing doing gap?

Complete the Activity 1 (Page 49): Answer the 7 questions provided. Make sure to give yourself time to reflect properly.

Complete Activity 2: The Leadership Award (Page 50)

What is intelligence?

What is cognitive intelligence?

What are the 5 domains of emotional intelligence?

What is the EQ-i Model?

What are subscales?

What is the difference between EI & EQ?

What are the 5 broad areas of emotional intelligence?

How does the EQ-i model help?

What is the “Dark Side” of strengths?

What effect does a balance between empathy and assertiveness have?

What effect does a balance between interpersonal relationships and independence have?

Complete Section 2 Homework.

EQ Subscale Reflection: Use the text box on Page 105 and instructions on page 106.

When are you finished with your EQ development?

What components is the “Road to Success” made up of?

What are the steps of the EQ 1-2-3 Process?

Part A: Book 4
Managing Transitions: Making the Most of Change
Author: William Bridges

Explain the difference between *change* and *transition*.

What are the three phases of transition?

Why is it important for management to understand the *neutral zone*?

How do you identify who is losing what in a transition?

What is *overreaction* and why does it happen?

What is transition deficit?

What are *signs of grieving* and how might a manager deal with employees displaying the *signs*?

How might a manager compensate employees for the loss that occurs during change?

Discuss the arguments for and against communicating the change to employees.

Why should a manager specify what is over and what isn't over?

Define *neutral zone* and identify the dangers presented by the neutral zone.

What can management do to give structure and strength while employees are in the neutral zone?

What is a transition monitoring team?

What are some ways that management can actively encourage creativity while in the neutral zone?

Why is there ambivalence among employees when looking at new beginnings?

What are the 4 Ps of beginnings? How would a manager communicate the 4 Ps?

Why does giving people a significant part to play in the transition management process facilitate the new beginning?

List and describe the 7 stages of organizational life.

What is the role of transition in the organizational life cycle?

List and describe the laws of organizational development.

How does the organizational life cycle differ from the organizational renewal cycle?

How can forecasting help a manager be ready change?

Identify and define the characteristics commonly seen when a transition has not been managed effectively.

Part B: Book 5
Applied Strategic Planning: An Introduction
Authors: Timothy M. Nolan, Leonard Goodstein, & Jeanette Goodstein

What should a genuine strategic plan involve?

Define Applied Strategic Planning:

Who said, “If you want to know what the future is, be a part of its development”?

What are inputs?

What are outputs?

Define each of the sequential steps in the Applied Strategic Planning Model

What two separate elements allow the applied strategic planning to function best?

What is the Facilitator Role?

What is the Teacher of Guide Role?

What is the Diagnostician Role?

What is the Coach of Content Expert Role?

What is the Strategist or Down Board Thinker Role?

What skills should the “internal consultant” possess?

What are the thinking skills needed by an effective strategic planning group?

What are the 7 issues that has the most powerful impact on the ability of the organization to achieve success in developing and implementing a strategic plan?

Who should write the strategic plan and why?

What are the 6 group norms that are recommended to be addressed with the planning work group?

Why should the execution of the plan be virtually perfect?

What are values?

As values become solidified and organized, what do they become?

How is the organizational culture defined?

What is an “organizational values statement”?

What are the 4 key questions that will guide the planning group toward the goal of a clear mission and statement of that mission?

Who does the mission statement address?

In what activities can the mission statement become a template and useful tool?

What attributes should a mission statement have?

Describe the Strategic Business modeling stage:

What does a truly effective strategic plan target?

What 2 tasks must be completed before beginning the strategic business modeling exercise?

What are the 5 parts of the completed strategic business modeling will have upon completion?

What is LOB?

What is CSI?

What are some of the CSI that are important to Non-Profits (Governments)?

Why is it necessary to revise the mission statement in the fifth and final stage of the strategic business modeling stage?

Is it final at this stage or will there be future revisions?

What process is considered the reality test of the strategic business model?

Define performance audit:

How does this process often affect individuals and groups?

What does SWOT stand for?

What can lead to faulty conclusions and poor decision making during the SWOT Analysis process?

What is human capital?

What are the 5 human capital management characteristics or drivers that are directly linked to organizational performance?

Describe some ways to search for and identify opportunities?

What is Gap Analysis and Closure?

What are the 2 listed purposes of the Gap Analysis and Closure process?

What are the 2 primary approaches and definitions used in closing the gap?

Once the planning group has reviewed the final plan and decided to move forward, what must they do to integrate the action plans?

What are Grand Strategies?

How does the planning group weave each detailed organizational unit together in overall organizational plan?

What should be included in the operational plan?

Who is best suited to set the priorities for resource allocation?

What is a contingency Plan?

Why is the contingency plan so important?

If a contingency plan is not done during the initial strategic planning process, when is the next best opportunity to develop it?

Will a top-quality plan be successful without a good implementation plan?

What are the 2 steps of the initial presentation of the plan for maximized impact?

Once the planning group has completed planning and the CEO has announced implementation, The Strategic Planning group now changes into the Strategic Management mode. What are the 3 requirements of this mode?

What are some of the blockages to implementation?

Part B: Book 6
Court Management Library Series: Trial Court Budgeting
Author: Robert W. Tobin

What is the relationship between resources and objectives of a court budget?

What is the starting point of a court budget?

What are the scheduled events that drive a trial court budget?

List the major functions in the municipal court judicial budgetary process.

What are aggregate proposed expenditures in a line-item budget?

What are the disadvantages of a line-item budget?

What is a planning, programming, and budgeting system?

How can a court use a programmatic budget as a personal management tool or as a basic budgeting format?

What is a performance management system? A management by objective? Zero base budgeting?

What major budget classifications should be included in a court budget?

How should budget items be coded?

What should be included in court budgetary guidelines?

What are the general budgetary considerations?

What are contingency funds and what percent of the budget should they be?

In personnel budgeting, how can temporary positions be upgraded to permanent positions?

Generally, why are contract personnel not as expensive to use as full-time employees?

What is included in clerical work measures?

When justifying the position of a court reporter, what should be considered when doing a cost-benefit analysis for the position?

Generally, what contractual services should a municipal court consider?

How is a budget for court facility planning and design typically developed and handled?

What questions might arise when considering budget expenditures for equipment?

How does caseload affect court revenue projections?

What is the importance of considering police and prosecutorial policy when determining revenue projections from fines?

What affect does deferred and installment policies have on court revenues?

What is a trend analysis and what is involved in preparing it?

What is the formula for predicting revenues?

What is the purpose of conducting periodic revenue analysis?

List costs that would be included in a court's indirect costs.

Why would a court consider personnel vacancy information in budget estimations?

What is the reason that a court would want to consider information from past budgets when preparing a current budget?

What is the relationship between performance measures and budget decisions?

What is involved in a budget review process?

What is included in a typical performance measure?

How are inflation costs reflected in the budget?

How are personnel increases justified in the budget process?

Define net costs.

What generally reflects the real costs of increased work output?

What is cost-per-data?

How are direct and indirect costs computed?

What is empirical data?

Why should a budget be monitored?

What is a pre-audit?

Why should historical data be included in monitoring reports?

When should revenue estimates be readjusted?

Part B: Book 7
Texas Municipal Courts: Financial Management Handbook EXCERPT
Author: Rene Henry

Which basic items are included in a budget?

Where are the laws governing budgets for cities and home-rule charter provisions located?

Why is it important to know the usage restrictions of municipal court revenues?

List and explain the various approaches for estimating revenues.

How do municipal courts benefit from developing a budget?

What items should be included on a statement of budget and departmental requests?

Explain how to increase the likelihood for receiving requested funds and improving budget preparations?

**Define costs. Why are governmental agencies not concerned with keeping up with costs?
Compare and contrast direct and indirect cost. Give examples.**

How are internal controls utilized within the budgeting process? List and explain internal control components.

What elements need consideration when developing a municipal court control environment?

What is a change fund? How is a change funds created, maintained, and controlled?

What procedures are used to create a sound over-the-counter method of receiving payments?

As a cashier opens and closes each day, what things should he/she do to ensure transactions are performed properly?

In processing mail, lock box and electronic receipts, how do mail cashiers, receipts cashier, and the accounting department work together?

What basic procedures ensure that installment payments are made to the court on time?

Why is the receipts journal a valuable tool to the municipal court?

When should reviews of journal receipts occur in a municipal court?

**What is a chart of accounts? What is the importance of the code numbers on in chart accounts?
What common codes are used in your court?**

What steps are taken to reconcile court bank accounts? How frequent should court bank accounts be reconciled? Who is responsible for reconciling accounts?

What are jail time and community service credits? How should these two items be recorded?

Why should monitoring of court budgets occur monthly? Which items should be reviewed when monitoring the budget?

What is an audit? In an audit, what specific objectives are reviewed? Who can perform a municipal court audit?

Why is it important to perform an internal and external audit?

In reference to municipal court property, when should physical observation occur? What steps should be taken to ensure an accurate account of court property?

Where in the local government codes are judicial support fees and juror reimbursement fees explained? Which offenses are included and excluded from paying the fee?

When checking receipts, what information should be observed and recorded? Which items are verified for accuracy when checking general and hardcopy receipts?

What affect does deferred and installment policies have on court revenues?

Where in the local government code are consolidated court costs (CCC) explained? How much is charged per conviction? Which offenses are included and excluded in CCCs?

According to time payment fees, how much is retained locally? What offenses are excluded from paying this fee?

What percentage of the failure to appear fees collected by municipal courts are remitted to the state? What is the purpose of collecting this fee?

How should municipal courts distribute the remaining monies collected from failure to appear fees?

What is the fee for restitution installments? What percentage of the fee is retained locally? What is the purpose of the fee?

What percentage of the fees for services of peace officers are remitted to the state? How much is retained by the city?

Which state fines are required to remit 50% of collected monies to the state? When must reports and remittance occur for these fines?

Which offenses contribute to the municipal court building security fees?

How are monies collected for the municipal court technology fee utilized? If a balance remains at the end of the fiscal year, how can the municipal court spend the excess money?

What services do peace officers receive payment? How much do peace officers receive for each service?

Which fees are found in the Transportation Code, Section 502.404 and 407?

Which offenses are excluded from paying the driving with defective equipment fee?

If fees collected have no specific way to be used, where are the fees collected remitted?

Why must a charge be dismissed for driving with an expired inspection certificate? What fees must the defendant pay?

Why would costs vary for jury trial failure to appear fees/costs? How must the money collected be used?

What is the application cost for expungements? How should the money collected be utilized?

Why are court costs and fees charts prepared every two years? List the basic abbreviations and their meanings.

List and describe the two types of bond forfeitures.

When should excess highway fines and Texas excess motor carrier fines be reported? To whom should the fines be reported?

Part B: Book 8

Caseflow Management: The Heart of Court Management in the New Millennium

Authors: David Steelman, John Goerdts, & James McMillan

BASIC CASEFLOW MANAGEMENT METHOD

What does early court intervention involve?

What are the objectives of early court intervention?

What does continuous control mean?

How long should court control the progress of the case?

DIFFERENTIATED CASE MANAGEMENT

What is differentiated case management?

What does the operation of a differentiated case management system depend on?

MEANINGFUL PRETRAIL COURT EVENTS AND REALISTIC PRETRAIL SCHEDULES

What events or elements should characterize the management of pretrials?

FIRM AND CREDIBLE TRIAL DATES

Why is the expectation that a trial will occur when scheduled important?

Why does trial-date certainty have a positive effect on a court's juror costs?

Why should courts seek opportunities to dispose of cases before they are put on the court's trial list?

What is the most effective way of avoiding overbooking cases for trial or down time at trial?

Why is a continuance policy important to ensure creditable trial dates?

What are the five steps involved in trial management?

What are some reasons why a trial might not start on time?

What are the two elements that have an impact on trial times?

What are some lessons that help a court to deal with the media?

What are some of the security issues when a trial is being conducted?

In order to monitor the firmness and credibility of a court's nonjury trial dates, what should a court case management information system provide?

MANAGEMENT OF COURT EVENTS AFTER INITIAL DISPOSITION

Why should cases be monitored in post disposition status?

What principles should be followed in post disposition management?

What techniques improve case disposition in rural courts?

CIVIL, CRIMINAL, AND TRAFFIC

What are the caseflow management factors that help shorten civil case processing times?

CRIMINAL CASES

For successful caseflow management to speedily process cases, whose commitment is required?

How does a court set the tone for criminal case processing?

How does the court ensure that dates are assigned to every event in the case?

How does a “plea cutoff date policy” help manage plea negotiations?

How does pretrial case events help courts dispose of cases more effectively?

What is the purpose of drug court programs?

What does accessibility and efficiency promote in the court?

In traffic cases, why is scheduling of trial important to the purposes of caseflow management?

Why should courts insure that fines and fees are collected?

FAMILY AND PROBATE CASES

In juvenile delinquency cases, what are some techniques that will help courts to more effectively manage caseflow?

What are 10 essential elements for effective intervention in domestic violence cases?

BASIC MANAGEMENT CONDITIONS FOR SUCCESS

What are the four underlying court management features that provide the foundation for effective caseflow management programs?

How can a leader motivate others to invest in a caseflow management program?

Why is it important that the presiding judge and court clerk work together in the caseflow management process?

COMMITMENT TO A SHARED VISION

Why is vision a critical aspect of caseflow management?

What are the five performance areas defined by the National Center for State Courts and the bureau of Justice Assistance?

Why is judicial commitment important to caseflow management?

List ways in which courts can involve court staff members in caseflow management?

How can the court promote improvement through active communications?

Who should the court communicate with to improve caseflow management?

Who should be part of a caseflow management committee?

A LEARNING ENVIRONMENT

When should courts provide education on caseflow management?

Why is it important to educate and train staff on caseflow management improvement programs?

GOALS, MONITORING AND ACCOUNTABILITY

What should case processing time standards or guidelines reflect?

What other issues does time standards serve?

What are immediate case events time standards?

What are overall time standards?

ESTABLISHING OTHER CASEFLOW MANAGEMENT GOALS AND POLICIES

What are the two goals regarding pending inventory of court cases?

What affect do continuances have on caseflow management?

How can a caseflow management plan be consistent with standards for equality, fairness and integrity?

What should the court regularly measure?

What type of information does a report on pending case load provide?

What type of information should a report of age of case disposition provide?

What type of information does a report on monthly and annual aggregate data provide?

What type of information should a report on open cases provide?

What is the CTE Index?

CREATING ACCOUNTABILITY

What is the definition of “accountability?”

How does a court achieve accountability?

Within the court itself, what does accountability have to do with?

What are three external accountability goals?

What factors can affect how courts count cases?

How is a pending case defined?

Why is it important to determine which data to record and report?

When are caseflow management reports the most useful?

What is the most important goal of courts?

Why is data on individual cases important?

How can courts use reports on the number of cases filed by category?

How is the clearance ratio measured?

Why is a report of the number of pending cases crucial?

What is the backlog index?

What is the most direct means to monitor a court's performance related to its case-processing time goals?

What factors are important to collecting data on continuances?

What are some factors that limit the ability to compare individual judges' statistics on caseload?

Generally, what does an overall court management information system contain?

Why is the "person module" the most complex module of a court's automated case management information system?

Why is time a court's most critical resource?

Why should the court financial function in the computer system be defined in a global manner?

List some other technologies that might reduce costs and delay?

What is the individual calendar system?

What is the master calendar system?

What is the team calendar system?

What is the case assignment system?

How does the structure of the court's work week affect the structure of the court's calendar?

How do *pro se* defendants affect case processing?

What are some strategies for managing *pro se* defendants?

What are some strategies that can be used to deal with the complex consequences of change?

Why is it important to pay attention to detail when forming a strategic plan for a caseflow management improvement plan?

How does a court gather information for a general caseflow management review when planning for a caseflow management improvement plan?

How does a court analyze its pending inventory?

What does a cost-benefit analysis involve?

How does a court assess nonfinancial costs against benefits in a “forcefield analysis”?

How does a court build support for the change process?

How does a court overcome resistance to change?

What does it mean to “own” the change process?

How does a manager align staff members’ work with the new directions?

Why is it important that court staff and others to model the desired new behavior?

Why is it important to reward staff who act in support of changes?

What is the purpose the evaluation of the improvement program?

What should a caseflow management plan include?

What is the second stage of implementing a caseflow management program?

During the course of implementing a caseflow management program, why is it important to monitor the implementation?

What is the real test of success of a caseflow management program?

How does a court achieve consensus on the benefits of and the continuing success of a caseflow management improvement program?

Why do some courts continue to have backlogs after implementing a caseflow management improvement program?

What factors affect a judge's commitment to ensuring timely disposition of cases?

What is the importance of continuity of leadership in the success of a caseflow management improvement program?

Why is effective allocation of resources important to a caseflow management improvement program?

Why should courts be learning organizations?

Part B: Book 9
Court Security: For Judges, Officers, and Court Personnel
Authors: Judge Richard W. Carter & Constable Randy Harris

What incident called for vast improvement in court security?

List the 3 notorious criminals discussed who were handling their own low-level offenses prior to becoming known as very dangerous persons and what types of cases were they handling.

What is a building security committee?

How often should a security committee meet?

What are the 2 ways a building security assessment can be conducted?

How often should an assessment be conducted?

What does CPTED stand for? What is the definition of CPTED?

Identify and describe the four common principles of CPTED.

What statute provides for courthouse security?

What responsibility and deadline must courts adhere to when any security incident occurs?

What is the first line of defense in the security plan?

What is the three-prong test for an administrative search?

How might a warning sign contribute to a legal search uncovering illegal substances or materials?

Are law enforcement officers automatically omitted from the screening process?

What is the best way to accomplish an assessment of courthouse security?

What type of person is best suited for a survey and assessment?

What agency can a court turn to for cost-free assessments?

What is the nickname for the judge's bench used by the authors?

What are some of the suggestions for security on the judge's bench?

The authors list 3 important functions that Bailiffs are responsible for which could have life and death consequences. What are the 3 functions mentioned?

What seating area of the courtroom creates a buffer?

What things should a Bailiff be looking for during a pre-session search of the jury room?

List a few ways a Bailiff could cause a mistrial?

How would you describe workplace violence?

What is the best protection employers can offer to combat incidents of workplace violence?

What are some of the necessary items to have in your safe room in the event of an active shooter?

What does CCTV stand for?

Complete the self-assessment exercise in the book on Page 123. Identify your most immediate needs for improvement.

Part C: Book 10
Hiring and Firing: What Every Manager Needs to Know (Revised
Edition)*
Author: Marlene Carolselli, Ed.D.

Before advertising a job, what type of information should be researched?

What should be considered when revising a job description before an interview?

How does a supervisor determine qualities and skills that a prospective employee should have for a particular job?

What should be included in a job matrix?

What kind of questions should be asked of each applicant?

What should be included on the interview form that is used to assess an applicant's skills?

Explain the different interview styles.

In general, what should a plan for conducting an interview include?

How can an interviewer put an applicant at ease?

How can stereotypical thinking of the person conducting an interview affect the interview?

What does Title VII of the Civil Rights Act of 1964 as amended prohibit?

List unfair pre-employment inquiries that a person conducting an interview cannot ask.

Explain the difference between open-ended and close-ended questions.

How can an interview be ended on a positive, professional note?

What type of information and impressions should an interviewer document right after an interview?

Why would a company want to conduct a second interview?

What are some warning signs of job-related problems?

If a problem cannot be resolved informally, when a manager schedules a meeting with the employee, how should the meeting be conducted?

When conducting a counseling or disciplinary interview or session, what types of words should a supervisor avoid?

Why is it important for a supervisor to explain the objective of a disciplinary meeting and how are the objectives used during the meeting?

What can a supervisor do during a disciplinary meeting to help an emotional employee to get control of his or her emotions?

During a disciplinary meeting, how does a supervisor stress the positive to help the situation from becoming to negative?

When asking an employee for feedback during a disciplinary meeting, how should the supervisor conduct that part of the meeting?

After a disciplinary meeting, how is an action plan or agreement monitored?

What should a supervisor do at the end of a disciplinary meeting?

Before considering terminating an employee, what issues and information should a supervisor consider?

What type of records should a supervisor keep to help protect him or her from wrongful discharge lawsuits?

When is the best time to conduct exit interviews?

During an exit interview, what questions should be asked of the terminated employee?

Part C: Book 11
The Complete Guide to Performance Appraisal*
Author: Dick Grote

What is included in each of the five phases of the ideal performance appraisal cycle?

Why are trait-based approaches very ineffective when it comes to appraising an employee's performance?

What are the three types of information that need to be collected when gathering data on the performance of the jobholder? What does each type include?

Describe different strategies for avoiding legal challenges to appraisal systems.

What roles do objectives, accountabilities, and standards fulfill? When should they be used?

What are the four approaches to appraisal? Identify the strengths and weaknesses of each.

When conducting the Writing the Review step of performance appraisal, what should managers consider?

What is the idea setting for appraisal discussions?

Describe what an appraisal meeting should entail from the perspective of the manager.

What should be considered when a company is preparing to design a brand new performance appraisal system? What are the four major components of creating such a system?

Name and explain three ways data can be gathered before development to increase the effectiveness of a new appraisal system.

When creating forms, how many should a company create and what should be contained within the form?

Give examples for each of the different types of rating schemes.

Why is pilot testing an effective way of testing a newly designed system?

When an organization does have an appeal process, what types of complaints are usually made? What is the difference between the types?

In addition to managers, who else has the ability to appraise performance? How are these performance appraisals typically different than those done by the individual's supervisor?

How should team performance appraisals be conducted?

What composes the job performance model? What role does the job situation play in most performance appraisals?

When writing objectives, what characteristics should they embody?

Define competencies. How should they be defined by the assessment?

List the types of rating errors. How does each one affect the results of an appraisal?

What are the two approaches that organizations use when determining when to appraise employees? Which one is the most utilized?

What experiences can help shape people into leaders?

Describe the different reward distribution systems. What criteria are used to distribute rewards?

What did Bretz and Milkovich conclude about the distribution of performance ratings? Name the recommendations they suggest to improve the appraisal process.

Part C: Book 12
The Five Levels of Leadership: Proven Steps to Maximize Your Potential
Author: John C. Maxwell

What are the 5 Levels of Leadership ranked in order? Give a brief description of each.

What are the three key values the author encourages leaders to reflect on?

What are some of the ways a Level 1 leader can move up to a Level 2 leader?

Explain some advantages and disadvantages of positional leadership?

In what ways can a Level 2 leader make the workplace more enjoyable for people?

Explain the change in relationship between people and leaders that take place from the Position level to the Permission level?

What are the downsides of the Permission Level?

What are some ways to win people's permission?

Outside relationships, what else must a leader develop to move from the Level II to Level III leadership?

What are the advantages of the production level?

What are the disadvantages of the production level?

How do level 3 leaders help others cast a vision of success?

What does the author believe is the key to being productive and why?

Explain the Pareto Principle.

What is an organization's more appreciable asset? Why?

What are some ways a Level 3 leader can grow into a Level 4 leader?

Many leaders don't want to share responsibilities because they don't want to give up any of their power. However, what are the greatest benefits of leaders sharing their responsibilities?

If a leader wants the best for their organization, what is the most important thing they invest in and develop? Why?

What is the difference between producers and developers?

What types of people should leaders strive to recruit?

How can a leader being on the pinnacle be dangerous? What mind-set should a leader strive to maintain?

List the four primary causes of breakdowns during people development.

Part C: Book 13
Skills for New Managers
Author: Morey Stettner

Describe the exercise you can perform to determine your best manager role model.

What type of person does the author suggest you choose to emulate?

List and describe the three leadership skills that are suggested a new manager use to determine areas of improvement and uncover strengths and weaknesses.

What is a “Management Credo”?

What are some advantages of creating a “Management Credo” or set of beliefs?

Describe the price of success for becoming a new manager:

What is the difference between a friendship and a relationships with your employees?

List the phrases that may help an employee see your expectation of their performance and why it matters:

What is the advantage of allowing an employee to judge their own performance?

Why is it counterproductive to not instill trust in your employees?

List six situations when you have more to gain by backing down than being a stubborn fighter as a manager.

Why is consistency important in your role as a manager? List and describe the 3 “Don’ts” the can prohibit sending contradictory messaging.

What are three ways to probe for feedback and unclog the input channels from your new employees about you in your new role as a manager?

List and briefly explain the three steps of listening.

What are some examples of body language that would indicate an individual is disinterested in the conversation?

What are three examples of behaviors that indicate you are a “nervous Nellie?”

When trying to persuade an employee, what are some good rules to follow during a conversation?

What are three basic rules of effective motivation?

Explain why knowledge is the best motivator.

When providing criticisms, why is it more important to focus on performance and not personality?

How might a manager make a criticism more palatable?

What is the “Sandwich Technique”?

What is the biggest rookie manager's mistake when applying discipline?

What 3 factors can be determined to avoid becoming emotional during applying discipline?

List and briefly explain the six-steps that help a manager discipline warring employees.

Why is it unwise to turn a disciplinary message into a personal attack against an employee?

Why is it important for a manger to set aside their "optimal hour" for uninterrupted work?

What are five ways to showcase your organizational skills?

List some ways a manager can conduct productive meetings:

What is the upside of loosening your grip and allowing errors to occur?

What are five rookie mistakes managers make when trying to delegate?

Why is it important to delegate tasks?

What kind of behaviors should be avoided when speaking with your boss about your performance or your employees' performance?

What are three ways to positively network within your organization or company?

Why is it important to never turn your networking chats into gripe sessions?

What are some suggestions to give everyone equal attention?

Describe some steps a new manager can take to combat workplace violence?

Part C: Book 14
Manager's Toolkit: The 13 Skills Managers Need to Succeed
Harvard Business Review

Define “Goal Setting”:

In this book, how does the author define “strategy”?

Identify and describe the two common approaches to goal setting and when a manager should use each one.

List the characteristics of effective goals:

What are the 2 mistakes managers should avoid when setting goals?

What are the 4 steps to accomplishing goals?

In what step do you use a “Start to Finish” approach? What tool does the author suggest and why?

What questions should you ask yourself during a periodic review?

When should you NOT change course and why?

What type of occurrence might indicate the need to change a goal and what actions should the manage take according to John Maynard?

What are the important points you need to understand to define the job and its requirements?

What 7 pieces should always be included in a job description? What opportunity does the development of a job description give you?

What is the primary purpose of an interview? List the 3 types discussed:

List the two types of BAD interview questions and discuss why.

What are the three reasons retention of good employees matter?

Define EVP:

List the strategies for retention:

Describe the benefits of effective delegation. Why does delegation make some managers uneasy?

What type of delegation should a manager avoid?

Discuss delegation by project and what might be the advantages to that type of delegation.

What strategy does the author recommend when evaluating how your time is spent?

What specific scheduling tools are recommended for time management?

Discuss how your energy plays into your task scheduling. List an effective to-do list includes.

What are some controllable time wasters?

List situations when teams are particularly useful. Discuss the characteristics of effective teams.

List and briefly describe the ways to enhance team commitment.

Who should be evaluated on a team? What is the difference between a traditional performance evaluation and a team evaluation? What methods of evaluation are suggested?

Appraisal sessions or performance evaluations give the manager what types of opportunities?

Discuss the differences between managing and coaching. Which one is more effective and why?

As a coach what is the most effective way to be highly tuned in to the person you are coaching? List some ways to put people at ease and demonstrate active listening.

List the advantages that an open ended question has during the appraisal interview.

During feedback conversations, what must a manager be prepared for?

Discuss ways that managers can make jobs more interesting and become motivators for their “C” level or problem employees.

What day do experts recommend a manager consider for dismissing an employee and why? What day is not recommended and why?

During a dismissal meeting, what are some specific communications should be avoided?

What might qualify as a “Crisis”?

What is a Crisis Audit? Describe the steps

What is the best strategy for managing a crisis?

Define Career development.

What are the key indicators it is time for a career change?

What do tests show about the value of business interests and work satisfaction? Discuss why skills may not result in work satisfaction.

Discuss a leader you have high esteem for and how they compare to the characteristics of a good leader.

Describe the definition of “True Leadership” – a leader with no authority.

What is Strategy? Discuss the types listed and some examples of each

Discuss why the frequency of a new business strategy may not be addressed very often?

What types of questions might a strategist ask to indicate a new direction or identify threats to their current business?

What steps are recommended to review and formulate a business strategy?

What are the four basic functions of a budget?

What are the disadvantages of “Top-Down” budgeting/

What is participatory Budgeting? Write about how this compares to your personal experience with budgeting.

Discuss “what-if” scenarios and how incorrect assumptions might impact budgeting.

What are assets? What is a current asset? Describe the difference.

What is a liability?

What are accounts receivables?

What is owners' equity?

What is an income statement?

What are revenues?

What is a cash flow statement? How does this differ from a balance sheet?

What does ROI stand for and how do manager use this concept?

Describe fixed costs, variable costs, and contribution margin.
