

*A History of the*  
Conference of State  
Court Administrators

*1955 - 2005*

# Table of Contents

<b>Introduction</b> .....	v
<b>Background</b> .....	v
<b>I. The Organization and Early Activities of the National Conference of Court Administrative Officers</b> .....	1
Establishment .....	1
Membership .....	2
Purpose .....	4
Plan of Meetings .....	5
Activities .....	6
First Restudy .....	7
Conclusion .....	8
<b>II. The Second Generation of the NCCAO</b> .....	9
New Focus .....	10
Professionalization .....	13
Restructure .....	14
<b>III. The Modern Conference of State Court Administrators</b> .....	17
Revised Purpose .....	17
Changing Relations .....	19
Change in Secretariat .....	21
Reorganization .....	22
The Beginning of the 1980s .....	26
<b>IV. The Early and Mid-1980s: Times of Internal Growth</b> .....	28
Self-Examination .....	28
Annual Plans for COSCA .....	30
Incorporation of COSCA .....	30

Training of State Court Administrative Office Staff . . . . .	31
Relations with Other Court Organizations . . . . .	32
COSCA Projects . . . . .	34
<b>V. COSCA Reaches Out and Expands . . . . .</b>	<b>37</b>
Internal Examination . . . . .	37
Relations with Other Court Organizations . . . . .	40
Training of State Court Administrative Staff . . . . .	42
Court Statistics and Technology . . . . .	44
COSCA Projects . . . . .	45
Relations with the Federal Government . . . . .	48
<b>VI. The Last Ten Years: Looking Outward and Making a Difference . . . . .</b>	<b>51</b>
Strategic Planning: Going Back to Basics . . . . .	51
Internal Operations of COSCA and State Court Administrative Staff . . . . .	55
Court Statistics and Technology . . . . .	58
COSCA Projects . . . . .	60
Relations with the Federal Government . . . . .	60
COSCA Policy and Liaison Committee . . . . .	65
<b>Appendices . . . . .</b>	<b>69</b>
A List of Past Presidents . . . . .	69
B Annual Meetings of the NCCAO and COSCA . . . . .	71
C Position Papers – 1999 to 2005 . . . . .	73
D Resolution I . . . . .	74
E Years of Service . . . . .	75

## *Introduction*

**T**his history of the Conference of State Court Administrators developed in two parts. In 1981, I was asked as a member of COSCA to prepare a history for the use of COSCA's members. Soon after that, I moved from Wyoming's courts to New Jersey's and was no longer a member of the organization. Nevertheless, I remained an observer and occasional participant in COSCA's activities and maintained a keen interest in the development of the organization. I was very pleased, then, when the Committee on COSCA's Fiftieth Anniversary asked me to bring the 1981 history up-to-date as part of that celebration.

Fifty years ago, a group of state court administrators scattered around the country began to seek each other out. Each was operating largely alone, but they discovered they could learn a great deal from meeting and talking with those who had similar responsibilities in other court systems. COSCA developed slowly and not without controversy and self-examination. By 1977, however, all fifty states were represented. From 1980, the organization had representatives on the board of the National Center for State Courts. During the late 1980s, COSCA became involved in national policymaking. In the last decade, it has achieved a significant role in the leadership of court administration throughout the country. COSCA's story illustrates the establishment of the profession of court management. It shows the assumption of new responsibilities and roles that could not have been anticipated. And it helps us understand where our profession is now and how it got there.

I want to acknowledge the support and contributions of many persons. The Fiftieth Anniversary Committee, chaired by Patti Tobias of Idaho, has been very helpful. Ms. Tobias has been generous with her time and constant in her interest. Other current and former COSCA members on the committee are Rob Baldwin of Virginia and the National Center for State Courts, Sue Dosal of Minnesota, and Jim Thomas of Colorado and the National Center. Especially deserving acknowledgment and sincere thanks is Bob Doss of Georgia. Mr. Doss has been an advisor, associate, and friend as we have done research together—reading and rereading twenty-five years of minutes of COSCA meetings—and responded to comments from committee members and others. He has given me his ideas and reacted to mine, and I have enjoyed working with him on the project. Mr. Doss and I also want to thank Ed McConnell, Mary McQueen, Larry Polansky, Carl Bianchi, Art Snowden, Howard Schwartz, and Jim James, all of whom took the time to read the draft and make their valuable comments. Finally, I want to recognize the invaluable assistance of Shelley Rockwell, who has ably assisted COSCA as part of the National Center's staff, and who has helped greatly with the compilation and presentation of this history.

Theodore J. Fetter  
*Deputy Administrative Director of the Courts, New Jersey*  
November 2005

## *Background*

**T**he Conference of State Court Administrators (COSCA), organized in 1955, is dedicated to the improvement of state court systems. Its membership consists of the state court administrator or equivalent official in each of the fifty states, the District of Columbia, Puerto Rico, American Samoa, Guam, and the Virgin Islands. Refer to the membership list in this handbook for a current roster of members. COSCA is a nonprofit corporation endeavoring to increase the efficiency and fairness of the nation's state court systems, and its purposes are:

To encourage the formulation of fundamental policies, principles, and standards for state court administration;

To facilitate cooperation, consultation, and exchange of information by and among national, state, and local offices and organizations directly concerned with court administration;

To foster the utilization of the principles and techniques of modern management in the field of judicial administration; and

To endeavor to improve the administrative practices and procedures in, and to increase the efficiency and effectiveness of, all courts in the several states.

## *1. The Organization and Early Activities of the National Conference of Court Administrative Officers*

**T**he predecessor organization of the Conference of State Court Administrators was the National Conference of Court Administrative Officers (NCCAO). The organization of the NCCAO came about gradually, during the years 1953 to 1956, but its first meeting and its official establishment took place in August 1955. It was largely the result of the interest of two men, Hubert D. Bennett of Virginia and Edward B. McConnell of New Jersey, and the support of their respective chief justices, Hudgins of Virginia and Vanderbilt of New Jersey.

### **Establishment**

In August 1953, the Conference of Chief Justices, which had been organized in 1950, met in Boston during the American Bar Association's annual meeting. The two administrators, Bennett and McConnell, accompanied their chief justices to the meeting and met for the first time. The following spring, McConnell attended an executive committee meeting of the Conference of Chief Justices in Richmond representing Chief Justice Vanderbilt. On that occasion, McConnell and Bennett again met. They must have found a great deal in common, because the two of them agreed that the court administrative officers should



*NCCAO meets in 1965 in Miami Beach, Florida.*

begin to meet regularly, as an adjunct to the annual meetings of the Conference of Chief Justices. McConnell then sought the views of Chief Justice Vanderbilt, who was favorable. As a result, Vanderbilt invited administrative officers to attend the annual meeting of the chief justices in Chicago in August 1954.

In Chicago, at the Blackstone Hotel, about eight administrators met for the first time; they were part of the chiefs' meeting but shared no business or working sessions. As a result of their meeting, the administrators resolved to meet again to form an organization.

In August 1955, the administrators met in Philadelphia. There they established the National Conference of Court Administrative Officers and elected Edward C. Fisher as the first chairman. Fisher was the executive secretary of the Judicial Department of Connecticut, the first occupant of an administrative office for the courts established by statute in 1937. As such he was the first court administrator in the United States, his position preceding the establishment in 1939 of the federal Administrative Office of the United States Courts.

Fisher appointed a committee to draw up bylaws for the fledgling organization. Edward B. McConnell of New Jersey chaired the committee. He presented the bylaws to the annual meeting of 1956, held in Dallas, where they were adopted. Formal establishment of the organization, therefore, was completed at that time.<sup>1</sup>

At its formal organization in 1956, the NCCAO listed as its members court administrators from fourteen states (Connecticut, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Oregon, Rhode Island, and Virginia), Puerto Rico, and the federal Administrative Office.<sup>2</sup>

## **Membership**

The most pressing concern in establishing and operating the young organization was to determine who its members should be. Since court administrative offices were developing very much on an individual state-by-state basis (as distinct from some national standard promulgated by a panel of authorities), there was an array of job descriptions and expectations about the offices. It is true that the National Conference of Commissioners on Uniform State Laws promulgated a "model act" in 1948 providing for an administrator for state courts, but the model was honored more by mere acknowledgment than as a pattern for state legislation. In a 1958 speech to the NCCAO, Hubert Bennett described the early administrative offices. Of the eighteen state offices listed by 1956, four had the title "Director of Administrative Office" or "Administrative Director" (New Jersey, Puerto Rico, Kentucky, and Maryland). Four others were administrative assistants to the Supreme Court or the chief justice (North Carolina, Oregon, District of Columbia, and Ohio). There were three who served as executive secretary for the Supreme Court or the court system (in Connecticut, Virginia, and Massachusetts), and two who were

1. The above is taken from author's interview with Edward B. McConnell, March 19, 1981, and a letter to the author from Hubert D. Bennett, June 21, 1981.

2. "Report of the Committee on Cooperation with the National Conference of Court Administrative Officers," submitted to the ABA Section of Judicial Administration, May 15, 1957.

executive secretaries to the Judicial Council (Missouri and Wisconsin). Further, Iowa had a "Judicial Department Statistician," New York established a "State Administrator and Secretary, Judicial Conference," and Rhode Island hired an "Administrative Clerk." Finally, Michigan established a "Court Administrator," and Louisiana had a "Judicial Administrator."<sup>3</sup>

It is doubtless true that these various positions carried different duties and expectations. A few were on the way toward a system of statewide court administration that later became fairly standard. Others were record keepers, collectors of statistics, and persons available for miscellaneous tasks that seemed ill suited to any other position in the court system. Most of the court administrators had limited duties and little or no staff.

The result was that the newly established NCCAO had a difficult time deciding who would be its members. The draft of the Bylaws Committee was amended at the 1956 meeting to provide that membership would be determined by the Executive Committee, which of course meant that decisions would be made on an ad hoc, case-by-case basis.<sup>4</sup>

In later years, there were several reports of increased membership. From time to time, administrative offices were created in new states, and their administrators were welcomed as members without discussion. For example, court administrators from Colorado, Hawaii, Illinois, New Mexico, and Alaska joined in 1959. In other situations, they had to be considered in committee and approved by the membership. The executive secretary of the Missouri Judicial Conference and the Wisconsin Judicial Council joined NCCAO following this procedure in 1958.<sup>5</sup>

It is certainly noteworthy that the Wisconsin executive secretary was Marygold S. Melli, who thus became the organization's first woman member. Mrs. Melli's participation with the organization was short; she did not attend again, and a court administrator, first appointed in 1962, later represented Wisconsin.

Trial court administrators first joined NCCAO in 1959. Membership was extended to the executive officer of the Los Angeles Superior Court, Edward C. Gallas, and to the court administrator of the Court of Common Pleas of Cuyahoga County, Ohio, John J. Lavelle. These were the first administrative officers of the trial court level to gain membership. Both were active members who over the next several years served on the executive committee and contributed frequently to the annual meetings.

It is clear that the founders of the NCCAO saw the organization as one to serve state administrative officers. They envisioned representation from all states, as a parallel to the Conference of Chief Justices. They did not foresee the rise of influential, effective, and important trial court administrators.<sup>6</sup> When the trial court administrators sought membership in NCCAO, however, beginning in 1959, they had no place else to go in a professional sense, and the NCCAO granted membership to those from large trial courts.

3. Bennett remarks in "Summary of the Annual Meeting," NCCAO, August 20-24, 1958, prepared by the Council of State Governments.

4. "Summary of the Annual Meeting," NCCAO, August 22-25, 1956, prepared by the Council of State Governments.

5. "Summary of the Annual Meeting," NCCAO, August 20-24, 1958, prepared by the Council of State Governments.

6. Interview with Edward B. McConnell, March 19, 1981. Letter of June 21, 1981, Hubert D. Bennett to author.

Their admission widened the gate to others. Quite a few administrators of trial courts became members, and they were active throughout the 1960s. In addition, a number of non-court administrators became members. Ernest C. Friesen Jr., as an assistant attorney general in the United States Department of Justice (and later as director of the Administrative Office), became a member, and he even served a term as vice-chairman from 1969 to 1970. Fannie J. Klein, the assistant director of the Institute of Judicial Administration, was also a full-fledged member in the 1960s (and later an “associate member”) after years of being active in the meetings as an invited guest.

## Purpose

It seems true that the changing membership of the NCCAO was symptomatic of doubts about the organization’s role in court administration. Was it an organization in which persons involved in similar tasks could discuss their common activities and efforts? Or was it an organization devoted to the further development and advancement of the field of court administration? Was it entirely a concern of the state-level officers, or did the trial court administrators have sufficient common interest? These questions and similar ones came up repeatedly during the first twenty-five years of the organization. The original bylaws of the organization stated its purposes as follows:

- to facilitate cooperation, consultation, and exchange of information by and among those persons and offices directly concerned with the administration of the courts;
- to foster the utilization of the principles and techniques of modern business management in the field of judicial administration;
- and thereby to improve administrative practices and procedures of the courts in the various jurisdictions.<sup>7</sup>

These stated purposes show that the original founders sought no explicit role in the greater spread and development of the field of judicial administration. As leaders of NCCAO, they sought no national position of leadership. Other organizations, including the Institute of Judicial Administration, the American Judicature Society, and the ABA’s Section (later Division) on Judicial Administration filled such a role. Instead, the members of NCCAO sought primarily an organization for mutual exchange and improvement. They wanted to become aware of what was happening in other states. Most of the activities of NCCAO in the early years show this emphasis. Yet there were several instances in which the organization was asked to become active in an advocacy role—promoting the spread of judicial administration and the involvement of court administrators in new areas.

7. Quoted in “Report of the Committee on Cooperation,” op. cit.

## Plan of Meetings

The early meetings occupied four or five days, coincident with the meeting of the Conference of Chief Justices, which in turn met during the annual meeting of the American Bar Association. The administrators met separately, but they shared most of the social events with the chief justices. In the first few years, the substantive sessions were set up so that the administrators could review each other's activities and projects.

The main feature of the early meetings was a report from the court administrators on the recent developments in their states. Each member in turn gave a summary of his work during the year, including legislative efforts, rule drafting, caseload statistics, procedural developments, and similar topics. During the presentation, other administrators had ample opportunity to ask questions. In this way, everyone knew what state he could call upon when a similar problem or project got underway in his state.

This practice had its value, but it was very time-consuming. At the 1959 meeting, Albert C. Bise of Washington suggested that the state reports should be written and distributed at the meeting rather than presented orally. Others agreed, both to save time at the meeting and to establish a permanent file of the reports. The final decision was to submit written reports to the Council of State Governments as secretariat. The council's staff distributed them in advance of the meeting. At the session, then, each administrator made a short summary and fielded questions for ten minutes. In this way, the individual state reports came to occupy only a half-day of the meeting.

The rest of the substantive sessions were devoted to topics of common interest. In the first five years, some of the topics were uniform judicial statistics, court record keeping, scheduling and assignment of cases in the trial courts, and state court annual reports. The administrators themselves presented almost all of these subjects. Some prepared initial remarks and then led a discussion. The focus, then, was still on sharing knowledge and experiences among themselves.

On a few occasions in the early years, outside speakers presented a report to the administrators. Perhaps not surprisingly, almost all of these speakers were judges. One of the first such speakers was Judge Philbrick McCoy of Los Angeles, who outlined the judicial administrative system in his court at the 1958 meeting.

At the 1960 meeting in Baltimore, two events occurred to change the pattern. First, a law professor, Maurice Rosenberg of Columbia, who at the time directed a court-delay-reduction effort called the Project for Effective Justice, addressed the meeting. His speech was apparently the first one made by a non-judge "outsider" to the NCCAO. The second event was more surprising: the first joint session between the Conference of Chief Justices and the NCCAO. The two speakers were Chief Justice John R. Dethmers of Michigan and Edward B. McConnell of New Jersey, and their topic was "Personnel Problems of Courts and Administrative Offices." McConnell's speech marked the first time an administrator had addressed the Conference of Chief Justices, and his speech is noteworthy. He urged greater attention to personnel matters and described some of New Jersey's efforts to work in the area of nonjudicial personnel, but he also was careful to emphasize the role of the judges and justices in developing personnel programs.

## Activities

Two topics that recurred many times in the early meetings deserve some special mention. The first is caseload statistics. The second is a discussion of NCCAO's position with regard to the model act for court administrative offices.

"Uniform Judicial Statistics" had been the opening topic in the 1956 NCCAO meeting. Whatever differences there were in their jobs, all the administrators collected some kind of caseload statistics. In 1956, Frederick Invernizzi of Maryland reported that nineteen jurisdictions collected judicial statistics, but that the categories used, the frequency of collection, and the data collected varied greatly.<sup>8</sup> The administrators agreed that uniformity in judicial statistics was desirable for interstate comparisons and for meaningful data in each jurisdiction. At the conclusion of the discussion, the conference appointed a committee on statistics, chaired by Edward B. McConnell of New Jersey. From 1956 to 1958, McConnell and his committee worked on the subject. It was the principal working committee in the early years of NCCAO. The members tried several approaches to achieving some standard ways to measure judicial work, attempting to draw very general definitions that would fit all the state courts represented, but they failed to get the conference's approval. They also tried to build one or two elements in which categories and data collected could be standardized, such as felonies. Again, they were frustrated by lack of data and difficulties with nomenclature. The committee finally disbanded.<sup>9</sup>

In 1960, the conference reestablished the committee of statistics. C. Jerre Lloyd of Louisiana was chairman. Edward C. Gallas of Los Angeles and McConnell were most active in the efforts of the committee. They presented several major reports to annual meetings in 1962 and 1963. Again, no significant progress was evident, and by 1965 the committee was inactive. For about ten years, there was little progress on uniform statistics, despite 1966 and 1969 resolutions urging the reformulation of the committee.

The other recurring topic was the model act for state court administrative offices, which the National Conference of Commissioners on Uniform State Law had promulgated in 1948. In 1957, the ABA's Section on Judicial Administration recommended that the NCCAO review this model act and suggest any changes that might be desirable. The conference accepted the suggestion and formed a committee led by Frederick Invernizzi of Maryland, but struggled over whether to make a recommendation.

The committee reported in 1958 that NCCAO should not make specific recommendations about the model act. Rather, the comments of the individual administrators would be disseminated as commentary on it. In 1959, however, the subject arose again. The Commissioners on Uniform State Laws specifically requested the thought of the NCCAO on the model act. The conference then reestablished the Invernizzi committee, and it did eventually make formal recommendations to the Commissioners on Uniform State Laws, which were incorporated into the model act.<sup>10</sup>

8. "Summary of the Annual Meeting," NCCAO, August 22-25, 1960, prepared by the Council of State Governments.

9. Interview with Edward B. McConnell, March 19, 1981.

10. "Summary of the Annual Meeting," NCCAO, August 23-28, 1960, prepared by the Council of State Governments.

The issue of the model act was the first topic to arise repeatedly that suggested a change in the purpose of the NCCAO. For the first time, the conference took an advocate's role in a national issue. It was reluctant to do so at first, but eventually the members agreed to take a formal action.

When similar issues came up, usually involving the expansion of court administrative offices in new states, the NCCAO responded timidly. Its members worked actively in other groups, such as the ABA, for these developments, but the NCCAO as an organization was clearly more comfortable without a role in policy making.

## **First Restudy**

In 1962, the conference reexamined its structure and organization for the first time since its establishment. By that time there were thirty-eight members, from twenty-three state offices, Puerto Rico, the federal Administrative Office, and at least four trial courts (Los Angeles, Cleveland, Cook County, and Phoenix). The executive committee had in late 1961 appointed a Temporary Committee on Interim Studies "to survey the thinking of the Conference membership and formulate written recommendations with respect to a format for the creation of permanent committees to conduct studies and present recommendations in selected fields of Judicial Administration." Edward B. McConnell chaired the committee, and Meredith Doyle of Michigan and John C. Fitzgerald of Cook County were its members.

The committee reported to the 1962 annual meeting. Their report shows the tension and uncertainty that characterized the organization about its purposes and structure. The members were unwilling to transform the conference from a self-help organization to an active force in the field.

The Temporary Committee recommended against the development of permanent committees (other than the executive committee). The conference adopted this recommendation. The reasons were that the conference membership was small and their time and resources were limited. In the 1962 survey, the committee discovered that the only topic with widespread interest as a committee subject was judicial statistics. In discussion, the Temporary Committee's members pointed out that any special project or research effort could be undertaken by the Council of State Governments, as secretariat to the NCCAO, or the Institute of Judicial Administration. Thus, they were content to let others work as the activists in the development of the field of court administration. The NCCAO had the authority to appoint study committees for this purpose, but its members were cautious.<sup>11</sup> In the next few years, NCCAO established a few committees. Most worked for a year or two and then became inactive. They did make reports to the annual meetings, but there were few instances in which the organization addressed itself to substantive policy matters. More often than not, these committees and studies compiled data but made no substantive recommendations because of the variety of practices and environments in the several states.

11. See "Summary of the Annual Meeting," NCCAO, August 1-4, 1962, prepared by the Council of State Governments.

These were exciting years in many place and respects. Court reform, reorganization, or call it what you will, was meeting with enthusiasm in a number of jurisdictions, and the process had not yet been institutionalized. There was an opportunity to participate in bringing about change, to be innovative, and to see the state courts as a system, rather than a conglomeration of separate courts at worst or an uneasy federation at best.

None of these things took place—where they did take place—without difficulty, but change was perceptible, was possible, and there was a feeling of accomplishment and optimism that could hardly escape detection whenever members of this organization gathered.<sup>1</sup>

## New Focus

The turbulence of the 1960s had its effect on judicial administration. The courts were asked to do more than ever before; in addition to traditional causes of action, a flood of new cases—civil rights, public protests, class-action suits, consumer complaints, and the like—came to the courts, both state and federal. Crime rates, and particularly the level of public apprehension about crime, soared. Educational programs in criminology and criminal justice were set up across the country. The public was often bewildered by court decisions that seemed to “turn the criminals loose” to victimize society again. Several widely read and influential books (such as Howard James’s *The Crisis of the Courts*) also described the limitations and failures of the judicial process.

Predictably, one of the reactions to this attention was the formation of a presidential study commission. The President’s Commission on Law Enforcement and Administration of Justice, chaired by Governor Otto Kerner of Illinois, produced its report in early 1967, *The Challenge of Crime in a Free Society*. The recommendations of that report eventually led to the creation of the Law Enforcement Assistance Administration (LEAA). While the focus of the commission’s work (and the act that resulted) was crime and its control, the commission indicated that the adjudication segment of the criminal justice process was central to the entire process. Adjudication was a legitimate focus of the new LEAA, although it was very much a secondary or tertiary one.

LEAA made a tremendous difference in court administration. Even though the amount of federal funds was small at first in comparison with those spent in law enforcement (and later, corrections), it was a new source of funds. Federal money was easier to get than state or local funds because no established network of personalities, fears, and opportunities controlled its allocation. Even in a relatively small amount, funding from LEAA opened great possibilities in the field.

NCCAO members felt the lure of federal funds. In the 1967 meeting, Ernest C. Friesen, as Assistant Attorney General for Administration, made a major presentation on

<sup>1</sup> Harry O. Lawson, “The Changing Role of the State Court Administrator,” presented to the Conference of State Court Administrators, August 2, 1977.

the then-pending Omnibus Crime Control and Safe Streets Act. In the business session at the same meeting, Edward B. McConnell expressed his desire that a list of federal grant programs available to the courts be circulated, and he suggested that NCCAO could consider the subject of federal grants to state courts. As a result, the Committee on Federal-State Cooperation was requested to assemble the appropriate material.<sup>2</sup>

In succeeding years, LEAA and federal grants were never off the agenda at annual meetings. Year after year, LEAA was discussed: the eligibility of courts, the relation between the courts and the state and federal agencies responsible for allocation, the extensive requirements for grants, the lack of funds, the need for allocating a greater share to the courts, and so on. LEAA was a great boon to the courts (and to the annual meetings of NCCAO), and it was also a favorite whipping boy.

The overall effect of LEAA on judicial administration is significant. It started slowly. From 1969 to about 1972, the participation of the courts was negligible. Then it increased until it hit a peak from 1976 to about 1978. It then declined from about 1979. Virtually all court administrative offices hired staff with the aid of the LEAA grants. In fact, some of the offices themselves were created through a grant. The administrators now had the ability to undertake a great variety of studies—in court organization, jury programs, calendaring and caseload management, personnel and finance, and a long list of other topics. They were deluged with studies, consultants, and academic research. After years of operating on their own, with trial and error, the high degree of attention was dazzling. It created both excitement and trepidation.

Coincident with the federal grant developments was the drive for nationwide standards in judicial administration. In the 1960s, standards were needed. In the early 1970s, they were approved and set forth. In the mid-1970s, they were consulted, invoked, studied, quoted, compared, and sometimes even implemented. By the late 1970s, they were still being attended to (in fact, standards for juvenile justice were still being hammered out), but a new strain was emerging. Court administrators came to see themselves often as being buried or trapped in standards, and articles appeared challenging the basic assumption of the existing standards. Like LEAA, standards were both a boon and a source of constant irritation.

The American Bar Association began a study of Standards of Judicial Administration in the late 1960s and established a commission in 1971. Although dominated (at least in numbers) by judges and practicing attorneys, several court administrators participated in the ABA project. Harry O. Lawson of Colorado was a member, as well as federal circuit executives Robert D. Lipscher and Emory G. Hatcher, who joined the commission during the preparation of the appellate standards.

Further, other court administrators were consultants to the commission, including Edward B. McConnell and Frank Zolin. During the early 1970s, the ABA published standards relating to court organization, appellate courts, trial courts, and a wide variety of court topics, such as traffic courts, speedy trials, caseload management, prosecution and defense, and the like.

<sup>2</sup> "Summary of the Annual Meeting," NCCAO, August 1-4, 1967, prepared by the Council of State Governments.

The second major effort to define standards was by the LEAA itself. The national Advisory Commission on Criminal Justice Standards and Goals was appointed by the LEAA administrator in 1971 and produced its reports in 1973 and 1974. The commission had a Task Force on Courts, which included one court administrator, Edward B. McConnell. The task force in turn used other court administrators as consultants and advisers.

There was one final element in the greater attention paid to judicial administration in this period. It was the coming of new organizations, consultants, and research studies to the field. Several new organizations were created, of which the two most important were the Institute for Court Management (ICM) and the National Center for State Courts (NCSC).

ICM was established following the vision of Chief Justice Warren E. Burger in 1970. It quickly became a leader in the drive to train professionals in the field of court administration, and Ernest C. Friesen became its first head. The members of the first several graduating classes of ICM, especially the first two or three in the early 1970s, added greatly to the roster of professional, business-oriented court administrators. Several of those early ICM graduates became leaders of COSCA in the years and decades ahead. But beyond that, they had very salutary effect in gaining the acceptance of trained court administrators by the justices and judges with whom they worked.<sup>3</sup>

The National Center for State Courts, also established due to Chief Justice Burger's leadership, was perhaps even more influential as the field of court administration developed in the 1970s. The NCSC soon had its own consultants, questionnaires, research projects, and technical assistance, supported almost exclusively by LEAA funds. In addition, there were other consultant firms and organizations, both public and private, competing for court studies. Finally, there were academicians developing their own research projects and getting them funded. All of this activity presented the court administrators with both costs and benefits. The benefits were substantial, particularly since the project recommendations and research results often called for an enhancement in the position and influence of court administrators. But the costs were also there, for court administrators needed to build and maintain relationships with the people and organizations involved and to supply them with most of the data for their studies.

The position of the National Center for State Courts is central to the development of NCCAO at this time. NCSC was established in 1971. Shortly thereafter, at the 1971 annual meeting of the NCCAO, the court administrators decided that NCCAO should support the new organization and participate in its Advisory Council (but they lamented the fact that there were no administrators on the board of directors).<sup>4</sup> At the 1972 meeting, the NCSC was the first item on the agenda of both the Conference of Chief Justices and the NCCAO. At that time, Justice Winslow Christian, the NCSC's first director, outlined its structure, role, and activities.<sup>5</sup>

3. Letter to author from Larry Polansky, August 8, 2005.

4. "Summary of the Annual Meeting," NCCAO, June 30-July 2, 1971, prepared by the Council of State Governments.

5. "Summary of the Annual Meeting," NCCAO, August 9-12, 1972, prepared by the Council of State Governments.

To some court administrators, NCSC may have seemed to present a potential threat. The organization professed to offer them services and assistance, but the scale of operation it envisioned was large. It was developing contacts with Congress, the Department of Justice, the Federal Judicial Center, and the Chief Justice. It was establishing regional offices around the country. The most prominent judges supported it. Would it overwhelm the individual court administrators? Would it, in alliance with LEAA and the standards drafters, develop some way of mandating and enforcing guidelines or procedures? Would it swallow up the other organizations and associations devoted to judicial administration?

These concerns seem overblown in retrospect, but they were real at the time for some state court administrators. They were still establishing their roles in most states, and they considered themselves weak. It is ironic that the National Center wanted the patronage of the state court administrators above all but the chief justices, assuming that through the state court administrators it would become established and respected in the field. After Edward B. McConnell, a former court administrator and a cofounder of NCCAO, became the first non-judge director of the National Center in 1973, this attention to court administrators became clear.

## **Professionalization**

The notion of greater professionalization is a rather nebulous one. Nevertheless, it is clear that court administrators were becoming involved in new areas of court system operation. More of them had responsibility for the management of a court system rather than for the administrative needs of one court. Educational opportunities and career paths in the field also were becoming established.

The new areas for court administration were many. Clearly, one of the principal topics was data processing. Data processing eventually became of paramount importance. It offered the courts a way to manage the constant flow of information; it gave court administrators some real control in a new area of management; and it presented significant challenges that for many years produced as many failures as it did successes. Other topics became apparent as well: the public and press wanted more information about the courts; jury management became vital; arbitration, mediation, and new procedural devices such as settlement conferences arose. Court facilities became more of a concern and an object of study. Comprehensive planning was more critical, especially as the LEAA program enlarged its role in the courts. Personnel management became more complex, particularly with unionization among court employees and greater concern about affirmative action and equal employment opportunities. In short, the court administrator needed to develop his or her own expertise, or hire it, in a multitude of management areas quite beyond the traditional roles of assistance to judge and liaison among bench, bar, and legislature.

Greater responsibility for judicial system management also characterized the developing professionalism. Most of the early court administrators served the judges of one court. Except in a few instances, the administrators (and by extension the Supreme Court or Judicial Council) did not manage or oversee the entire judicial branch of the state. In the 1960s, more and more states began to reorganize their courts and to institute comprehensive management. The role of the state court administrator increased

profoundly as these changes occurred. Not all states followed this path, but quite a few did between 1960 and 1976.

Educational opportunities were opening for persons interested in court administration. In the early days of the NCCAO, that organization provided the only opportunity for discussion of how to develop the abilities of a court administrator. By the early 1970s, in-service training, through the Institute for Court Management, was institutionalized, and so were graduate-school programs, notably at the University of Southern California, the University of Denver, and American University. Further, largely with LEAA funds, the number of seminars, conferences, and workshops increased dramatically.

Career paths were becoming established. As court administrators hired staff and as more administrative offices opened at both the state and the trial levels, a new person in the field could see how a career might develop, from one job to another. The corollary to that process was that court administrators were being hired more and more for their management ability and court-related experience and less for their political connections or established friendships. Managerial skill replaced cronyism as a prerequisite for the job in many states. Often in the 1970s, state court administrators were hired whose experience and qualifications came from other states—who were in fact new to the state where they were hired. There had been one example in the 1960s of a state court administrator who had occupied the same position in another state: John W. McMillan was first Ohio's state court administrator; following that he was Minnesota's state court administrator, and then the administrator in Alaska. McMillan started no trend, however. In fact, not until 1980 did a second person become a state administrator in more than one state, when Elizabeth D. Belshaw, who had previously been Maine's administrator, assumed the top administrative position in Oregon. Finally, administrators were being hired with a background in management or public administration rather than law. Harry O. Lawson of Colorado and Lester Cingcade of Hawaii were two of the first nonlawyer state court administrators. They both assumed their positions in 1966. By 1980, there were sixteen nonlawyers among the state court administrators.

## **Restructure**

In the early 1970s, NCCAO became the Conference of State Court Administrators (COSCA), and membership was limited to state court administrators. The change was approved at the 1972 annual meeting, but there had been considerable development leading up to that point. It was a major change, with considerable stress.

By the mid-1960s, membership in NCCAO included the existing state court administrators, the leaders of the federal Administrative Office, several—perhaps a dozen—trial court administrators, some court administrative staff members, and a few persons without an actual administrative position, such as Fannie Klein, of the Institute of Judicial Administration. Many of the state court administrators feared that this disparate membership would weaken the organization, which they thought was intended to be theirs primarily.

These state court administrators wanted a group in strong partnership with the Conference of Chief Justices. They wanted to be identified with the chief justices in their professional organization, to be seen as one of the two leaders of court administration in each state. The development of their position in many states depended on their teamwork with their chief justices; trial judges, court clerks, and others might oppose the development of professional administration, but that was tolerable if the chiefs supported the concept. If others, particularly trial court administrators, came to dominate their organization, the teamwork with the Conference of Chief Justices would be in jeopardy. The Conference of Chief Justices might terminate the joint meetings and the shared discussions. The chiefs did not know many of the trial court administrators, and the size of the administrators' meeting would soon outgrow that of the chief justices' meeting. This would be a case of the tail wagging the dog.<sup>6</sup>

The first apparent discussion of the division in the conference between state and trial court administrators occurred in 1964. At that meeting, Ralph Kleps of California moderated a panel discussion on "Recommended Functions for State and Trial Court Administrators." At its conclusion, Edward B. McConnell remarked that "in this conference, the [trial] court administrators have increased in number and it is apparent that there is a crucial policy question between a state court administrator and a local administrator within a jurisdiction."<sup>7</sup>

In the business session of the same annual meeting, McConnell offered amendments to the Articles of Organization, which passed unanimously without discussion. It was the first limitation on the original ad hoc determination of membership. The amendments set membership requirements in NCCAO according to the court in which one was an administrator: a) the courts of the United States, b) the courts of Puerto Rico, c) the courts of any state, and d) the courts of general jurisdiction of a county or judicial district with a population above 500,000. Another provision established associate membership for administrators of courts from jurisdictions with a smaller population or for representatives of organizations with an interest in judicial administration.<sup>8</sup>

The next action, and the critical one for restructuring of the conference, took place at the annual meeting in Charleston, South Carolina, in 1971. At that time, the conference passed a resolution that a committee be formed to draft a revision of the Articles of Organization to design a new plan of membership that would "make this Conference an organization of state court administration only, with a primary emphasis on statewide administrative problems, interstate problems and state-federal problems." The reasons set forth in the "whereas" clauses of the resolution were the growth in membership, causing difficulties in making arrangements for meetings with the Conference of Chief Justices; the desire to continue meeting with the chiefs; and the existence of a National Association of Trial Court Administrators.<sup>9</sup>

6. Interview with Edward B. McConnell, March 19, 1981.

7. "Summary of the Annual Meeting," NCCAO, August 5-8, 1964, prepared by the Council of State Governments.

8. Ibid.

9. Resolution I, Appendix B, "Summary of the Annual Meeting," NCCAO, June 30-July 2, 1971, prepared by the Council of State Governments.

The 1972 annual meeting made the change official. The attendance list for that year has only one trial court member, Benjamin Mackoff of Cook County. The program for the 1972 meeting showed a strong emphasis on statewide concerns and relatively little material aimed at trial courts. At the business session, the members present unanimously approved the revised Articles of Organization, which changed NCCAO into COSCA—the Conference of State Court Administrators.<sup>10</sup>

From the recollection of those who were involved in the change, it seems clear that this had been in the works for some time. The leaders of the organization at the time, such as McConell of New Jersey, Kleps of California, and Lawson of Colorado, believed that the issue was not so much whether such a change should occur, but how and when.<sup>11</sup>

The transition to COSCA marked another step in the maturing process of state court administrators and their organization. The by-product of increased animosity between trial court administrators as a group and their state-level colleagues as a group was no doubt an inevitable result. The rivalry, however, would have to be addressed in other forums and particularly in interorganizational relations. COSCA would spend much energy in the decades to come developing effective relationships with other organizations working in the field of court administration.

10. "Summary of the Annual Meeting," COSCA, August 9-12, 1972, prepared by the Council of State Governments.

11. Interviews with Edward B. McConnell, March 19, 1981; Harry O. Lawson, June 30, 1981.

### *III. The 1970s: The Modern Conference of State Court Administrators Develops*

**D**uring the 1970s, COSCA experienced substantial growth, but not without tension and uncertainty. By 1977, all fifty states were represented. There was a continuing discussion about the purposes of COSCA and its relationships with other organizations and constituencies. Its efforts to serve state court administrators and the field of court administration accelerated and diversified. Yet one can detect the same uncertainties and doubts that were always part of COSCA: its attitude toward the chief justices, and its desire to assume a leadership role while still being frustrated by fifty different state systems and political environments. There was a sense of professional insecurity, with a high frequency of job turnover at the turn of the decade, and a continued need for self-examination that went hand-in-hand with its expanding activities and professional status.

#### **Revised Purpose**

In 1972, upon formally reconstituting the organization as COSCA, the court administrators adopted revised Articles of Organization. The revision set these new purposes:



*In 1974, COSCA met in Honolulu, Hawaii.*

To deal with the problems of state court systems and, toward that end, it shall cooperate with the Conference of Chief Justices; shall seek to formulate fundamental policies and standards for state court administration; shall facilitate cooperation, consultation and exchange of information by and among national, state and local offices...; shall foster the utilization of the principles and techniques of modern business management...; and shall thereby endeavor to improve administrative practices and procedures in, and to increase the efficiency and effectiveness of, all courts in the several states.<sup>1</sup>

This statement has several notable features. First, it is not a goal for COSCA to be a “self-help” organization devoted to exchanges among members. On the contrary, the members were professionals intent on having an impact in their field. Second, the “state court system” focus and the close liaison with the Conference of Chief Justices are paramount. One might read between the lines to see a feeling of leadership and influence that was part of the court administrators’ jobs, but only with the consent of the chiefs. Third, the role of advocating “standards” for state court administration is clear; COSCA would, when appropriate, make its policy preferences known. Fourth, COSCA would have a voice in both national and local affairs. Both the federal agencies—LEAA, Congress, federal courts—and the associations of trial court personnel, such as the National Association of Trial Court Administrators (NATCA), would hear from COSCA. Finally, the state court administrators in COSCA would bring their experience and learning to bear on “all courts” in the several states. Their responsibilities included the court system, not just the Supreme Court of their states.

The change from the early years of NCCAO is both obvious and radical. COSCA was saying, “We were weak, but we’ve grown. We intend to take our place as administrative managers, subject to the guidance of the chiefs, involved in all facets of the administration of justice.”

At about the same time, the annual meetings took on a greater sense of purpose. The commitment to professional education increased. In 1969, the meeting used the Arden House format of small-group discussions. There were four panel presentations, and the participants went from one topic to another. As a result, all participants took part in a small-group discussion on each topic. This method was successful in promoting a fuller discussion than the previous format of speeches and panels to the entire group. The Arden House format lasted about three years before the administrators wanted a change.<sup>2</sup>

In 1973, the annual meeting was in Columbus, Ohio, and was dedicated almost entirely to the examination of the ABA Standards. Yet the administrators sought an additional educational component. To accomplish this, they met in Columbus two days early and attended an educational program about legislative relations and related topics. The administrators considered the experiment a success. In the business session at the conclusion of the annual meeting, incoming chairman Roy Gulley of Illinois discussed

1. Appendix A, “Summary of the Annual Meeting,” COSCA, August 9-12, 1972, prepared by the Council of State Governments.

2. Interview with Harry O. Lawson, June 30, 1981.

the need for expanding communication with the National Center for State Courts and the National Association of Trial Court Administrators (NATCA) on the educational opportunities in court administration generally and the possibilities for future COSCA efforts.<sup>3</sup>

There were several additional examples in the late 1970s of such educational efforts outside the annual meeting. In 1977, again before the regular meeting, there was a specific educational session. In November 1978 in Denver, Colorado, when court administrators met to discuss court statistics in a program organized by the National Center, they also participated in a seminar on management styles and techniques prepared jointly by ICM and the University of Denver. Finally, in the fall of 1980, the National Center for State Courts prepared a seminar, held in Reno, Nevada, on court statistics and information systems for administrators and some of their staff.

## **Changing Relations**

Many of the events that occurred from 1971 to 1977 had a common element: COSCA wanted to maintain a strong relationship with the Conference of Chief Justices (CCJ). Some decisions showed a growing bond between the two organizations. Others came as a result of administrators' concern that to do otherwise would threaten the relationship. Yet there is another thread; the administrators were not content simply to follow the chiefs. They considered themselves and the chief justices as partners in court administration, and they wanted their organization to take a full role in that partnership, not a subservient position.

As we have already seen, the split with the trial court administrators and the more restricted membership of 1971-72 occurred partly because of these desires about the chief justices. The continued bond between CCJ and COSCA was more important than the organizational association with the trial court administrators and the federal court administrators.

For many years the administrators had had some formal sessions with the CCJ. Generally, the two conferences would meet jointly in the first session of the annual meetings. In addition, the chairman of the court administrators' organization reported to the CCJ in an annual message, reciprocated by an address from the chairman of the CCJ to the administrators. This practice was discontinued in the early 1970s.<sup>4</sup>

In its place the two organizations began to share a single program more and more. In 1973, virtually the entire program focused on the American Bar Association's Standards of Judicial Administration, and the two associations met together for all the sessions. Presentations came from members of the ABA Commission: Justice Louis C. Burke of California, Harry O. Lawson of Colorado, and Geoffrey C. Hazard of Yale University, the staff director of the ABA project.

<sup>3</sup> Interview with Harry O. Lawson, June 30, 1981; Report of the Annual Meeting, COSCA, August 1-4, 1973, prepared by the Council of State Governments.

<sup>4</sup> Interview with Harry O. Lawson, June 30, 1981.

The conferences shared resolutions as well as programs. As the chief justices became more involved with federal LEAA programs, they passed resolutions and established committees on the subject. COSCA sought involvement with CCJ, and the administrators were knowledgeable about LEAA, so the CCJ resolutions were regularly referred to COSCA. Usually, COSCA passed companion resolutions.

In the 1974 meeting, CCJ wanted to pass a resolution critical of LEAA for not funding enough court projects, but the court administrators did not wish to go along. The court administrators who had studied the question concluded that the courts themselves brought on a great deal of the problem with LEAA by not participating in the program, and they concluded such a resolution would be ill advised. The result was a resolution that CCJ would establish a Special Committee on Federal Funding and that the existing COSCA committee would work with the CCJ committee.<sup>5</sup>

In 1977, difficulties with resolutions erupted into a major struggle within COSCA. The COSCA business session included consideration of two resolutions that had been passed by CCJ concerning LEAA and federal government activities with state courts. Neither resolution had been submitted to COSCA in advance. Both aroused a great deal of opposition. The COSCA members feared they might upset the chief justices if they voted one way or another on the resolutions, but they also resented having to gauge their own views according to those of CCJ.<sup>6</sup> These sentiments were thoroughly discussed in the reorganization studies from 1976 to 1979, as we shall see.

A similar uncertainty developed in 1978 about COSCA's relations with another group, the court planners. After the LEAA amendments in 1976 that emphasized a strong role for judicial planning, most state court systems (and some large trial courts) hired court planners, usually within the state court administrators' offices. In 1978, the planners formed the National Council for Judicial Planning (NCJP). To COSCA, the existence of a new organization posed a dilemma. For the professional staff members in the administrator's offices, the need for training, continued education, and interstate camaraderie was just as great as for the administrators themselves. Either COSCA had to provide some mechanism for the training and development of the administrators' staff members, or they would form their own groups to develop it. The planners had established a group, the judicial educators had a group; was it not on the horizon for budget officers, personnel officers, and others to do likewise? If so, where would the loyalties of these staff members lie? COSCA members recognized the dilemma but did not solve it. Discussions about the need for staff development began in 1976 and were not satisfactorily resolved for decades. At the same time, COSCA members were uncomfortable being in competition with their staff's organizations. They asked the National Center in 1978 not to provide secretariat services for any other organizations without COSCA's approval. In the early 1980s, NCPJ remained alive, served with NCSC secretariat services, but no other association of administrative staff persons received NCSC services.

5. Interview with Lester E. Cingcade, June 29, 1981.

6. *Ibid.* See also Minutes of COSCA Business Meeting, August 3, 1977.

## Change in Secretariat

From the time of their establishment, both CCJ and COSCA had received secretariat services from the Council of State Governments (CSG). In 1971, the National Center for State Courts was established. In 1976, CCJ and COSCA voted to ask NCSC to assume secretariat duties, and from that time the National Center has served the conferences. The change in secretariat was to a great extent a mark of the National Center's development and maturity, but it also had a significant effect on both CCJ and COSCA as their demands for secretariat services increased.

As secretariat, CSG had traditionally made the arrangements for the annual meetings and handled the correspondence for CCJ and COSCA between meetings. As the activities of the conferences grew during the 1970s, CSG's support also increased. Committees were established, and CSG had to coordinate more meetings, correspondences, notifications, and distribution of reports. The level of participation in political areas grew, so CSG supported these efforts. CSG staff undertook an increasing number of surveys and reports on activities in the courts of the various states, preparing a number of statistical reports as a result of these surveys. And, beginning in May 1975, CSG began a newsletter for the two conferences, *State Judiciary News*.

The Council of State Governments had traditionally been the secretariat for numerous multistate associations of state officers. As of 1974, CSG had secretariat responsibilities for nine separate organizations, including the National Governors' Conference and the National Conference of State Legislatures. In 1975, largely as a result of a dispute about the governors' role in the governing council of CSG, the National Governors' Conference voted to disaffiliate itself from CSG. At about the same time, the National Conference of State Legislatures established itself as an affiliate of CSG but with budget and staff autonomy.<sup>7</sup>

With all of this activity, the chief justices became restless. The associations of the other leaders of branches of state government were establishing autonomous staff support and lobbying activity. CCJ was increasing its lobbying efforts; perhaps it too needed independent support. The National Center for State Courts was the obvious alternative to CSG. It had a board of directors composed of state court leaders, and it was dedicated to the interests of the courts.

The Conference of Chief Justices formed a committee to review secretariat services. CCJ's decision about the secretariat services would be the key; COSCA would probably follow CCJ's action. The CCJ committee reviewed CSG's activities and discussed possible NCSC services and saw no need to change their affiliation, but heard no formal presentation of the matter. At the 1976 annual meeting, the CCJ executive committee heard presentations from both organizations. The National Center for State Courts made the more persuasive presentation, and CCJ voted to go with the court-dominated organization; COSCA agreed later to do so as well.<sup>8</sup>

7. See Linda E. Demkovich, "Governors' Departure Tests State Government Council," *National Journal*, September 27, 1975.

8. Interview with Edward B. McConnell, March 19, 1981.

The secretariat services of the National Center since 1976 have been vital to the growth and development of both conferences. Meeting arrangements, committee work, staff reports, distribution of material, lobbying, and newsletters have all been involved. As the activities of the conferences have increased, the demands on the National Center have also increased, and the National Center's staff services have been a strong element of the wider range of conference business.

The relationship between the conferences and the NCSC has grown closer, culminating in the National Center's own reorganization of its governance in 1980 and 1981. The National Center's governing body, the Council of State Court Representatives, was abolished and replaced with the two conferences, CCJ and COSCA. At the same time, COSCA elected two of its members to the National Center's Board of Directors. For the first time court administrators sat on the National Center's Board. James D. Thomas of Colorado and Lester Cingcade of Hawaii were the first two such representatives. The development solidified both the National Center's position as an organization controlled by the state court leadership and COSCA's position as part of that leadership.

## Reorganization

In the mid-1970s, COSCA members felt a need to reexamine the goals, purposes, and activities of COSCA. Such an examination had taken place before, but usually as a result of some external stimulus. This time, the administrators wanted to review and realign their organization to the newly felt professionalism, maturity, and changes in their own offices. It was the most thorough study of COSCA that had been attempted. It began in 1975, and the reorganization that resulted was finally complete by 1979. In 1975, Lester E. Cingcade of Hawaii was COSCA's chairman. He saw a need for COSCA to define its purpose and study its structure and activities. Professionalism was growing, and court administrators were being asked to manage additional duties. Staff size and complexity had grown. In 1965, the average staff size in state court administrative offices was 4.9 persons; in 1975, it was 19. How would the conference reflect those changes?<sup>9</sup>

Cingcade appointed the "Ad Hoc Committee on COSCA Objectives and Goals" in July 1975. It consisted of Harry O. Lawson of Colorado as chairman, James E. Dunlevey of Nebraska, Roy O. Gulley of Illinois, Phillip B. Winberry of Washington, and Bert M. Montague of North Carolina. After the 1975 annual meeting, COSCA added two more members to the committee, William H. Adkins of Maryland and Marian P. Opala of Oklahoma. Later, two more administrators joined as ex-officio members, Cingcade as past COSCA chairman and Richard E. Klein of Minnesota, then the current COSCA chairman. All were experienced court administrators who had "paid their dues in the field," and it is interesting that all except Dunlevey had been or would be COSCA chairmen.<sup>10</sup>

Lawson identified six topics for study and asked each committee member to write a paper on one of the topics. The topics were as follows: COSCA's goals in relation to CCJ,

<sup>9</sup>. Interview with Lester E. Cingcade, June 29, 1981.

<sup>10</sup>. Interview with Harry O. Lawson, June 30, 1981.

state court administrative staff development, COSCA's relations with other organizations, COSCA's membership and meeting structure, the committee structure, and the staff services needed by COSCA. The committee members discussed each other's papers, and then Lawson reworked the individual papers into a draft for further revision. The report was submitted to the 1976 annual meeting.

There was remarkably little difference in views among the committee members. They asked provocative questions about their organization, questions concerning its dependence on CCJ, its relationship to trial court administrators, and its committee work and other activities. The only strong concern not incorporated by the committee into the report was Roy Gulley's conviction that trial court administrators should have some place in the COSCA organization, if only representation as associate members, even at the expense of a close relationship with CCJ.

Among the recommendations made, several deserve mention. First, the committee believed in a strong relationship between COSCA and CCJ. The members frequently equated this with the working relationship between an individual state's chief justice and its court administrator. Second, they sought ways to make COSCA more active in its sponsorship of principles of court administration and in its advocacy of particular techniques or proposals in the field. Further, they sought to make COSCA a more valuable resource in the continued education of all persons involved in court administration. They also expressed a desire for a closer relationship with related agencies, organizations, and membership associations in the field. Fifth, the committee members identified several areas in which they hoped COSCA could give direct service: an information clearinghouse, selected technical assistance, consulting services, and evaluation of state court administrative offices. To accomplish these aims, the committee discussed short-term sharing or exchange of staff members among the several administrative offices. Sixth, the committee recommended a stronger committee structure to oversee the activities of the organization. Finally, the committee recommended increased staff support, but the report deferred to CCJ concerning the secretariat before making further recommendations.<sup>11</sup>

The court administrators generally approved the report, and the executive committee began to plan its implementation. The Conference of Chief Justices had no particular reaction to any part of the COSCA report.<sup>12</sup> At the 1976 meeting, however, two other developments occurred that forced the Ad Hoc Committee to look again at the report. First, CCJ changed its secretariat organization to NCSC. Second, a new National Court Statistics Project, with an LEAA grant and a National Center staff, created for the first time a COSCA committee to oversee the work of an independent staff on a specific project. (It also realized the early aim of NCCAO to work toward uniform court statistics.) This reappraisal specifically studied the committee structure and the bylaws of COSCA.

At the 1977 annual meeting, the Ad Hoc Committee submitted its final report. COSCA approved the report and adopted its recommendations for several changes in the

11. Ad Hoc Committee Final Report, July 9, 1976.

12. Interview with Harry O. Lawson, June 30, 1981.

bylaws. One reinforced the statement of purpose of the organization, specifying both its service role to CCJ and its functions as an independent professional group. Another rewrote the section on the secretariat, outlining NCSC's role in arrangements for meetings, research projects, and clearinghouse requests. Finally, the conference approved a change in the executive committee to provide for membership by the chairman, the chairman-elect, the immediate past chairman, and six other members elected for staggered terms of three years each.

Discussion of the topics continued from 1977 to 1979 as a direct outgrowth of the work of the Ad Hoc Committee. In 1977, COSCA created a new committee, the Bylaws and Role and Function Committee, under the chairmanship of Lester Cingcade of Hawaii (who had originally seen the need for the Ad Hoc Committee in 1975 as COSCA chairman). The committee included James M. Parkison of Missouri, Robert N. Baldwin of Virginia, Carl F. Bianchi of Idaho, William G. Bohn of North Dakota, Roy O. Gulley of Illinois, Eugene J. Murret of Louisiana, and William J. O'Brien of Iowa.

The new committee worked for two years. Basically, its work focused on two subjects that the Ad Hoc Committee had also examined: the committee structure of COSCA and COSCA's relationship with CCJ. On both accounts, the Bylaws Committee proposed significant changes in COSCA's Articles of Organization, which were adopted in 1979.

The discussion about the relationship with CCJ illustrates the growing pains of a newly professional organization. For twenty years, the consensus had been that a close relationship was vital, but increasingly some members urged COSCA to stand on its own. Cingcade and a number of his committee members believed that COSCA could, when appropriate, function effectively without always being in the shadow of the chief justices. The administrators could make their own decisions on policy questions as expressed in the resolutions, thus avoiding the problems encountered at the 1977 annual meeting. Further, COSCA should consider meeting separately from CCJ. After all, they reasoned, COSCA and CCJ had an overlapping interest in the principles and major developments in court administration, but the chief justices had additional concerns—their adjudication and law-development functions—while the administrators had theirs—the nuts and bolts of good court management. While some joint meetings and joint committees were fine, they were not a *sine qua non* for a strong COSCA organization.<sup>13</sup> This reasoning was not unanimous, however, and other members of COSCA felt that their organization still depended on the Conference of Chief Justices. Their meetings gained stature and importance with CCJ. Their committee work was enhanced when chief justices were involved. And the development of court administration was by no means fully accepted; while all fifty states had a court administrator, some still had limited duties and staff. In short, some COSCA members saw no particular advantages and considerable risks.<sup>14</sup> Sprinkled throughout these discussions was the realization that COSCA as a group had little effect on CCJ deliberation and resolutions. The administrators knew that their

13. Interview with Lester E. Cingcade, June 29, 1981. See also letters to Cingcade from Murret (January 5, 1978), Baldwin (February 6, 1978), Gulley (February 15, 1978), and Parkison (February 24, 1978).

14. See Minutes of Executive Committee, August 4, 1977, and Bianchi to Cingcade, January 16, 1978.

feelings of playing second fiddle to CCJ were more in their own perceptions than in any specific actions or desires of CCJ as a group.

This question was finally resolved, at least for a considerable time, in 1979. The administrators did not change the bylaws to open the door to annual meetings separate from CCJ (proposals to do so had not been approved by the Bylaws Committee and the Executive Committee). They did, however, make two changes in the statement of purpose that signaled independence for COSCA, at least if COSCA should ever decide to exercise it. First they eliminated the section of the Articles of Organization that proclaimed "cooperation with the Conference of Chief Justices" as an overall purpose, although clearly in practice COSCA would continue to cooperate with CCJ. Second, they declared simply that "the Conference is an independent professional society," rather than, as in 1977, "an independent professional society which shall offer its services to the Conference of Chief Justices." Finally, COSCA members decided to hold a regular midyear meeting to consider COSCA business and to have a chance to meet formally without the chief justices present. The first regular midyear meeting took place in December 1979.

The Bylaws Committee also examined the committee structure of COSCA. Committees had proliferated in the 1970s as the conference became involved in or interested in new areas. Some had nebulous or poorly articulated duties. Others remained on the books even though they were inactive. Some were too specialized in their responsibilities, while still others seemed too general. COSCA members were proud of the good work done by their Federal-State Relations Committee, in conjunction with a CCJ committee, during the 1975-1977 discussions about LEAA. They were also pleased with the oversight role of the Statistics Committee with the National Center's Court Statistics Project, which was bringing to fruition all of the efforts in the 1950s and 1960s to move toward greater uniformity in judicial statistics. But these seemed like isolated examples. The committee structure needed reorganization. For example, in 1975-1976 there were five separate committees on liaison with various organizations and groups.

The Bylaws Committee gradually boiled down these different committee efforts and purposes to three, suggested by Cingcade as chairman. The committee recommended these standing committees: intergovernmental and interorganizational relations, education and programs, and research and technology. It also recommended that a member of the Executive Committee chair each standing committee. Further, the basic role of the standing committees, according to the Bylaws Committee, would be to provide information and recommendations to the Executive Committee. As a result, the Executive Committee was to be central in the structure of COSCA. Finally, the Bylaws Committee recommended continuation of the chairman's ability to appoint ad hoc committees for specific purposes and to establish project committees for oversight of activities such as the Statistics Project and the State Judicial Information Systems (SJIS) Project, which followed Statistics in 1977.

The Bylaws Committee made one other major recommendation. Each of the standing committees should have a role statement setting forth its purpose and scope. The general membership of COSCA would have to approve the role statement before the establishment of a committee.

At the 1979 annual meeting, COSCA members accepted these recommendations. They also accepted a general rewrite of the Articles of Organization, simplifying the language and eliminating legalisms, suggested by William Adkins of Maryland. The reorganization was complete.

## **The Beginning of the 1980s**

As the 1980s began, at least three developments took place that presented new challenges to state court administration in general and to COSCA in particular. While the organization emerged from much self-examination and reorganization, there would be no smooth sailing. New issues and new challenges arose.

First, there was the passing of LEAA. The role of the federal government in state court projects and activities was a paramount issue for all state court leaders from 1970 to 1980, and it dominated COSCA meetings, both directly and indirectly. In 1981, with political pressures for budget reduction in Washington, the whole issue was changing. LEAA was phased out of existence. Yet the feeling persisted that there would be continuing federal activities involving state courts, additional battles to be fought over the amount of funds and over control of spending. In 1980 and 1981, Congress discussed the establishment of a State Justice Institute, working from a draft bill prepared by CCJ and COSCA with NCSC assistance. As those battles took place, COSCA would have a major part in the story, since its members were the principal state officials involved from day to day in judicial branch activities susceptible to outside funding.

Second, the period from 1979 to 1981 saw increased job turnover among state court administrators. There were nineteen changes among COSCA members, or more than one-third of the membership. The extent of the turnover challenged COSCA's leaders. Perhaps the job was changing. Perhaps many state court administrators were becoming increasingly frustrated by budget constraints, perceptions of limitations in the job situation, or some other cause. The turnover may be a result of different perceptions about the position between the state court administrator and the chief justice or the supreme court. For example, the administrator may expect greater authority than the court will allow, leading to the court's undercutting the administrator's efforts or allowing the administrator to take the brunt of any controversy that arises. It may also have been a reaction to the end of a decade in which, with greater public attention and federal funding, all things seemed possible.

A third development was a sense of greater specialization and greater bureaucratization. The future seemed to require court administration. With ever more litigation and public attention on the courts, judges would continue to need court managers. Without doubt there would be greater reliance on technology in court offices, personnel work would be more complex, scheduling would be more complicated, and budgets would be more difficult. Trained administrators would be necessary with these developments. Sophistication and complexity seem inevitably intertwined, and complexity requires administration. But complexity could lead to more bureaucracy in the courts, as demands for accountability increase and court personnel become more

inclined to “do it by the book” and according to certain established patterns.<sup>15</sup> COSCA, then, would be a vital organization as senior administrative officials discuss their growing management responsibilities; but their jobs might not be as satisfying as they seemed before.

COSCA entered the 1980s as a newly mature but still young organization. It had emerged from a period of rapid developments and large opportunities, and its degree of professionalism was growing. But it was not secure, and the future seemed very uncertain.

---

15. Remarks of Charles Friel to Court Statistics Seminar, Reno, Nevada, September 1980. See also remarks of James Dator to COSCA, July 1980.

## *IV. The Early and Mid-1980s: Times of Internal Growth*

**B**y 1981, COSCA had become a mature organization but in many ways an unsettled one. It had reorganized but soon found that its structure was not fully satisfying. It had defined its role in statewide administration, yet still faced tensions with other organizations of court staff. It had a strong relationship with the Conference of Chief Justices (CCJ), yet it sought ways to make that relationship more of an equal partnership rather than merely following the lead of the chief justices. It had a strong and effective relationship with the National Center for State Courts (NCSC), yet it would soon have a much stronger one. And its role in securing adequate federal funds for the state courts was not yet firm. The early and mid-1980s was primarily a period of internal growth. The organization sought ways to make a mark on national policy, but in that effort it was starting to learn how to be successful.

### **Self-Examination**

In 1981 and 1982, there were several ways in which COSCA members looked at themselves and their offices. A report in 1981 did that literally. William G. Bohn of North Dakota had compiled a survey of state court administrators and created a profile



*COSCA meets in Lexington, Kentucky, in 1985.*

of the typical or median member of COSCA. That person was a male (actually, in 1981 only three COSCA members were women), forty-four years of age, and had three years of experience in the role of state court administrator. The typical administrator's background consisted of a bachelor's degree in history and a law degree and previous experience in state government before becoming state court administrator. The typical administrator had taken five specialized courses in court management: caseload management, budgeting, personnel administration, court statistics, and information systems.<sup>1</sup>

COSCA approved a 1981 report on job turnover among state court administrators. While it noted a high level of turnover (nineteen in two years from 1979 to 1981), it found no overriding cause and offered no specific recommendation to achieve greater stability. COSCA shared the report with the Conference of Chief Justices. Perhaps not surprisingly, CCJ members saw no problem, and COSCA agreed to take no action. In the years that followed, there was still some turnover but not the higher rate of 1979 to 1981.

A similar self-examination followed with the consideration of developing standards for career development and compensation for state court administrators. The career-development work included suggestions for career incentives for state court administrative staff. COSCA had asked the National Center staff for thoughts, and reviewed a preliminary report in 1982. The discussion continued through 1982 and 1983, and in December 1983 COSCA decided to drop the subject. The most compelling reason was a fear that the suggestions about the state court administrator's compensation and benefits would appear self-serving. Instead, the ideas about career development were to be incorporated in COSCA educational programs and orientation programs for new state court administrators.

Another project was tried in the early 1980s, also without much success. The idea was to build a talent bank that state court administrators could use. The logic was hard to fault. State court administrators themselves have experience, and their staffs have even more; as issues and problems came up in different states, the COSCA members ought to be able to consult their colleagues (and the staff of their colleagues) for advice and counsel. Surely what an administrator learns in one state can be helpful to other administrators in other states. In December 1981, work on the "talent bank" had begun. The idea was to list persons with expertise in various aspects of court administration with the regional offices of the National Center. Then, when a need was identified, the National Center staff could contact the state court administrator and see if the person with a particular expertise could be available. In December 1982, COSCA members were still being urged to complete the questionnaire. By December 1983, Mark Geddes of South Dakota reported that there had been no requests for persons from the talent bank. The project was terminated in 1984.

A similar project began at about the same time, lasted longer, and had some limited success. What projects were underway in the various states? Surely if one state court administrator was going to begin a study or do a survey or test a program, then that

1. Minutes of August 5, 1981 Business Meeting of the Conference of State Court Administrators, p. 6.

administrator would want to know if a similar effort was being made in another state. Each state court administrator was asked to supply lists of current or recently completed projects. The original idea from 1982 was to open up the potential of two or more states coordinating work on a particular project. The coordination idea did not germinate, but the list of projects seemed useful. By 1984, COCSA made the compilation an ongoing project, asking the National Center to distribute project lists at both the annual and midyear meetings.

### **Annual Plans for COSCA**

In 1982, COSCA began annual plans. Inspired by Carl F. Bianchi of Idaho, who became chairman of COSCA that year, the annual plans listed major goals, more specific objectives, and expected tasks, and indicated who was responsible for accomplishing those tasks. In short, the annual plan was a fully formed and descriptive plan, time-consuming and demanding to prepare, but very valuable for mileposts during the year.

The plan for 1982-83 described three major objectives: improving the image of the courts, recommending national time standards for case processing, and examining court-reporting services. These were clearly outward-looking objectives. Bianchi organized the annual and midyear meetings according to the objectives listed in the plan. He urged COSCA to be faithful to the annual process of making plans and to organize work according to the approved plans.

The annual-planning process continued to chart a detailed and helpful course for COSCA for about ten years. Each year the incoming president of COSCA would work with a small group to suggest goals. COSCA members would then approve the goals and draft the more detailed features of the plan. Obviously new matters came up from time to time, but the plans kept COSCA focused on desired results.

### **Incorporation of COSCA**

At the 1983 annual meeting, the Conference of State Court Administrators became an independent organization. There had been issues of insurance coverage and liability, and incorporation as an independent organization would permit COSCA to enter into contracts or accept grants or other funds. Bruce Kotzan of Indiana and Walter Kane of Rhode Island worked on the incorporation issue and presented a proposal in 1983 that passed unanimously. By the summer of 1984, the incorporation as a nonprofit corporation seemed complete. The Internal Revenue Service had approved COSCA's status as a 501 (c) (3) organization.

There were a few immediate results from the passage of the incorporation resolution. Carl Bianchi was the last of COSCA's leaders to serve as "chairman." Richard Peay of Utah, who followed Bianchi, was the first leader to serve as "president." The former Executive Committee became the Board of Directors.

In June 1986, however, the Internal Revenue Service again looked at COSCA. It concluded that COSCA had no income and, therefore, could not be considered a public organization. COSCA's Board considered whether to incorporate in a slightly different

form. The issue was soon resolved, and the incorporation was complete as a 501 (c) (3) organization. By the next summer, COSCA was opening a bank account to track its revenue from meetings.

### **Training of State Court Administrative Office Staff**

In the summer of 1981, COSCA Chair Eugene Murret of Louisiana sent out a questionnaire to his members on the desired future activities of COSCA. Perhaps not surprisingly, the most repeated response was that COSCA should concentrate on the continuing education of COSCA members and their staffs. The annual meetings with the Conference of Chief Justices provided the major opportunity for high-level training of COSCA members. The recently instituted midyear meetings, usually in early December, provided another chance for COSCA members' training. But other possibilities, particularly for staff members, were not clear.

In December 1981, NCSC president Edward B. McConnell promised that the National Center would sponsor twelve regional seminars in 1982. These seminars would offer a chance not only for COSCA members but also for their staffs' continuing training. There were regional programs (usually on an annual basis) by the National Center in future years, often attended by state court administrative staff members, and there were a number of specialized training programs on court statistics and court delay reduction programs in the early and mid-1980s.

For a few years, COSCA sought to meet the needs of staff training through an orientation in Williamsburg in conjunction with the midyear meeting. New state court administrators could spend a day at the National Center getting acquainted both with the Center and with COSCA, and state court administrative staff could join that orientation. That effort continued until it became clear that most of the midyear meetings would take place outside of Williamsburg, which made the program far less effective. The other approach to the training of staff was to encourage ICM, which merged with the National Center as of 1985, to develop seminars intended for state court staff persons.

By 1985, though, a new tension had arisen, or more accurately a rebirth of an earlier one. In the late 1970s, the National Council of Judicial Planning (NCJP) had been established, largely due to the encouragement by LEAA (the Law Enforcement Assistance Administration) for court planning in every state. State court administrative offices had hired court planners, and they needed to learn the details of federal regulations and expectations for LEAA grants. It turned out that these were the waning years of LEAA, but NCJP lasted for a few more years. The National Center was the secretariat organization for the court planners. COSCA had been concerned about the role of NCJP and about the National Center's support for the organization: could the court planners, virtually all of whom were on the staff of the state court administrators, form their own organization and make their own goals and projects independently, or at least relatively independently, of COSCA? What would be the effect on the work and priorities of COSCA and on the priorities of the state court administrators in their own states?

The issue largely dissipated when NCJP dissolved. But it returned by 1985 because court public information officers (PIOs) began to talk about forming their own

organization. COSCA was not sure it wanted to see the public information officers have a separate organization. Some of the PIOs were on the state court staffs; others were on the staffs of large trial courts. Yet the tension between the priorities and projects of the state court administrators themselves and the possible activities of the PIOs could not be easily resolved. In 1985, COSCA asked the National Center not to provide secretariat services for an organization of court public information officers, and the organization that had been conceived was never born (until years later, much more recently). At the same meeting, in December 1985, the first conversation occurred about using the midyear meeting to train particular types of state court administrative staff, a proposal that would eventually come to fruition starting in December 1988.

### **Relations with Other Court Organizations**

COSCA had always recognized that it had to interact with other court organizations, and there were many of them. The 1979 reorganization of COSCA had established three standing committees, one of which was the Intergovernmental/Interorganizational Committee, or I/I. This committee was COSCA's usual vehicle to work with other organizations, not just the court planners mentioned above but the whole array.

Most prominent were the National Association of Trial Court Administrators (NATCA) and the National Association of Court Administrators (NACA). These two organizations, which in 1985 would merge to become the National Association for Court Management, or NACM, were the leading trial court administrative bodies. The National Center served as secretariat for both of them, and it would continue to serve NACM after 1985. COSCA found particular commonality with the trial court organizations. Both were for general court administrators, not specialized organizations for planners or judicial educators. Relatively few members of NATCA, NACA, or the new NACM were actually on the staffs of the state court administrators, so there was much less concern about different priorities or objectives. And COSCA could more easily partner with the trial court administrators without fear of rivalry or competition. In short, the coordination and cooperation between COSCA and NATCA/NACA/NACM would benefit both levels of organization.

As early as 1981, COSCA was planning a one-day meeting to exchange ideas with NATCA and NACA. By December 1982, Gordy Griller representing NATCA and Bill O'Leary representing NACA attended the COSCA meeting. The next year, these organizations began to make presentations to the COSCA Board of Directors, and COSCA representatives started to attend their meetings. Finally, in December 1985, a few months after the merger and the formation of NACM, COSCA agreed that the NACM leaders would be regularly invited to COSCA meetings and COSCA representatives would regularly attend NACM meetings. This sharing of views became most prominent and fruitful in joint projects, as discussed below.

But NACM and its predecessors were not the only organizations with whom COSCA worked. In the early 1980s there were two interorganizational groups: the Coordinating Council of National Court Organizations and the Interorganizational Coordinating Committee. The Coordinating Council, or CCNCO, was a large and inclusive group,

part of the advisory structure of the National Center, and it lasted until about 1986. The Interorganizational Coordinating Committee was smaller, consisting of just six groups in the early 1980s—COSCA, NATCA, NACA, NCJP, the National Conference of Appellate Court Clerks, and the Federal Court Clerks Association. This group met routinely for a few years to exchange views but became inactive in the mid-1980s. The Court Planners had been dissolved, NATCA and NACA had merged, and the federal courts had become separate and distinct enough that there was less interaction.

The exchange with the National Conference of Appellate Court Clerks (NCACC) continued. By 1986, an NCACC representative frequently attended COSCA meetings and exchanged views of each others' activities. COSCA declared that its relations with both NACM and NCACC were "outstanding."<sup>2</sup>

The most important relationships, of course, continued to be with the Conference of Chief Justices and the National Center for State Courts. COSCA had always had a strong relationship with CCJ, and COSCA was determined to maintain that closeness. At the same time, the court administrators sought to make that role more of an equal partnership. At the beginning of the 1980s, the resolutions COSCA considered and passed were pretty much those that CCJ had already approved. The joint annual meetings were planned by joint committees, but as COSCA sought and received joint training programs, they were most often the programs that the chief justices wanted. And it was largely the interests and concerns of the chief justices that determined the timing and relative importance of the noneducational portions of the annual meetings, the social components, and business time.

In the early 1980s, there was continuing work to refine the annual meeting guidelines for CCJ and COSCA. By 1985, that had been resolved, at least for a few years. The funding of the annual meetings, the portion of the meetings devoted to business and social time, and the structure of the educational sessions had become fairly stable. COSCA also had declared greater interest and involvement in resolutions, especially those concerning federal funding. COSCA was duly proud when, in 1985, all of the annual meeting's educational sessions were conducted jointly with CCJ. The theme was management training for chief justices and state court administrators. Both groups profited from the program.

Throughout the mid-1980s, COSCA's relationship with the National Center developed. The National Center had always looked at the state court administrators, along with the chief justices, as its particular constituency, and the leaders of the Center had given both support and deference to COSCA members. In 1985, Arthur H. Snowden II, of Alaska, represented COSCA on the National Center's Board, and he urged a much closer relationship between COSCA and the Center. For one, he urged that a third state court administrator join the National Center's Board, and that the three COSCA representatives be the leaders of COSCA—the president, the president-elect, and the immediate past president. He also urged that COSCA members take particular responsibility to ensure the payment of the National Center's state charges. Over several

2. Minutes of December 6, 1986 Midyear Meeting, p. 6.

years, Snowden's recommendations were implemented, and the relationship between COSCA and the Center became stronger.

## COSCA Projects

Throughout these years, COSCA was involved in a number of substantive projects and activities. In these projects, COSCA sought a balance. As a gathering of fifty-five separate court administrative leaders who worked in different systems, COSCA could educate its members and provide communications, but it could not effectively present a national voice in policies, nor could it make recommendations that would carry real weight with leaders of other branches. Yet COSCA members knew that they had to try to raise their concerns and recommendations to a higher level. In the early and mid-1980s, COSCA found that ability on only a few projects.

The decade began with the First National Symposium on Court Management in San Diego in the fall of 1981. It was a large conference, sponsored by many different organizations, including COSCA. The papers presented there and the workshop activities reflect a statement of court administration as it was at that time. As Ernest C. Friesen said at the symposium, court management was seeking a way to reach above a level of merely surviving so that it could become a force helping to shape the American justice system.

COSCA's projects included a wide array of activities. COSCA contributed to Jury Standards that were eventually adopted by the American Bar Association. It studied ways to improve the public image of the courts and produced guidelines for state court administrative office activities in the areas of public relations and public education. COSCA also studied methods of court reporting, comparing traditional shorthand reporting with electronic alternatives. And it developed a report on "Methodologies for Determining the Need for Additional Judgeships," again in cooperation with many other organizations, including the National Governors Conference and the National Conference of State Legislatures.

COSCA members seemed unsatisfied with these projects. The reports were very good, representing the best thinking in the country about these critical areas of court management. But once the reports were done, COSCA was not sure what else to do. Implementation of jury standards, public education programs, selecting court-reporting technologies, and obtaining judgeships as needed depended very much on the political and legal cultures of each state. National reports, even the best, could have an influence, but they were not a determining factor. COSCA members recognized the limits of what they could do as part of a national organization.

Some similar projects of the early and mid-1980s show this point even more directly. In its 1982-83 plan, COSCA included an objective to support the provision of legal services to indigent defendants. While noting the political nature of the question of supporting a plan for legal services, COSCA continued to accumulate information.<sup>3</sup> The following

<sup>3</sup>. Minutes of December 3, 1982 Executive Committee Meeting, p. 10, and December 4, 1982 Business Meeting, p. 13.

year, in the next annual plan, COSCA's objective had changed to a study of methods for determining indigency. COSCA agreed to work with the ABA and the National Legal Aid and Defender Association on the project.<sup>4</sup> Finally, though, in 1985, COSCA decided to make no recommendations at all in the area of indigency. Instead, COSCA determined that "it would be neither desirable nor appropriate for COSCA to submit recommendations or adopt standards relating to indigent defense services. Without conducting empirical research COSCA is not in a position to speak authoritatively on the best procedures for handling indigent defense."<sup>5</sup> Still, COSCA members agreed to keep resources available for each other and to conduct an educational program on the topic.

A potential study of prison and jail overcrowding met the same fate much more quickly. In December 1985, there is a note that the study of overcrowding and its impact on court operations was something worth considering. But in August 1986, COSCA agreed not to pursue the topic at a national level.

COSCA was more interested and more active in the area of filing fees. In December 1983, a committee began work to develop standards for filing fees and surcharges. A comprehensive survey took a long time to complete. As data from all states were finally compiled, the earlier responses from some states needed revision and updating. Merely to get accurate and timely information was difficult. Finally, by early 1986, COSCA had a report with accurate information and standards for procedures and principles governing the setting of fees and surcharges. At the December 1985 meeting, COSCA decided that data from the survey should not be distributed to non-COSCA members. If requests for the data came in from other in-state bodies (such as legislative committees), those requests should be referred to the state court administrator for response. At the 1986 annual meeting, though, COSCA approved the report with the standards, and this time COSCA agreed that the National Center could distribute the tables of data together with the standards upon request.<sup>6</sup>

COSCA had a significant success, though, in a national project to recommend time standards for case processing. In this area, COSCA showed that it could successfully assert a leading national role. Carl Bianchi chaired COSCA in 1982, and he urged the organization to make the goal of establishing time standards the centerpiece of the first annual plan. He reflected that court delay was a major cause of popular dissatisfaction with court operations, going all the way back to Roscoe Pound and Arthur Vanderbilt. If COSCA could set suggested time standards, it could start a movement to address the perception of delay and thus improve popular support and understanding for the courts.<sup>7</sup>

COSCA resolved to recommend standards for how long trial court cases should take. In 1982, Bianchi designated Howard P. Schwartz of Kansas to chair a committee that gathered data and considered reasonable expectations. By 1984, COSCA had

4. Minutes of December 10, 1983 Midyear Business Meeting, p. 13.

5. Minutes of August 5, 1985 Board of Directors Meeting, p. 2. See also Minutes of August 8, 1985 Business Meeting, pp. 8-9.

6. Minutes of December 9, 1985 Board of Directors Meeting, pp. 7-8, and Minutes of August 7, 1986 Business Meeting, p. 5.

7. Letter from Carl F. Bianchi to Patti Tobias, August 31, 2005.

produced a brochure and printed 12,000 copies for wide distribution to all interested constituent groups. The COSCA work, together with a similar effort by the American Bar Association, soon became a national force toward getting more and more courts to adopt time standards and then measure their performance against those standards. COSCA's 1984 educational program included a review of the time standards. In the fall of 1985, a national conference on court delay reduction, sponsored by COSCA and other organizations, also influenced more activity to measure court performance according to case-processing times. In that year, Schwartz reported to COSCA that eighteen states had adopted time standards for their own performance.

The final project area to highlight in this time period reflects a continuing interest from the 1970s and even earlier. State court administrators had always recognized the need not only to develop data on caseload statistics on a state-by-state basis but also to develop national comparisons and analyses on the workload of state courts. In its earliest days, the state court administrators had sought a nationwide database. Only in the 1970s did that become possible, with the National Center's National Court Statistics Project. By the 1980s, COSCA participated in the Center's continuing efforts to produce "annual reports" that gave caseload data from all fifty states and compared the data over time. It is clear that COSCA always considered the promulgation of the annual reports, the implementation of more standard approaches to caseload data collection, and the eventual development of automated information systems to manage case management and statistical collection one of the most important areas in which COSCA would work. By 1983, the project became the Court Statistics and Information Management project, or CSIM. In 1984, the National Center and COSCA began to document "exemplary software modules for transfer to other courts."<sup>8</sup>

Then in 1985, the Bureau of Justice Statistics discontinued funding for the project. This was a major blow to the National Center and to COSCA. The National Center resolved to continue its attention to the project, using non-federal funds. COSCA strongly agreed. State court administrators replied to a survey indicating what kinds of data analyses would be most helpful to them.<sup>9</sup> The lack of federal funding continued, putting a strain on the National Center. The National Center continued to seek federal grant funding, either from BJS or to the new State Justice Institute (see next chapter). In 1987, Walter J. Kane of Rhode Island was chairing the CSIM committee and led a discussion on the importance of the project. The COSCA Board of Directors determined that "the collection of national court statistics is a crucial function of COSCA."<sup>10</sup> COSCA asked that the National Center fund the project out of its core funds if necessary, but that the project should continue in any case.

The project work of COSCA shows an organization that is feeling its way. Not sure how to influence national direction in court management, COSCA knew both success and frustration during the 1980s. It would, however, gain a much more sure footing in the years to come.

8. Minutes of July 30, 1984 Board of Directors Meeting, p. 1.

9. Minutes of December 9, 1985 Board of Directors Meeting, p. 5.

10. Minutes of August 3, 1987 Board of Directors Meeting, p. 3.

## *V. COSCA Reaches Out and Expands*

**I**n the late 1980s and early 1990s, COSCA began a new period of development. COSCA made real progress in some of the earlier issues, including internal self-examination, training of state court administrative office staff, and relations with other organizations. More notably, the organization started to make its influence felt in a number of project areas and federal activities. The growth and maturity of the group is clear during these years. It was a time of expanding influence, both within the court administration community and beyond it, even to the federal government.

### **Internal Examination**

At the December 1986 meeting, COSCA President Robert L. Doss of Georgia convened a meeting of the Committee of the Full Membership for discussion of two main ideas that he considered critical to COSCA's operation. One idea was to regionalize the membership of the Board of Directors, and the other was to abolish the three standing committees. Both items generated good discussion of the reasons for each idea, its advantages and disadvantages. Perhaps not surprisingly, the resolution at the December meeting was to



*COSCA meets in Monterey, California, in 1995.*

appoint two committees for further discussion. The Committee on Regionalization of the Board of Directors worked under the leadership of James D. Thomas of Colorado, and the Committee to Review Standing Committee Structure was chaired by William J. O'Brien of Iowa.

A compromise soon developed concerning a Board based on regional representation. While there could be advantages for Board members to represent a constituency and establish a means of consulting colleagues from neighboring states on items that came before the Board, there would also be some awkwardness and perhaps unnecessary competition for leadership if the idea of regionalization were carried too far. Also, there were other ways to identify constituencies, such as size of state and manner of court system organization. Regionalization by itself was too simple. Thomas's committee reported that the Board should not be regionalized. At the same time, the committee thought that the Nominating Committee should consider regional representation among other factors, and that the Education Committee should consider regional meetings (or another basis of common interest) to promote commonality within COSCA.<sup>1</sup>

That recommendation merged with the work of a different committee, the Special Committee on Nominating Committee Criteria, chaired by Thomas J. Lehner of Vermont. Lehner's committee reported at the same time. COSCA members accepted its recommendation to establish three criteria: demonstrated interest in and contribution to COSCA, seniority, and balanced geographical representation.<sup>2</sup>

Doss's other idea concerning the committee structure was a bit more involved, and it went more to the core of how COSCA members wished to operate. Most COSCA members wanted to be active and involved in the organization, but for every one of them it was a subsidiary obligation. Their main jobs, of course, were in their own home states. How could they best contribute to COSCA, and what methods of participation would yield the best results?

Since 1979, there had been three standing committees: Research and Technology, Education and Program, and Intergovernmental/Interorganizational Relations. Having only three committees meant that they had large memberships. They held full meetings only at the annual and midyear meetings. More productive in the eyes of many COSCA members were the ad hoc committees. They were smaller, appointed to fill a certain need, and disbanded when the task was done. The idea in 1979 had been to use the standing committees to allow for participation by every member of COSCA, with the chairs of each committee coming from the Board so that there was a link to COSCA's leadership. But now it seemed that a good portion of committee meetings involved routine details that did not move the organization forward.

In January 1988, COSCA agreed to revamp the committee structure. Both O'Brien's committee and the Board recommended that COSCA abolish its three standing committees and work through ad hoc committees as needed. The Board would be

1. Minutes of August 6, 1987 General Business Meeting, pp. 7-8.

2. Minutes of August 3, 1987 Board of Directors Meeting, pg. 2, and August 6, 1987 General Business Meeting, pg. 4

accountable for the organizational work of the standing committees, and it would designate ad hoc committees for specific tasks. The Board and O'Brien's committee emphasized the continuing need to give every COSCA member who wanted a committee assignment that opportunity, and they further emphasized the need for continuity in planning educational programs. But with those caveats understood, COSCA revised its bylaws to abolish the standing committees.<sup>3</sup>

A similar matter of internal examination involved services to new members. A newly-appointed state court administrator would not necessarily have background in COSCA or its role and operation. While the National Center was establishing an orientation program for new state court administrators to understand NCSC, still the work of COSCA was more of a learn-as-you-go proposition. Some members recognized that COSCA could be somewhat intimidating to new members. They did not necessarily know how the committees functioned or how the members interacted. Also there were a number of new members from outside the courts who might need to learn about judicial cultures from a national perspective. Finally, COSCA members might be able to help each other by sharing experiences with those who were new so that some common errors might be prevented or overcome easily.<sup>4</sup>

Mary Campbell McQueen of Washington attended her first COSCA meeting in the summer of 1987. She was already a committee chair – chair of the Committee to Review Services to New Members. This committee worked for about a year and a half to organize a program of mentorship for new COSCA members. During that time, the ad hoc committee made sure that all new COSCA members were contacted at the beginning of their service and were designated a mentor to contact as they wished. At the December 1988 meeting, COSCA established an ongoing committee made up of three experienced state court administrators and, for a time, all new state court administrators. The committee would inform new members about COSCA and the National Center for State Courts and related organizations, recommend updates to the COSCA Desk Book (a reference manual on COSCA's organization and operation), and recommend educational program topics that would be geared to new members.<sup>5</sup>

The need for services to new members came up again at the 1994 midyear meeting, when McQueen was president-elect of COSCA. The committee had not met, because the new members had not attended. The COSCA Desk Book was still routinely given to new members, but the idea of establishing a mentor relationship was apparently not working. A new member reported that a fellow COSCA member had indeed called her when she first assumed her role, but that she had not known at that point what she needed to ask. By the time she did know, she also knew much more about whom to contact for specialized matters. The Board agreed that this experience was probably typical. They agreed that the mentor program should be very simple, merely a contact with an offer of

3. Minutes of January 25, 1988 Board of Directors Meeting, pg. 5, and January 28, 1988 General Business Meeting, pg. 6.

4. Interview with Mary C. McQueen, October 17, 2005.

5. Minutes of August 3, 1987 Board of Directors Meeting, pg. 2, and December 2, 1988 General Business Meeting, pp. 5-6.

assistance as desired, and a more deliberate opportunity for new members to meet each other and all COSCA members at the two meetings each year.<sup>6</sup>

## Relations with Other Court Organizations

Through these years, COSCA continued to spend a great deal of its energy on how it interrelated with other organizations, and a notable change developed. While in the early 1980s COSCA seemed to be finding its place among court organizations, by the late 1980s it had found its footing and had begun to make a much larger impact on national trends in court administration.

Significant developments in this trend occurred with the Conference of Chief Justices (CCJ). CCJ had been the parent organization of COSCA; the state court administrators worked for the chief justices; COSCA was in the early years a stepchild or junior organization to CCJ. There is no doubt that in the formative years of court administration, the 1960s and 1970s, COSCA members had been very pleased to meet each year with CCJ, and they appreciated the chief justices' willingness to share agendas and educational programs. Gradually the two organizations became much closer to equal partners. A notable step in that transition occurred in 1985 when the educational program for the annual meeting of CCJ and COSCA was completely a joint program; all the sessions were shared.

The next phase in the developing partnership between CCJ and COSCA occurred when CCJ started to defer to COSCA in certain areas of state court leadership. At the 1988 annual meeting, representatives of the Conference of Chief Justices asked COSCA to take the lead in drafting standards and protocols for addressing the concerns of minorities at the level of state court operations. COSCA agreed to do so and then to report back to CCJ in 1989.<sup>7</sup> During the next year, COSCA examined what state court leaders could do and recommended to CCJ that states establish task forces or studies on issues of discrimination. The action step that COSCA took occurred at the annual meeting of 1989 to urge that language be added to the developing Trial Court Performance Standards (see below) with regard to equal access and fair treatment for minorities and women.<sup>8</sup> The Commission on Trial Court Performance Standards accepted that proposal.

In future years, numerous CCJ-COSCA joint committees and task forces occurred. Much of the work of the two organizations was shared. They had become partners in many ways. While educational programs were not always joint, many individual programs were, and while each organization remained separate and distinct, they worked together effectively.

During the late 1980s, two other groups had ongoing relationships with COSCA that involved attending each other's meetings. Both the National Conference of Appellate Court Clerks (NCACC) and the Association of Canadian Court Administrators (ACCA)

6. Minutes of December 1, 1994 Board of Directors Meeting, pp. 4-5.

7. Minutes of August 4, 1988 General Business Meeting, pp. 8-9.

8. Minutes of August 2, 1989 General Business Meeting, pg. 14.

had representatives at COSCA meetings several times, and on at least three occasions COSCA representatives reciprocated. The only disagreement that surfaced occurred in 1988. NCACC asked the National Center if it could have two representatives on the National Center's Board. The National Center declined the request of the appellate clerks.<sup>9</sup>

The relationship between COSCA and the National Association of State Judicial Educators (NASJE) was more complex. Some but not all of the judicial education specialists were on state court administrative staff. Further, since education was a primary mission of COSCA, relations with the association of adult education professionals were bound to be uncertain and tense. COSCA sought a leadership role as the organization of more senior administrators, yet much of its work was in their specialized area. For whatever reason, there was confusion and some awkwardness in this interplay.

In the summer of 1987, COSCA members voiced a major concern about NASJE's grant applications to the State Judicial Institute. The State Judicial Institute, or SJI, had finally been established after years of debate and uncertainty (see below), and in 1987 it was working through one of its first grant cycles. In that cycle, NASJE had submitted eighteen concept papers to SJI for possible funding. No doubt the volume of proposals had an impact on COSCA members; such a large number might mean that the judicial educators would take a large percentage of available SJI funds. There had been no prior contact with COSCA before the concept papers were submitted. Further, in at least four of the papers, NASJE had proposed that the National Center would act as staff and financial officer. The independent interaction with the Center made the problem potentially more difficult: was there to be a lower level of partnership between COSCA and the Center as well?

This immediate issue was resolved without long-term effect. COSCA recognized that NASJE was a strong and viable organization. Its concept papers were in fact well done and offered good potential for real accomplishment. The National Center had to act on possible contracts with organizations very quickly; there was usually no time to consult with the COSCA Board or any other outside body when deciding whether or not to join a particular proposal. COSCA would seek to build a working relationship with NASJE. At the same time, Edward B. McConnell, the president of the National Center, assured COSCA's Board that there was no intent at all to change the close relationship between the National Center and COSCA. The Center sought to build a good relationship with NASJE because it was doing effective work in the area of judicial education, and because McConnell thought it was better for the Center to have a staff and fiscal relationship on certain NASJE projects than it would be for some other organization to fill that role.<sup>10</sup> Further, at NASJE's request, COSCA agreed to have one of its members (Bruce Kotzan of Indiana) serve on the NASJE newsletter editorial board.<sup>11</sup>

In the fall of 1989, two COSCA members attended a meeting of the Judicial Education Network, sponsored by NASJE (and funded by SJI). COSCA was working with NASJE

9. Minutes of August 4, 1988 General Business Meeting, pg. 4.

10. Minutes of August 3, 1987 Board of Directors Meeting, pp. 6-9.

11. Minutes of August 1, 1988 Board of Directors Meeting, pg. 9.

to put together a conference on judicial education for early 1990.<sup>12</sup> And in 1993, it was clear that NASJE was approaching COSCA with the idea of a closer and more permanent relationship. NASJE sought an opportunity to make a major presentation at an upcoming COSCA meeting. COSCA's Board decided to try to arrange a joint meeting the following year with NASJE. The proposed joint meeting did not work out, but the relationship was growing stronger.<sup>13</sup>

The other important organization to mention is the National Association for Court Management (NACM). NACM had been formed in 1985 upon the merger of two predecessor groups, and it quickly became a large and effective national voice in the field of court administration. It sought membership from a wide array of court and court-related professionals. NACM President John Clarke reported to COSCA's Board in 1988 that NACM's recent annual meeting had attracted more than 500 participants and offered 56 hours of educational programming. By that time, NACM had 1,500 members and it was growing rapidly. He said NACM leaders envisioned a goal of 4,000 members. Clarke thanked COSCA for the invitation to attend its meeting (an invitation that has generally continued for many COSCA meetings), and he recognized COSCA's considerable support for having a trial court administrator join the National Center's Board of Directors.<sup>14</sup>

NACM and COSCA have enjoyed very good relations and have established an effective partnership. Unlike some of the other organizations for court administrators, few members of NACM were actually on the state court administrative office staffs; so there was little reason for COSCA to be concerned about its national role. There have been numerous joint projects and many combined committees, most notably the joint COSCA/NACM Technology Committee. In fact, in 1994, COSCA disbanded its own technology committee and other separate activities in the area of information technology to focus on its partnership with NACM in this area.<sup>15</sup>

## **Training of State Court Administrative Staff**

In the early 1980s, COSCA members struggled with the need to provide training for their own staff leaders. By the late 1980s, they had figured out several ways to do it. One element, of course, was the establishment of NACM in 1985. NACM was able to offer high-quality training programs for court professionals, and state court administrative staff persons were able to participate fully. But COSCA reached out directly and sought a much more active role.

In 1988, COSCA started what would become a frequent element of midyear meetings for a number of years: the invitation for certain specialized leaders of state court administrative offices to attend the midyear meeting and take part in educational programs along with state court administrators. In 1988, it was the fiscal officers.

12. Minutes of November 30, 1989 Board of Directors Meeting, pp. 1-2.

13. Minutes of August 1, 1993 Board of Directors Meeting, pp. 4-5.

14. Minutes of August 4, 1988 General Business Meeting, pg. 3.

15. Minutes of December 1, 1994 Board of Directors Meeting, pg. 5.

Together, state court administrators and their fiscal officers took training on planning and justification in the budget process, presentation and oversight of budgets, and the position of court system budgets in the larger scheme of state government budgets. Some training sessions were separate, but the major ones were aimed at both groups. It was a major success as an educational program.

Midyear meetings for the next several years featured educational programs that were geared for state court administrators and particular key staff persons. In 1989, personnel officers were invited. In 1990, it was the public information officers. Over the next several years, COSCA met and trained with Management Information Systems staff, with legislative liaison staff, fiscal and personnel officers, and statistical staff.

But COSCA hoped for more. Robert N. Baldwin of Virginia presented a proposal for COSCA to work with the Institute for Court Management, which had become part of the National Center, to present three programs per year for state court administrative staff. One of the programs would be in conjunction with the midyear meeting, and the other two would require a tuition fee. The hope was that key staff would be able to attend national training programs about every two years. The preliminary list of key staff included personnel, management information, fiscal, public information, education, and facilities staff leaders.<sup>16</sup> At the business meeting at the 1988 midyear meeting, COSCA members looked over the proposal for further training for key staff. ICM developed a proposal that would cost an estimated \$400 per participant for the two workshops outside of the midyear meetings. COSCA members approved the proposal after discussion that made clear that the members were committing at least some funds to sending their key staff.<sup>17</sup>

The COSCA/ICM workshops became a challenge. The first one occurred in May 1989 for Management Information Systems (MIS) officers. COSCA pronounced it a success, and the ratings from participants were very high. COSCA and ICM continued with plans to develop more – planning staff, public information officers, and perhaps legal research staff. But problems soon arose. The two standalone staff programs for 1990 had to be cancelled due to lack of participation. COSCA's Education Committee thought that either not enough money was available to send people or that no one in administrative offices had the specific roles envisioned (public information and state court planning). Again, the hope was that by focusing on the right key staff, they could generate interest and participation. Perhaps the five key roles were personnel, finance, MIS, court services, and research and statistics. At the 1990 annual meeting, COSCA agreed to plan just one standalone program and one other group was invited to the midyear meeting.<sup>18</sup> The idea of standalone training sessions soon died. In 1991, COSCA agreed not to plan any further standalone training sessions.<sup>19</sup>

Other than the midyear meetings, COSCA's greatest attention for training of AOC staff involved the MIS directors. They met at the Court Technology Conferences that

16. Minutes of August 1, 1988 Board of Directors Meeting, pg. 6.

17. Minutes of December 2, 1988 General Business Meeting, pg. 6.

18. Minutes of August 13, 1990 Board of Directors Meeting, pg. 6.

19. Minutes of August 5, 1991 Board of Directors Meeting, pp. 2-3.

occurred approximately every four years. But COSCA knew that they needed more interaction and that information exchange and focused learning in the area of court technology were critical. By 1993, the Technology Committee urged MIS directors to meet regularly, not as a separate association but to provide an opportunity to exchange experiences and ideas. Even recognizing that other AOC staff might want a similar opportunity, the motion was approved unanimously.<sup>20</sup> Shortly thereafter, NACM indicated that it would offer a technology track at the annual NACM meetings in order to give just that opportunity to state MIS directors.

## Court Statistics and Technology

Throughout the late 1980s and early 1990s, COSCA spent more time on caseload statistics and technology projects than on any other activity. The Annual Statistical Reports were an important and valuable program for COSCA. Further, the occasional updates of *State Court Organization* staffed by the National Center but overseen by COSCA became valuable reference tools for anyone interested in state court profiles and activities.

Walter J. Kane of Rhode Island was the chair of COSCA's Court Statistics and Information Management Committee at the beginning of this period. He reported in 1987 that the National Center staff was responding to approximately 500 requests for court statistical information each year, and that the annual reports and the *State Court Organization* volumes fulfilled most of those needs. At the time, though, there was no stable funding for these projects. The National Center had agreed to use its own funds to continue the projects while looking for new grant opportunities. COSCA reaffirmed its determination that compiling caseload statistical information on a national basis was a crucial function and that COSCA's members on the National Center's Board of Directors should make this position known.<sup>21</sup> Funding was soon available from the State Justice Institute. Between SJI and the Bureau of Justice Statistics, compiling the annual report series and the *State Court Organization* volumes did become stable and continuing.

COSCA was pleased with the annual reports. They created a national baseline of data about caseloads and changes in litigation patterns. They reacted with concern, however, in 1988 when they learned that the Bureau of Justice Statistics was publishing a report on sentencing outcomes. The data on sentencing had been gathered without COSCA's involvement, and COSCA members knew that a report comparing different states or different time periods could have a major impact on their own court systems.<sup>22</sup> A few years later, though, COSCA had become more involved in accumulating data on criminal dispositions. Hugh M. Collins of Louisiana reported that SEARCH and the NACM/COSCA Technology Committee had met to develop a project with the National Center on Criminal History Record Disposition Reporting.<sup>23</sup> By 1992, COSCA endorsed the Report

20. Minutes of August 2, 1993 General Business Meeting, pg. 6.

21. Minutes of August 3, 1987 Board of Directors Meeting, pp. 2-3.

22. Minutes of January 25, 1988 Board of Directors Meeting, pg. 3.

23. Minutes of December 4, 1991 Board of Directors Meeting, pg. 2.

of the National Task Force on Criminal History Record Disposition Reporting, a task force in which COSCA had participated.<sup>24</sup>

In 1989, COSCA split the Court Statistics and Technology Committee into two components: the Statistics Committee and the Technology Committee. The Statistics Committee, chaired by Collins and later by Denis Moran of Wisconsin, continued to work on statistical data and reference works, including a statistical dictionary that would encourage states to use similar measures and similar language to describe their caseload patterns. Members of COSCA's Statistics Committee also provided technical assistance to other state court administrative offices that requested help with statistical reporting.

Mary C. McQueen of Washington chaired the new Technology Committee. She announced a number of activities for the new committee: working with the National Center on Court Automation Performance Standards, publishing a *Court Technology Bulletin*, and supporting the Court Technology Conferences every few years.<sup>25</sup> By 1990, the Technology Committee reported on a new concern, "what role COSCA should play in recommending changes to public disclosure statutes, privacy issues and dissemination of information that resides in automated judicial information systems." In the discussion there was a suggestion that perhaps models for court rules or statutes could be developed to balance public disclosure obligations with privacy issues.<sup>26</sup> This initial concern stayed with COSCA for many years, until finally COSCA and other organizations took a leadership role in addressing it.

Over the next few years, the Technology Committee gradually became less active. Few members attended meetings. McQueen suggested abolishing the committee in 1991. It remained alive for a while, though, and it produced a "Checklist for Creation of Data Dissemination Policy."<sup>27</sup>

But more and more the work on technology was not COSCA's alone. More important was the joint NACM/COSCA Technology Committee. This joint committee sometimes needed more COSCA participation, but it continued to get COSCA support and it continued to produce effective results. A major report on Data Ownership, Privacy, and Access was developed by the joint committee in 1994.<sup>28</sup> In December of that year, the separate COSCA committee merged completely with the joint NACM/COSCA committee. This joint committee remains effective today.

## COSCA Projects

COSCA's work during the late 1980s and early 1990s included some very significant projects. Two of the largest topics were Alternative Dispute Resolution (ADR) and the revised edition of the American Bar Association's Standards of Court Organization.

24. Minutes of July 23, 1992 General Business Meeting, pg. 4.

25. Minutes of November 30, 1989 Board of Directors Meeting, pg. 5.

26. Minutes of August 13, 1990 Board of Directors Meeting, pg. 7.

27. Minutes of July 23, 1992 General Business Meeting, pg. 4.

28. Minutes of August 4, 1994 General Business Meeting, pp. 9-10.

COSCA took a significant role in each, far larger than it would have been able to sustain in an earlier period. Another compelling project involved a new topic for COSCA – child support enforcement. In the area of child support, COSCA was eager to influence federal government policy, and it was leading the Conference of Chief Justices and other state court organizations in taking stock of this growing area of court responsibility.

Carl F. Bianchi of Idaho led the study of ADR programs in state courts. In 1986, Bianchi reported that he originally thought COSCA would be studying an emerging issue, but his committee quickly found that many ADR programs already existed in state courts. The committee adopted goals that centered on understanding the current state of these programs: 1) to develop guidelines to help state court administrators gauge when ADR was appropriate and how it could be implemented, 2) to identify successful programs, 3) to support the National Center's research in the area, 4) to monitor developments, 5) to present educational programs for administrators and chief justices, and 6) to be a liaison with the ABA Special Committee on Dispute Resolution and the National Institute on Dispute Resolution (NIDR).<sup>29</sup>

For several years, COSCA's committee functioned along these lines. COSCA completed the most comprehensive survey on ADR programs in state courts, and it worked with NIDR, the National Center, and the ABA. By 1989, COSCA's committee was working with the ABA to develop standards for ADR programs, and it was advising the National Center in projects it was carrying out. It was also concerned about a backlash in the traditional adjudicatory system: in some states, ADR operated outside the courts and potentially would compete for funds and human resources.<sup>30</sup> By 1990, the ABA had agreed to almost all of COSCA's recommendations regarding standards for ADR, COSCA had produced a white paper on the topic, and CCJ and COSCA had produced training sessions on ADR programs and their effectiveness.<sup>31</sup>

COSCA started a project to work with the American Bar Association on its Standards of Court Organization by 1988. The members wanted COSCA to be represented on the ABA committee, because the then-existing standards did not appropriately describe the contemporary role of state court administrators. This would be a significant opportunity; if COSCA could get the revised standards to reflect a strong role then the status of each state court administrator and of COSCA itself would rise.

Sue K. Dosal of Minnesota led the COSCA Committee to Review the ABA Standards of Court Organization. She reported in 1988 that the ABA committee had reviewed and accepted most of COSCA's suggestions. These included a number of points that would raise the profile and professionalism of court administrators and bring into the standards several components such as differentiated case management, court fees, and use of technology, all of which COSCA was endorsing. There were, however, a few areas that COSCA recommended that the ABA committee did not accept, especially one that

29. Minutes of December 6, 1986 General Business Meeting, pp. 5-6.

30. Minutes of August 2, 1989 General Business Meeting, pp. 8-9.

31. Minutes of December 1, 1989 General Business Meeting, pg. 7, and Minutes of August 1, 1988 Board of Directors Meeting, pg. 3.

specifically suggested a corporate leadership model. In other words, COSCA urged the ABA to state that a relationship similar to that between a corporate board of directors and its chief executive officer should be in place between a Court of Last Resort and the state court administrator.<sup>32</sup>

By 1989, the effort was complete and the draft Standards were submitted to the full House of Delegates of the ABA. COSCA had made about fifty recommendations, and forty of them were adopted. They did not succeed in the effort to get the corporate model into the standards, but throughout the standards the chief justice was referred to as the administrative head of the court system and the state court administrator is given policymaking involvement.<sup>33</sup>

COSCA's projects in these years included a number of other topics. COSCA followed the development of the Trial Court Performance Standards and made suggestions along the way. Its members were concerned about the impact of the "war on drugs" on the state courts, and offered several studies about how to react to the wave of drug prosecutions that occurred in many states. They followed the work of several other groups that studied a code of conduct for judicial employees, and in that area they determined that the most COSCA itself would do would be to compile information from several different projects.

There is one other project from the late 1980s and early 1990s that deserves special mention. It involves an area in which COSCA members were among the first to realize the growing impact on the state courts – child support enforcement. From the congressional enactment of Title IV-D of the Social Security Act in the 1970s, the courts had a connection to the enforcement of court orders for child support, but in many states the courts' responsibilities were limited, and national court organizations were mostly not involved. That gradually changed. COSCA's involvement dates from 1985. In that year, COSCA resolved to study the effect of the 1984 amendments to the federal Title IV-D law that instituted a requirement for expedited process. It was possible that expedited process, as implemented by federal regulations, would cut the courts out of a role in enforcing and perhaps modifying court orders for child support. COSCA wanted to ensure that the regulations would not preclude court involvement.<sup>34</sup>

From 1985 on, COSCA monitored federal regulations and mandates concerning child support enforcement. Howard P. Schwartz of Kansas led COSCA's effort in this area. The particular regulation concerning expedited process was not changed, but the Office of Child Support Enforcement (OCSE) did liberalize the requirements for states to get exemptions from the regulation.<sup>35</sup> COSCA also supported ICM's training programs on child support enforcement, training which began in 1987. COSCA joined with the Conference of Chief Justices in urging federal action to modify the requirement for mandatory biennial reviews of child support judgments. And COSCA distributed to its

32. Minutes of December 1, 1988 Board of Directors Meeting, pg. 3, and Minutes of December 2, 1988 General Business Meeting, pp. 6-8.

33. Minutes of August 2, 1989 General Business Meeting, pp. 10-12.

34. Minutes of December 9, 1985 Board of Directors Meeting, pg. 17, and Resolution passed at General Business Meeting, December 10, 1985.

35. Minutes of August 7, 1986 General Business Meeting, pg. 8.

members a set of regulations concerning cooperative agreements – which courts entered into with executive branch agencies that were responsible for welfare payments and other aspects of the child support system. In short, COSCA got involved relatively early and stayed involved in the topic.

In 1989, COSCA institutionalized its interest in child support by establishing a committee on Courts, Children and the Family. Again, Schwartz took the lead. The committee worked with several other organizations, including the ABA, to influence federal regulations.<sup>36</sup> The committee continued to monitor federal government policy in the area, and in 1990 determined that COSCA and the National Center had an important role in staying involved with OCSE policy making. The fear was that the federal agency did not understand the need to have court leaders involved and in fact saw the courts as an impediment to its goal of streamlining child support enforcement processes. Nevertheless, Larry L. Sipes, the new president of the National Center after Edward B. McConnell retired, assured COSCA that the Center agreed with COSCA on the importance of child support issues and further assured the members that the Center would re-examine its services to court leaders in this area.<sup>37</sup>

In December 1992, in conjunction with COSCA's midyear meeting, there was a National Symposium on Courts, Children and the Family. The symposium focused a good deal on child support issues, and states had the opportunity to prepare action plans following the symposium. In December 1993, COSCA approved a policy statement on child support and the state courts to give the National Center more influence in its ongoing interactions with OCSE.<sup>38</sup> COSCA continued through the early 1990s to remain on top of child support issues, and consistently advocated with OCSE for an effective court role.<sup>39</sup>

## Relations with the Federal Government

COSCA's involvement in child support shows a more mature and more confident COSCA, taking its position as a national leader on court-related topics and at times pressing for its point of view with the federal government. As time went on, COSCA's interaction with the federal government and its agencies grew.

During the late 1980s, the State Justice Institute (SJI) became an important agency to allocate federal funds to assist the state courts. Since the demise of the Law Enforcement Assistance Administration (LEAA) in about 1980, congressional supporters of the state courts had advocated for a State Justice Institute. SJI was conceived as a nonprofit corporation established by Congress to distribute federal funds to the state courts and

36. Minutes of July 31, 1989 Board of Directors Meeting, pp. 3-4.

37. Minutes of November 28, 1990 Board of Directors Meeting, pp. 1-2, and Minutes of November 30, 1990 General Business Meeting, pp. 2-3.

38. Minutes of the December 1 and December 2, 1993 Board of Directors Meeting, pp. 14, 17-18, and Minutes of December 3, 1993 General Business Meeting, pg. 27.

39. Minutes of August 1, 1994 Board of Directors Meeting, pp. 2-3.

to other entities working on justice system improvement at the state level. As early as December 1981, COSCA received a report on the prospects to authorize such an agency, and then it was labeled "alive, but not very well."<sup>40</sup> The National Center, the Conference of Chief Justices, and other groups, including COSCA, were working to build support for SJI, but the outlook was not good due to the opposition of the federal Department of Justice. COSCA received periodic reports for the next several years. By 1985, the legislation had been enacted and Congress had passed an \$8 million appropriation. SJI was getting underway.<sup>41</sup>

COSCA became more directly involved in the startup of SJI. A state court administrator has always been on the SJI Board; in fact Larry Polansky of the District of Columbia, Carl F. Bianchi of Idaho, and Robert N. Baldwin of Virginia were three leaders of COSCA who spent a great deal of energy on SJI and with explaining SJI's work to the state courts. Largely through these three, COSCA focused a great deal on funding for SJI, on its procedures and programs, and on its grantees. David Tevelin, the director of SJI, reported to COSCA in 1988. He invited comments about SJI's grant programs and guidelines, and he actively solicited grant applications. COSCA members, in turn, expressed a need to remain informed as trial courts or other organizations in their states, which were not part of the state court system, applied for grants. Tevelin indicated he would find a way to keep state court administrators informed and involved.<sup>42</sup>

By 1989 SJI had been reauthorized for another four years, and its annual appropriation had increased to \$11 million. COSCA was a little concerned that in early rounds of funding SJI seemed to be emphasizing judicial education grants more than project-oriented research and demonstration. COSCA opposed a proposal for SJI to allocate funds for "maintenance grants" to existing court-related organizations. COSCA, supported by the National Center, thought that grants should be awarded based on concept papers and grant applications on their merits rather than on a basis of continued organizational activity.<sup>43</sup> COSCA continued its active support of SJI, and SJI in turn became a valuable source for special project funding during the 1990s.

COSCA's involvement in federal relations and its leadership in federal government programs and policies spread well beyond the activities of the State Justice Institute. The discussions at the 1991 annual meeting in Philadelphia are perhaps indicative of COSCA's enlarged emphasis. In addition to reports from the leaders of the Bureau of Justice Assistance in the Justice Department and of SJI, COSCA members discussed a variety of topics that would not have occurred in prior years, and COSCA demonstrated that it had built relationships with many more federal agencies. The topic of drug prosecutions and the impact of substance abuse caseloads on the courts was a major interest, as well as child support enforcement, adoptions and foster care, and the Violence Against Women Act. Agencies cited included the Department of Justice and several of its units, the

40. Minutes of December 4, 1981 Executive Committee Meeting, pg. 7.

41. Minutes of December 9, 1985 Board of Directors Meeting, pg. 6.

42. Minutes of August 4, 1988 General Business Meeting, pp. 4-5.

43. Minutes of December 2, 1988 General Business Meeting, pp. 3-4.

Department of Health and Human Services, and several independent organizations such as the National Conference of Commissioners of Uniform State Laws.<sup>44</sup> COSCA was getting more and more involved in policy issues.

At the next few meetings, the National Center's Tom Henderson regularly spoke to COSCA to inform them of new developments in Washington and advised them of ways that the court administrators could become more active. Henderson promised regular updates for COSCA. In 1992, he reported on current activities in which the National Center's Washington Office was active, including legislation related to alternative dispute resolution, child support enforcement, civil justice reform, drug policy and drug treatment, family preservation, guardianships, IRS treatment of pension issues, judicial immunity, product liability, violence against women, the reauthorization of SJI, motor-voter act, social security numbers supplied for jurors, and the omnibus crime control act.<sup>45</sup> It was a wide-ranging list, and its discussion dominated that particular COSCA Board meeting. That would happen more and more in future years.

At the 1993 annual meeting, outgoing COSCA president Howard P. Schwartz of Kansas summarized COSCA's activities of the year. The items Schwartz highlighted demonstrate a significant shift of emphasis from the earlier period. Most of COSCA's work was no longer internal. Most of it did not relate to their own court staffs or to other court-related organizations. Instead, COSCA was doing policy work, and it was more and more involved with the federal government. Schwartz prominently mentioned a major conference, the National Symposium on Courts, Children and the Family. He cited work in judicial impact statements and in work related to citizen interaction with the courts. Interactions with SJI remained important, with 27% of its grant funding going directly to state courts. Finally, most of the topics of national policy making that had been listed in 1992 were the subject of the 1993 meeting. Truly, COSCA was looking outside of itself. It was having an influence.<sup>46</sup>

44. Minutes of August 8, 1991 General Business Meeting, *passim*.

45. Minutes of July 20, 1992 Board of Directors Meeting, pp. 2-4.

46. Minutes of August 2, 1993 General Business Meeting, *passim*.

## *VI. The Last Ten Years: Looking Outward and Making a Difference*

**I**t is tempting to suggest that over the last twelve years COSCA has become fully engaged as a leader in state court administration on a national level. It is tempting to suggest that COSCA has earned a reputation as an organization that takes positions and makes recommendations that others around the country should listen to. While that conclusion seems appropriate and reasonable, it is perhaps too easy. The period from about 1993 to 2005 has not always seen a success, and there are no doubt further developments to come. Nevertheless, it is clear that COSCA has seen a time of real accomplishment and influence.

### **Strategic Planning: Going Back to Basics**

Starting in 1982, Carl Bianchi of Idaho, COSCA's incoming president, had made detailed annual plans. The president-elect would consult with other leaders and propose a three-level plan with goals, objectives, and measurable tasks. And during the year the tasks were in fact monitored and the progress toward the goals assessed. The process was demanding, but year after year the process continued. In August 1993, at the annual



meeting, incoming president Joseph C. Steele of Nebraska presented the 1993-94 annual plan to the members.

Immediately after the 1993 annual meeting, however, the new Board of Directors met and discussed COSCA's future. Mary C. McQueen of Washington suggested that the Board should discuss COSCA's goals and mission statement at an upcoming meeting, and the Board as a whole agreed, starting with a survey sent to all COSCA members.<sup>1</sup> That suggestion led to a full mission-development process over the following year.

The midyear meeting of the Board of Directors, held in December 1993, was a special meeting convened by President Steele. It reviewed possible changes to the mission and goals of the organization, based on committee work by Mary McQueen, J. D. Gingerich of Arkansas, and Thomas Geraets of South Dakota.

Early in the discussion, Robert D. Lipscher of New Jersey suggested that COSCA was spreading itself too thin. COSCA tried to find solutions that work for all fifty states, he thought, and that was too broad a goal. Instead, he suggested that COSCA might develop interest groups that pursued common interests and solutions to similar problems, even if they would not apply to all other states. It does not appear that this suggestion gained much support, although a group of state court administrators from the ten largest states did meet regularly for several years. Lipscher's second suggestion did get support from all of COSCA at a later time. He recommended that COSCA could be a pathfinder, taking a leadership position on cutting-edge issues.<sup>2</sup> A few years later, with the development of the Policy and Liaison Committee that prepared white papers each year, COSCA started to perform exactly that pathfinder mission and yielding perhaps COSCA's greatest accomplishments to date.

At the special meeting, the Board recognized three main arenas for COSCA's current activity: its services to members, particularly the educational programs at the annual and midyear meetings; its obligation and continued relationship with the National Center for State Courts; and its efforts for improvement of the nation's court systems. NCSC President Larry Sipes offered the assistance of the soon-to-be-announced Scholar-in-Residence as facilitator for COSCA to reestablish its mission and undertake a strategic planning program that followed that mission. The Board agreed, as long as the planning process not drag on for too long.<sup>3</sup>

The strategic planning process continued during calendar year 1994. A planning session took place at the annual meeting in the summer, with Ronald J. Stupak, the National Center's Visiting Scholar. Stupak invited COSCA members to consider several topics: governance of COSCA, activities and roles of the organization, needed education programs, and any other topics. The session was clearly productive. Members identified a need to restate the mission of COSCA, to examine possible changes that would open up the nominating process for leadership, and to focus on educational programs that emphasized networking and exchange among state court leaders rather than lectures.<sup>4</sup>

1. Minutes of August 5, 1993 New Board of Directors Meeting, p. 2.

2. Minutes of December 1, 1993 Board of Directors Meeting, p. 14

3. *Ibid.*, pp. 13-15.

4. Summary of August 3, 1994 Strategic Planning Session.

The process concluded at the midyear meeting in December 1994. Stupak again led a strategic planning session that focused on a mission statement and bylaws revision. The group identified six tentative elements of a mission statement. One of those, in fact listed first, generated by far the most comment. It was initially written as "to be active on the federal level regarding issues affecting state courts." Although there was general agreement that COSCA had to come to grips with its growing role and relationship with the federal government, there was much discussion about the consequences of becoming a lobbying organization. Would COSCA retain its tax-exempt status? Would all state court systems need to sign on to a proposal before it could go forward? What is COSCA's role vis-à-vis other national organizations, especially the Conference of Chief Justices? How could COSCA select what issues on which to make its opinions known? These and other questions dominated the discussion.<sup>5</sup>

A new mission statement for the Conference of State Court Administrators came out of this discussion. The federal government activity was significantly rewritten and listed as fourth rather than first. The other items remain, some with minor word changes, from the draft of November 1994. It is worth repeating here in full:

The mission of the Conference of State Court Administrators is to provide a national forum to assist state court administrators in the development of a more just, effective, and efficient system of justice, by:

- Identifying and studying issues and, when appropriate, developing policies, principles, and standards relating to the administration of judicial systems.
- Providing an effective network for the exchange of information, ideas, and methods to improve state courts.
- Facilitating cooperation, consultation, and exchange of information by and among organizations directly concerned with court administration.
- Assisting in the formulation and implementation of national issues that affect state courts.
- Establishing and maintaining an organization that is open, inclusive, participatory, dynamic, and responsive.
- Offering educational opportunities.

This mission statement remains in effect in 2005. It comes from COSCA's Web site.

The 1994 effort to reexamine mission and bylaws also considered whether to change the nominating process for officers and directors. There was much discussion, especially at the midyear meeting. The sense of some members in COSCA was that identifying leadership within the organization seemed too restricted, that newer members of COSCA did not easily grasp how the organization worked and how they could be active. Members tried to address the problem through a change in bylaws, but no satisfactory method

<sup>5</sup>. Minutes of November 30, 1994 Board of Directors Strategic Planning Discussion, and December 1-2, 1994 General Strategic Planning Discussion, and draft Mission Statement, undated.

emerged. In the end, there was no change. COSCA would try more informally to acquaint new members with its work and with their colleagues from around the country.<sup>6</sup>

The following year, though, a different bylaws amendment did pass. COSCA created the position of vice president to establish a two-year process before assuming the position of president. Starting in 1996, COSCA would elect a vice president, who would be expected to become president-elect in the following year, and then president.<sup>7</sup> The following year, William C. Vickrey of California became the first vice president in the new system.

After the strategic planning process of 1994, COSCA altered its annual planning process. Incoming president McQueen saw that without evaluation and follow-up the detailed setting of goals, objectives, and tasks did not necessarily produce concrete results, so she preferred to have each committee of COSCA establish one or two objectives to which they would commit. Thus, there was no actual 1995-96 plan, nor for several years thereafter.<sup>8</sup>

Not having a fully articulated annual plan was not a detriment for COSCA's continued work. Its mission was clear, and its progress continued. Several years later, in 1999, President Howard W. Conyers of Oklahoma summed up a vital role for COSCA. The minutes of the 1999 midyear meeting include the following: "Mr. Conyers observed that COSCA has changed a great deal in the last few years. Discussions now are long, intense and detailed, rather than focusing on internal things like bylaws. This means that they often don't come to a conclusion, which can be frustrating. COSCA now serves as the keystone that keeps the court systems connected—like 'middleware.'"<sup>9</sup> COSCA was surely not alone in this role; the Conference of Chief Justices played its part, the National Association for Court Management certainly had a role, and the National Center did as well. Yet COSCA recognized its ability to take a leadership role and assert influence that the others sometimes could not. It was small enough, and its members were specialized enough, to build credibility and expertise in critical areas and gain the respect of others in the field of court administration.

In the last few years, interest in multiyear planning has revived with a new group of leaders of COSCA. The new planning efforts have not changed the overall mission, but again COSCA is trying to articulate its priorities and goals. They are notably different in emphasis and tone.

In 2000, President David K. Byers of Arizona suggested goals for 2000-01, indicating that the organization should set out a strategic agenda with specific goals and priorities to provide continuity for the next several years. He suggested five goals: a proactive contact and communication with federal agencies (it is interesting to note that this goal is listed first), continued promulgation of state court technology standards, a process for routinely adopting and updating policy positions for COSCA, improved liaison with state-court-related organizations, and an improved Web site for COSCA itself.<sup>10</sup>

6. Minutes of December 1-2, 1994 General Business Meeting, pp. 5-7.

7. Minutes of August 3, 1995 General Business Meeting, pp. 7-8.

8. Minutes of July 31, 1995 Board of Directors Meeting, p. 7.

9. Minutes of December 3, 1999 General Business Meeting, p. 15.

10. Minutes of December 6, 2000 Board of Directors Meeting, pp. 4-7.

Byers continued his leadership on COSCA's new strategic planning process. In 2002 and the succeeding years, COSCA, led by each president in turn, has adopted an annual agenda that has helped to keep a focus on particular projects and issues.

## **Internal Operations of COSCA and State Court Administrative Staff**

Some of the same themes we have seen in earlier periods continued to occupy some of COSCA's attention in the last decade. But they were far less important than they had been in those earlier times. These themes include a continuing concern for new members, committee structure, communications within COSCA, and the structure of its meetings. These developments can be briefly recounted.

The 1994-95 year emphasized an internal reexamination of COSCA. We have already seen the strategic planning that took place. Another element was the committee structure. Judge Aaron C. Ment of Connecticut was president of COSCA that year—in fact, the first sitting judge to serve in that role. Under Ment, the Board proposed a restructuring of COSCA's committees. At the time there were sixteen committees. But there was no confidence that those committees reflected COSCA's current priorities. The National Center was offering greater staffing support for COSCA, and the state court administrators were eager to use that support, but providing more staff time to the committees did not seem to be the work most needed. COSCA decided then to realign its committees and use the renewed structure to set priorities. From sixteen committees they went to nine. There would be three standing committees: Nominating, Services to New Members, and Court Statistics (reflecting a very longstanding priority for COSCA). And there would be six ad hoc committees: Education; Courts, Children and the Family; Drug Issues Affecting State Courts; Court Interpreters; Court Reporters; and a Pension Task Force (studying a then-current issue about the tax consequences of judicial pensions). The thinking seems clear. COSCA wanted to organize standing committees that reflect permanent priorities, and ad hoc committees to study significant operational issues for state court systems that could arise and subside over time. The priorities of the organization would be set by the committees, their establishment, and their activities.<sup>11</sup>

COSCA had frequently tried to extend its training programs at midyear meetings to certain members of state court administrative staff. Yet the states had different staff structures, and there was real tension among state court administrators about how to meet this goal. In 1994, there was discussion about a joint meeting with the National Association of State Judicial Educators (NASJE) at COSCA's midyear meeting; that would bring both organizations together and still address the goal of offering joint training. Yet at the annual meeting of 1994 COSCA pulled back. Some members were concerned that members of NASJE did not hold COSCA's programs in high esteem, and others thought that individual judicial educators could be invited rather than the whole group. COSCA developed a program on other topics and did not invite the educators.<sup>12</sup>

11. Minutes of December 2, 1994 General Business Meeting, pp. 11-12.

12. Minutes of August 4, 1994 General Business Meeting, pp. 14-15.

Relations with the state judicial educators eventually improved. While they did not train together, by 1999 COSCA agreed to invite a NASJE representative to serve on COSCA's Education Committee as both a liaison between the organizations and as a resource for COSCA's own education programs.<sup>13</sup> Today there is a COSCA liaison for the educators' association as there is with other groups.

In 1995, incoming COSCA president Mary McQueen announced a new COSCA newsletter. The goal was to improve communications within COSCA. It was to be quarterly, with items about COSCA members, activities at the National Center, and reports from COSCA committees.<sup>14</sup>

Since 1980, COSCA met twice each year: an annual meeting in conjunction with the Conference of Chief Justices in the summer and a midyear meeting, usually in early December, on its own. While the annual meeting had always had a registration fee, the midyear meeting had not, and it was both shorter and more focused. There were few social events; members came together for both business and continuing education (as we have seen, often but not consistently with key staff members) and then returned to their own offices. In 1996, though, there was a discussion about whether the midyear meeting should be lengthened, adding a registration fee and perhaps inserting greater opportunity for COSCA members to socialize together. The response was telling. The group agreed to experiment with the registration fee for the 1996 meeting, but to cover only an improved educational program and not social events.<sup>15</sup>

What about key staff persons joining the state court administrators at midyear meetings? During the late 1980s and early 1990s, COSCA had tried a number of times to involve key staff, such as fiscal officers or personnel managers or MIS staff, in COSCA meetings. In 1995, COSCA had agreed to invite MIS leaders to the December 1996 midyear meeting, but in rethinking the idea during the summer of 1996, the Education Committee changed its recommendation. There were other opportunities to focus on technology as a theme, and the periodic Court Technology Conferences offered educational programs for MIS staff. More important, COSCA members started to doubt that the format of inviting key staff leaders to join them was a successful one. Some training programs would be joint and some separate; there was not much time at midyear meetings; and the group had just agreed to experiment with a registration fee. After long discussions at both the Board meeting and the full membership meeting in 1996, the decision was to invite key staff persons to midyear meetings only when such meetings were held in Williamsburg.<sup>16</sup> An idea during the 1980s was to hold midyear meetings in Williamsburg every other year, but they became less and less frequent. It had been planned in Williamsburg in 1997, but facilities issues forced a change. There has not been a midyear meeting there since the decision in 1996.

Nevertheless, training for staff persons continued to be a significant topic. In the late 1990s, a major project for COSCA and CCJ focused on ways to increase public trust

---

13. Minutes of December 2, 1999 Board of Directors Meeting, pp. 2-3.

14. Minutes of August 3, 1995 General Business Meeting, p. 10.

15. Minutes of August 1, 1996 General Business Meeting, pp. 7-8.

16. Minutes of July 29, 1996 Board of Directors Meeting, pp. 4-5, and August 1, 1996 General Business Meeting, pp. 8-9.

and confidence in the courts, and there was a discussion of using the theme at a midyear meeting. Members were asked to bring their chief deputy or public information officer to the meeting. That did not happen, but a long discussion did take place, and COSCA established a Staff Training Committee.<sup>17</sup>

The long discussion was led by Robert L. Doss of Georgia and William C. Vickrey of California. Vickrey and Doss suggested that COSCA needed to reexamine its longstanding skepticism about national organizations that included state court administrative staff and perhaps encourage such organizations to flourish as resources to COSCA rather than to continue to struggle with the issue of inviting certain staff persons to midyear meetings.<sup>18</sup> It would take some additional time and further discussions, but the Vickrey-Doss proposal set the stage for the future.

The first group that rose to COSCA's attention were the public information officers. Connected with the public trust and confidence theme, a number of state court public information officers met in the spring of 1998, and Roger Warren, as president of the National Center, and Vickrey, as president of COSCA, joined them. The meeting went well; the public information officers wanted to be helpful on a national scale with building public trust and confidence, and COSCA was very willing to work with them. By 1999, the public information officers had formed their own national organization, and COSCA decided that no formal action was necessary. COSCA recognized and agreed with the expectation that the public information officers would coordinate their work with CCJ and COSCA.<sup>19</sup>

In 2000, COSCA formed a Coordination Subcommittee to examine more comprehensively the issue of COSCA's relationship with organizations made up primarily of persons in key court administrative staff positions. The public information officers were the first; the IT managers, now called court information officers, were the next. The general discussion concluded that COSCA could not and should not prevent the formation of associations, but each state court administrator was responsible for deciding if their own staff could belong and if they could be supported in the cost of meetings. Most COSCA members were not opposed to the associations; they observed that the purpose of most was overwhelmingly educational rather than policymaking, which was what had always concerned the state court administrators themselves. The other issue raised again involved priorities—how much staff time and resources from the National Center these subordinate organizations might require and whether they would take resources away from other activities that COSCA wished to pursue.<sup>20</sup>

After more discussion and planning, the court IT officers established their formal national organization in 2005, at the Court Technology Conference held that year. It is called CITOC, the Court Information Technology Officers Consortium. It is made up of state-level IT directors and trial-court IT managers upon the nomination, respectively, of their state court administrators or their trial court managers.

17. Minutes of July 31, 1997 General Business Meeting, pp. 7-8, and December 5, 1997 General Business Meeting, p. 9.

18. Minutes of December 4, 1997 Board of Directors Meeting, pp. 8-9.

19. Minutes of December 3, 1998 Board of Directors Meeting, pp. 7-8, and December 2, 1999 Board of Directors Meeting, p. 9.

20. Minutes of December 6-7, 2000 Board of Directors Meeting, pp. 12-13.

Other court staff associations are active as well as of 2005. In addition to those already discussed, the state judicial educators, the court public information officers, and the IT officers, there is the National Association of Drug Court Professionals and the Consortium for State Court Interpreter Certification (Court Interpreters Consortium), which operates on a more informal basis. COSCA maintains an active liaison with each. The Court Interpreters Consortium began as part of a National Center project to improve court interpreting; the group of professionals in this area wanted to continue meeting and working together. The group was working on certification of interpreters and intended to move to training programs. The issue for COSCA again involved the amount of money and staffing necessary to support such an organization if it were established. As of 2003, the question was not resolved.<sup>21</sup>

Clearly COSCA has grown up. No longer much concerned, as they were in the early 1980s, with the separate establishment of associations that might act in a way contrary or independent of COSCA, its members' questions involve priorities and funding.

No matter how much COSCA has matured, though, some topics never go away permanently. In recent years, COSCA has made another review of its committee structure. President-elect Patricia Tobias of Idaho led the discussion in 2002. Now the focus has shifted to joint committees with the Conference of Chief Justices, and a number of more specific committees were being folded into larger joint committees.<sup>22</sup> The current structure of committees (2004-05) reflects that emphasis. There are eight joint CCJ/COSCA committees (two of which also have members from other organizations, both court management and judges' associations). And there are five COSCA committees (including the temporary 50th Anniversary Committee) and the Joint Technology Committee of NACM and COSCA.

A final topic that never seems to go away concerns the structure of meetings. The 2005 annual meeting with the Conference of Chief Justices is one day shorter than previous annual meetings, and COSCA was concerned that there might not be enough time to get needed work completed, especially the committee meetings. At the conclusion of the discussion, COSCA agreed to try the shortened schedule for 2005 and then reevaluate it with CCJ (which is itself the work of one of the eight joint committees).<sup>23</sup>

## **Court Statistics and Technology**

From its very start in the 1950s, COSCA has agreed that one of its essential functions was to build greater consistency and uniformity in court statistics, and as information technology in the courts became a greater issue, the IT work has also become a dominant focus. The last decade has seen a continuation of those twin emphases.

COSCA's current role in statistics and technology was defined by the Board of Directors in 1997. COSCA began a new focus on statewide automation systems with

21. Minutes of July 27-28, 2003 Board of Directors Meeting, pp. 1-3.

22. Minutes of July 29, 2002 Board of Directors Meeting, pp. 9-10.

23. Minutes of December 12, 2003 General Business Meeting, pp. 4-5.

much greater consistency and uniformity than had existed up to that time. Yet it was clear that there were numerous players on the field and that there was an opportunity for duplication of effort and contradictory directions. Roger Warren, as president of the National Center, outlined the quandary. COSCA's new statewide automation committee was becoming active, led by Kenneth R. Palmer of Florida, Hugh M. Collins of Louisiana, and George B. Riffin, Jr., of Maryland. But there was also the COSCA/NACM Joint Technology Committee, a task force on integration of automated systems by the SEARCH organization, and a National Center advisory committee on court technology. The National Center could not staff all these efforts, Warren said. COSCA should work with the other groups to define a new decision-making structure. In short, Warren said, "COSCA should steer the boat rather than row it."<sup>24</sup>

And steer the boat of court technology COSCA began to do. Starting in 1997, there was discussion of a project to develop a model court case management system, a model not from the perspective of technical architecture but based on functionality and features. The model should designate what each court case management system should offer its users, rather than provide different technical approaches to do that.<sup>25</sup> It was an idea that became a key component of COSCA's work in the years to come.

The 1998 midyear meeting set the direction of COSCA's work in this area. State court IT directors were invited to participate in this meeting, and John Greacen of New Mexico and Kenneth Palmer of Florida led a discussion about the direction of future efforts. The Joint Technology Committee would take over the function of the National Center's advisory committee on court technology, and it was working very well with SEARCH and its emphasis on integrated justice systems. Most important, a consortium of Court Automation Standards was established as a subcommittee of the joint committee. That is, COSCA and NACM would take the lead, supported by the National Center, in developing these functional standards. The original funding came from the State of Texas, because the largely local operation in Texas was vitally interested in developing statewide standards and agreed that its work could easily work into national standards. Federal funding agencies in the Department of Justice were also very supportive.<sup>26</sup>

Greacen outlined a multiphased effort. The work would begin with developing standards on data elements, driven by a review of the purposes for which the data are used. States would be asked to contribute separately to the support of the consortium, not merely as part of their dues to the National Center for State Courts. COSCA approved the model, and it has been a very successful effort in the years since.

Progress came fairly quickly. By the 1999 annual meeting, Greacen was distributing a draft of functionality standards for civil case management automation. He noted that the consortium and the joint technology committee had developed a coherent sense of purpose. Courts now spend about a half-billion dollars each year on technology, and much of those funds are wasted as different states and local courts redo investment in defining needs and considering ways to meet those needs. Basic case information systems are

24. Minutes of December 4, 1997 Board of Directors Meeting, p. 6.

25. Minutes of December 4, 1997 Board of Directors Meeting, p. 5.

26. Minutes of December 4, 1998 General Business Meeting, pp. 12-15.

reinvented all the time, Greacen said. The committee will turn that around. Standard forms for Requests for Proposals will be developed, ways to manage and enforce contracts with vendors could be set forth, and standards for public access to court data could be agreed on. As other major issues develop, such as electronic filing, Greacen proposed that the committee, its subgroup the consortium on automation standards, and the IT Forum that includes IT directors in the several states could take the lead.<sup>27</sup>

In the years that followed, COSCA reviewed a number of the standards on functionality. Civil standards came first, followed by domestic relations and criminal standards. Similarly, there was emphasis on developing more technical XML standards for electronic filing, which would be important because electronic filing required different systems to communicate with each other. By 2000, twelve states were active and contributing to the consortium, and the Joint Technology Committee had developed a well-defined process to develop automation standards and release them for comment before adoption. By 2000, the Conference of Chief Justices had formally delegated to COSCA the responsibility for final approval of the XML standards for electronic filing. And by 2002, the civil standards and domestic relations standards had been approved, and the work was almost complete on criminal and juvenile standards. Work was getting underway on probate and mental illness standards and on appellate court standards.<sup>28</sup>

This effort from COSCA and NACM and other organizations has been a huge commitment. The need for coordination and joint work seems clear. It is interesting to take note of the development over time. Decades earlier, in the 1950s and 1960s, COSCA and its predecessor, the National Conference of Court Administrative Officers, had sought commonality and joint effort on collecting caseload statistics. The court automation standards follow precisely along this line. There is some question about how well different states and local courts have implemented the functional standards—how they are using them—but the need is clear, and the effort has been consistent and sustained.

## COSCA Projects

Project activity over the last decade continued in a similar vein to that of the 1980s and early 1990s. COSCA had achieved a leadership position in a number of court management topics, and its projects continued to reflect that status. Of particular note during the 1990s were drug courts, family-related and child-related issues, court funding, public trust and confidence in the courts, and access to court data.

The concept of drug courts began in the early 1990s, a few years after the federal government and most states began their crackdown on drug prosecutions called the “war on drugs.” While greater prosecution might restrain the use of illegal drugs, it was clear that it also had the impact of greatly increasing drug-enforcement criminal cases and perhaps challenging state courts’ existing priorities and plans. COSCA had been active in monitoring these developments and expressing a need to find some solution; by the 1990s,

27. Minutes of August 5, 1999 General Business Meeting, pp. 9-10.

28. Minutes of December 3, 1999 General Business Meeting, pp. 10-14; July 31, 2000 General Business Meeting, pp. 4-7; December 6-7, 2000 Board of Directors Meeting, pp. 2-4; and July 29, 2002 Board of Directors Meeting, pp. 3-5.

the prospect of “drug courts” became clear, emphasizing a strong treatment regimen for offenders that would diminish the likelihood of recidivism.

In 1993, the State Justice Institute proposed a Symposium on Drug Courts. Robert D. Lipscher of New Jersey supported the idea but was challenged by Judge Aaron C. Ment of Connecticut. Ment was concerned that COSCA’s support of the symposium implied the support of the concept of drug courts. Clearly, it would be uncomfortable for some if COSCA expressed its institutional agreement with a particular program or technique for handling the issues of drug cases in state courts; COSCA would have to move more slowly. When SJI explained that the purpose of the symposium was to explore the experience that different states had with drug courts, both positive and negative, Lipscher and Ment agreed on support for the symposium.<sup>29</sup> COSCA’s final action on the symposium was even more tentative. COSCA should not approve anything with “drug court” in the title, several members insisted. As a result, COSCA approved a resolution expressing support for “A National Symposium on Court Responses to Drug Problems.”<sup>30</sup> Gradually, drug courts won wide support throughout the court community, and by 1996 COSCA was working to ensure that state court systems had full access to federal grant money and that the organization was working with the National Association of Drug Court Professionals to ensure that effective standards for drug courts would be adopted.<sup>31</sup> This focus on problem-solving courts has been a continuing theme of COSCA in the last decade, as we shall see below.

COSCA continued its active monitoring of policy developments in the area of child support enforcement, abuse and neglect of children, foster care and permanency planning for child placement, and welfare reform. COSCA had begun to assert national leadership from the courts’ perspective in the 1980s. The focus was often led by Howard P. Schwartz of Kansas, and in his term as president of COSCA, the organization emphasized issues with children and families. COSCA representatives met frequently with leaders of the federal Office of Child Support Enforcement, and they worked closely with the National Center’s Office of Government Relations in monitoring federal policy development and access to federal funds.<sup>32</sup> The 1996 enactment by Congress of the Welfare Reform Act and the Violence Against Women Act and the 1997 Adoptions and Safe Families Act created both policy requirements and grant opportunities for state courts. COSCA continued its monitoring-and-liaison role in areas such as interstate child support enforcement, interactions with state welfare agencies, full faith and credit of interstate domestic-violence protection orders, and periodic review of child support orders.<sup>33</sup>

In 2000, COSCA developed a Compendium on Children and Family Issues. The compendium had five sections: child support, child abuse and neglect, collaborations with executive branch agencies and the community, domestic violence, and domestic relations. This compendium brought together a valuable reference for state court leaders

29. Minutes of December 1, 1993 Board of Directors Meeting, p. 18.

30. Minutes of December 3, 1993 General Business Meeting, p. 30.

31. Minutes of December 5, 1996 Board of Directors Meeting, p. 2.

32. Minutes of August 1, 1994 Board of Directors Meeting, pp. 2-3.

33. Minutes of December 5, 1996 Board of Directors Meeting, pp. 2-3, and July 28, 1997 Board of Directors Meeting, pp. 2-4.

on programs and funding opportunities. It also gave COSCA a vehicle to advise the federal government about issues and priorities the state courts faced.<sup>34</sup> The compendium helped COSCA to develop policy statements that were proactive, urging the federal government to adopt fundamental approaches and urging the state courts to act in broad ways.

COSCA attention to this area continues. In 2003, COSCA reviewed the work of the Pew Commission on Foster Care, a joint commission on which William C. Vickrey of California sits. The Pew Commission has recommended policies and funding to improve foster care and has developed a guide for further policy development.<sup>35</sup> In 2005, COSCA joined with CCJ and others in a major conference on Children in Foster Care sponsored by the Pew Commission.

When Roger Warren became president of the National Center for State Courts, he encouraged both CCJ and COSCA to support active work in the area of public trust and confidence in the courts. It had been one of the five main areas of performance standards in the early 1990s, and Judge Warren emphasized it as an area in which national activity could provide real service to the courts. COSCA responded. It established a committee on public trust and confidence in 1997 and supported a national symposium on the topic for 1999. The state court administrators agreed that the purpose of the symposium went both ways—providing techniques both to educate the public about the courts and to listen to members of the public about their concerns and issues.<sup>36</sup> In the years that followed, the theme of public trust and confidence was among COSCA's highest priorities, and several other activities, such as concern about racial and gender bias and items of community outreach, became part of the general theme.

In 2000, COSCA revisited the Trial Court Performance Standards that had been a significant accomplishment in the early 1990s. The standards were fine, COSCA members said, but they were hard to work with and not easily used. Others thought that perhaps the standards were acceptable, but the measurements used to determine how well they were being met were cumbersome and not well understood.<sup>37</sup> Following that thought, the National Center began development of more user-friendly court performance standards and measures, work that still receives periodic review from COSCA.<sup>38</sup>

The most important COSCA project during these years, apart from the development of white papers discussed below, has been its work on privacy and access to court data. In 1994, COSCA had reviewed the existence of massive amounts of case-related data with virtually no restrictions on access that would protect privacy concerns. Either data brokers or journalists could “mine” the data for interesting and potentially harmful information. This concern led to action. Hugh M. Collins of Louisiana urged in 1997 that COSCA and the National Center work on a reexamination of privacy interests and security concerns in the collection of court data, and the Joint Technology Committee

34. Minutes of December 7, 2000 Board of Directors Meeting, pp. 9-10.

35. Minutes of December 11, 2003 Board of Directors Meeting, pp. 2-4.

36. Minutes of July 28, 1997 Board of Directors Meeting, pp. 7-9, and July 31, 1997 General Business Meeting, pp. 6-7.

37. Minutes of July 31, 2000 Board of Directors Meeting, pp. 8-9.

38. Minutes of July 27-28, 2003 Board of Directors Meeting, p. 3.

agreed.<sup>39</sup> In 1999, COSCA made access to data one of the first targets for the new white papers.

Separate from the white papers, COSCA was involved, along with CCJ, in an SJI-funded effort to develop a draft model policy on access to court records. COSCA's efforts on this project were led by Sue K. Dosal of Minnesota. While the courts were determined to maintain the traditional openness of individual case data, the leaders knew that electronic means threatened privacy concerns and raised issues about access to compiled data. The model policy was detailed and explicit, but of course it was not binding on CCJ and COSCA members in their own states. Nevertheless, the organizations agreed that its members would encourage review of the model policy in their states and report the results to both organizations. At its 2002 annual meeting, COSCA joined both CCJ and NACM and formally adopted the model policy.<sup>40</sup>

## **Relations with the Federal Government**

During the last decade, COSCA aggressively continued its active agenda with the federal government. Working with CCJ and with the National Center, COSCA continuously monitored federal policies and grant opportunities. Its members studied the potential impact on the state courts of federal government actions, and it was not at all hesitant to offer those analyses to policymakers. COSCA also gained a place in discussions about federal policy.

One of the most telling examples of COSCA's involvement with federal policy began in 1993. The United States Department of Justice wanted to establish a positive relationship with state court leadership, particularly on drug-related and family-related issues, and representatives of the Conference of Chief Justices and COSCA were invited to meet regularly with the new attorney general, Janet Reno.<sup>41</sup> Sue K. Dosal of Minnesota was COSCA's first representative at these meetings. They must have been productive for the attorney general; for some years, they continued on almost a quarterly basis. At one of the meetings, Attorney General Reno encouraged COSCA to develop an action agenda on interstate domestic violence orders and said she would participate in a one-day session to discuss COSCA's recommendations.<sup>42</sup> These meetings, together with COSCA's inclusion in occasional bill-signing ceremonies, showed the respect and partnership between COSCA and the Department of Justice.

In 1993-94, the National Center and COSCA worked on a project to develop a procedure for preparing impact statements for national legislation on state courts. Dosal, Hugh M. Collins of Louisiana, and Robert N. Baldwin of Virginia contributed to this project, and it produced a number of impact statements that sought to give Congress

39. Minutes of December 4, 1997 Board of Directors Meeting, p. 5.

40. Minutes of July 30, 2001 Board of Directors Meeting, p. 2, and August 1, 2002 General Business Meeting, pp. 2-3.

41. Minutes of August 5, 1993 Meeting of New Board of Directors, p. 2.

42. Minutes of December 5, 1997 General Business Meeting, p. 4.

reliable information. These statements also offered a way to assist state courts with information and estimates if the legislation were enacted.<sup>43</sup>

COSCA assumed more direct responsibility with federal government funding and policies during the 1990s. The National Center's Office of Government Relations was still critical to COSCA's ability to act, both because of their full-time attention to federal issues and because of the professionalism of the National Center's staff. Nevertheless, it became clear that COSCA was not merely following the lead of the professional staff. Gradually, the partnership evolved such that the National Center staff was taking its direction from CCJ and COSCA. Tom Henderson of the Office of Government Relations explained in 1995 that his office had no specific agenda. Instead, he wanted to lay out important issues to COSCA's representatives and then let them deal directly with the agencies and congressional committees involved. COSCA's Board specifically agreed to assume this role.<sup>44</sup> In this vein, practically every meeting of COSCA included a discussion of grant opportunities and pending issues with the federal government. Often these issues involved executive agencies such as the Office of Child Support Enforcement, but they included as well congressional committees and key leaders in Congress. Meetings in Washington, D.C., were not unusual for some COSCA members, and COSCA tried to work effectively as a group to get its positions and priorities clear, often in partnership with the Conference of Chief Justices.

Again with the help of the Office of Government Relations, COSCA under the leadership of William C. Vickrey of California developed "Suggested Criteria for National Legislative Agenda" and a list of "State Court Issues in Congress." The basis of the criteria was to set out a procedure to determine what issues to get involved with, both proactively and reactively, that would have the greatest impact on state courts. The advanced preparation of the issues list would also allow COSCA representatives to have handouts and other material to leave with members of Congress when they met with them. COSCA also developed a rapid-response procedure so that as immediate matters arose one or two members could become involved in an appropriate way to express the will of the whole body. All of these techniques show the greater expertise and sophistication of COSCA as it dealt more proactively with the federal government.<sup>45</sup>

COSCA was in Washington. Federal government leaders recognized its role in shaping policy and in guiding funds to the state courts. In the fall of 1998, Congress enacted legislation that strengthened statewide integrated justice information systems. During the negotiations on that bill, COSCA and other court representatives were very much "at the table," actively working out language in the federal bill. At the same time, when COSCA's Board met in Washington, representatives of at least five federal agencies attended the Board meeting and all expressed a need to work more closely with state court leaders.<sup>46</sup> COSCA has maintained its role in the years since then, working with the

43. Minutes of August 4, 1994 General Business Meeting, pp. 13-14.

44. Minutes of December 1, 1995 Board of Directors Meeting, pp. 6-7.

45. Minutes of December 3, 1998 Board of Directors Meeting, pp. 6-7.

46. Minutes of December 4, 1998 General Business Meeting, pp. 4-5.

Office of Government Relations of the National Center, interacting directly with federal policymakers, and making its impact felt on outcomes.

The State Justice Institute (SJI) is no doubt a special case. Both CCJ and COSCA had always worked hard to support SJI and to respond when members of Congress urged its abolition. In 1997, SJI had a mandate from Congress to submit to an evaluation of its effectiveness by the state courts. SJI invited both CCJ and COSCA to participate, but CCJ delegated the responsibility to COSCA. Hugh M. Collins of Louisiana, Aaron C. Ment of Connecticut, Robert L. Doss, Jr., of Georgia, and Howard P. Schwartz of Kansas undertook the task.

That evaluation showed COSCA's sophistication, but it also showed SJI's weakness. SJI often had to defend its continued existence, and both CCJ and COSCA worked hard to support it. As COSCA approached its fiftieth anniversary, SJI was struggling to stay in business. COSCA was working with the National Center Board, with the leaders of SJI, and with other federal government representatives to determine a long-term approach that would get a reliable stream of federal funds to support the state courts. COSCA continues to participate in these efforts.<sup>47</sup>

## **COSCA Policy and Liaison Committee**

The capstone of COSCA's leadership in court management policy initiatives is surely its work through the Policy and Liaison Committee. The broad effort has involved both developing a position on emerging issues in court management and establishing linkages with other organizations to strengthen the impact of COSCA's position. Through this work, COSCA has fully established its role as a national leader in the field. Its "white papers" summarize the state of important current policy issues and set out a real policy preference. And its network of liaisons has provided a means to get that policy preference in front of other groups and agencies.

The Policy and Liaison Committee has been active since 1998. Its first cochairs were Sue K. Dosal of Minnesota and Judge Jonathan Lippman of New York. The mandate of the committee was to identify emerging issues in court administration, to do research on those issues and formulate a position for COSCA, and then to garner support with other organizations for COSCA's position.<sup>48</sup> As the work developed, the implications of this work became clearer. Through the committee's work, COSCA would more effectively be able to react to pending federal legislation and regulations, involve staff members of state administrative offices in the research and writing of position papers, and understand what resources are available to respond to policy developments.<sup>49</sup>

The policy and Liaison Committee had two subcommittees, one on Policy chaired by Daniel J. Becker of Utah, and one on coordination chaired by David K. Byers of Arizona.

47. Minutes of December 11, 2003 Board of Directors Meeting, pp. 7-10.

48. Minutes of December 3, 1998 Board of Directors Meeting, p. 4.

49. Minutes of August 5, 1999 General Business Meeting, p. 5.

The Policy Issues Subcommittee would select one or two cutting-edge issues each year. These issues would not require immediate action but instead would invite some research and discussion before taking a position or an action. The hope has been to do the research and then to take a position that would be reviewed among other court improvement groups so that eventually there could be a national agenda on that particular issue. The Coordination Subcommittee would work directly with the National Center's Office of Government Relations to coordinate the dissemination and discussion of issues outside COSCA. As more immediate issues might arise, the same subcommittee would review the matter and work with COSCA's Board and the National Center to decide whether COSCA should take a position on that as well.<sup>50</sup>

The very first white paper produced by COSCA under this program endorsed therapeutic courts. It urged state courts to assume administrative leadership in court programs that sought to address underlying causes of disputes, with each state court system deciding for itself the appropriate level of policy and fiscal participation it would take. Further, it urged COSCA to join with other court improvement organizations to address the future of therapeutic courts and to establish clear lines of communication among the different groups that had a stake in the area.<sup>51</sup> As part of the discussion of this paper, William C. Vickrey of California made an important observation. Most national organizations, he said, face the question of how they can take positions as an organization if the members themselves do not agree personally with those positions. But the overall effectiveness of the organization was at stake, as he saw it. Unless members were willing to let COSCA as an organization take a position, even if it is not one that the individual assumes, then other organizations would become the voice for the courts. COSCA itself would not have a national voice. Others would, and some of those would be respected national organizations while others might not be.<sup>52</sup>

COSCA resolved to let the Therapeutic Courts Position Paper become its first, even though some members might have been uncomfortable with the idea of acting on it in their own states. And it has not been the last. In 1999-2000, COSCA worked on papers on self-represented litigation and access and privacy issues in electronic data. Papers on courts' responsibility to address issues of racial and ethnic fairness, effective management of family cases, and other topics followed. At one time, there was a discussion about whether the Conference of Chief Justices should also be consulted as COSCA selects a topic for a position paper or decides what position to take. One thread of discussion was that there should not be a precedent of depending on CCJ's support or willingness, and COSCA selected the topics without formal participation by CCJ. But the stronger desire within COSCA was to work more closely with CCJ. Most of COSCA's committees were becoming, in fact, joint committees with the chief justices. By 2002, then, COSCA members were meeting with the CCJ Board to review drafts of the position papers (though CCJ was not involved in the actual drafting of the papers), and by 2003, surveys of

50. *Ibid.*, pp. 6-7.

51. *Ibid.* pp. 7-8.

52. *Ibid.*, p. 7.

potential topics were sent to both CCJ and COSCA members, and the survey results were used to establish a list of finalists for selection by the COSCA membership.<sup>53</sup> The issues finally selected by COSCA, though, might still not be the ones that CCJ favored more, as happened in 2003. And by 2003, COSCA invited NACM to review the draft position papers as well for comment before COSCA formally adopted them.<sup>54</sup>

The work of the Liaison Subcommittee advanced as well. COSCA was determined to have an impact on federal policy, not just monitor it. That meant that COSCA would need to be quickly informed and ready to react to developments. COSCA established a listserv to communicate about emerging federal policy issues, and the National Center agreed to support quick electronic surveys. Further, as COSCA members attended the meetings of other organizations, they agreed to go with a specific idea of what COSCA's positions were in particular areas and how to present those positions.<sup>55</sup> The subcommittee compiled and indexed those resolutions COSCA had passed over the years that expressed policy positions. It also provided a list of other topics on which COSCA might consider developing policies. COSCA members clearly enjoyed getting into real policy discussions, making COSCA more effective and also providing ideas and resources to the state court administrators in their own states.<sup>56</sup>

To date, COSCA has produced position papers on therapeutic courts, racial and ethnic fairness, self-represented litigation, family case management, effective judicial governance and accountability, justice information sharing, access to court records, judicial branch budgets in a time of fiscal crisis, and domestic violence. The text of all may be found on COSCA's Web site. Beginning in 2003, COSCA members have discussed ways to reexamine older position papers and consider revisions; the Policy and Liaison Committee has agreed to do that.<sup>57</sup> Clearly that indicates COSCA's determination to keep its positions current and relevant.

The work of the Policy and Liaison Committee shows the greater maturity of COSCA and its determination to be effective on the national scene. It is a significant advance from the 1993 discussion about whether COSCA could pass a resolution that included the phrase "drug courts." The decision was to pass the resolution but to make its title general enough that it could not challenge or offend any state's interest. Yet less than a decade later, COSCA was approving position papers that at the minimum guided policy development and sometimes became provocative in the national discourse on major issues in court administration.

53. Minutes of December 2, 1999 Board of Directors Meeting, p. 6, and December 11, 2003 Board of Directors Meeting, pp. 5-6.

54. Minutes of December 5, 2002 Board of Directors Meeting, p. 4.

55. Minutes of December 2, 1999 Board of Directors Meeting, pp. 5-6.

56. Minutes of July 31, 2000 Board of Directors Meeting, pp. 9-10.

57. Minutes of December 11, 2003 Board of Directors Meeting, p. 5.

## ***Appendix A: Conference of State Court Administrators List of Past Presidents***

2004-2005	Daniel Becker, Utah
2003-2004	Michael L. Buenger, Missouri
2002-2003	Patricia Tobias, Idaho
2001-2002	Mercedes M. Bauermeister, Puerto Rico
2000-2001	David K. Byers, Arizona
1999-2000	Howard W. Conyers, Oklahoma
1998-1999	William C. Vickrey, California
1997-1998	Nancy M. Sobolevitch, Pennsylvania
1996-1997	Hugh M. Collins, Louisiana
1995-1996	Mary Campbell McQueen, Washington
1994-1995	Aaron Ment, Connecticut
1993-1994	Joseph C. Steele, Nebraska
1992-1993	Howard P. Schwartz, Kansas
1991-1992	Sue K. Dosal, Minnesota
1990-1991	James D. Thomas, Colorado
1989-1990	Robert N. Baldwin, Virginia
1988-1989	Arthur H. Snowden II, Alaska
1987-1988	J. Denis Moran, Wisconsin
1986-1987	Robert L. Doss, Jr., Georgia
1985-1986	William J. O'Brien, Iowa
1984-1985	Larry Polansky, District of Columbia
1983-1984	Richard V. Peay, Utah
1982-1983	Carl F. Bianchi, Idaho
1981-1982	Eugene J. Murret, Louisiana
1980-1981	William H. Adkins, II, Maryland
1979-1980	James M. Parkison, Missouri
1978-1979	Walter J. Kane, Rhode Island
1977-1978	Phillip B. Winberry, Washington
1976-1977	Marion P. Opala, Oklahoma

1975-1976	Richard E. Klein, Minnesota
1974-1975	Lester E. Cingcade, Hawaii
1973-1974	Roy O. Gulley, Illinois
1972-1973	Harry O. Lawson, Colorado
1971-1972	C.R. Huie, Arkansas
1970-1971	T. Mack Blackburn, Tennessee
1969-1970	James R. James, Kansas
1968-1969	William D. Radcliff, Ohio
1967-1968	Ralph N. Kleps, California
1966-1967	Lawrence N. Marcus, New York
1965-1966	Bert M. Montague, North Carolina
1964-1965	Lue C. Lozier, Missouri
1963-1964	John W. McMillan, Ohio
1962-1963	Albert C. Bise, Washington
1961-1962	Clarence A. Kading, Iowa
1960-1961	Robert A. Coogan, Rhode Island
1959-1960	Frederick W. Invernizzi, Maryland
1958-1959	Hubert D. Bennett, Virginia
1957-1958	Meredith H. Doyle, Michigan
1956-1957	Edward B. McConnell, New Jersey
1955-1956	Edward Fisher, Connecticut



## ***Appendix B: Annual Meetings of the NCCAO and COSCA***

The place of meeting and the chairman elected for each year are listed below.

### **NCCAO**

1955	Philadelphia, PA	Edward C. Fisher, Connecticut
1956	Dallas, TX	Edward B. McConnell, New Jersey
1957	New York, NY	Meredith H. Doyle, Michigan
1958	Pasadena, CA	Hubert D. Bennett, Virginia
1959	Miami Beach, FL	Frederick W. Invernizzi, Maryland
1960	Baltimore, MD	Robert A. Coogan, Rhode Island
1961	St. Louis, MO	Clarence A. Kading, Iowa
1962	San Francisco, CA	Albert C. Bise, Washington
1963	Chicago, IL	John W. McMillan, Ohio
1964	New York, NY	Lue C. Lozier, Missouri
1965	Miami Beach, FL	Bert M. Montague, North Carolina
1966	Montreal, Canada	Lawrence N. Marcus, New York
1967	Honolulu, HI	Ralph N. Kleps, California
1968	Philadelphia, PA	William D. Radcliff, Ohio
1969	Dallas, TX	James R. James, Kansas
1970	St. Louis, MO	T. Mack Blackburn, Tennessee
1971	Charleston, SC	C. R. Huie, Arkansas

### **COSCA**

1972	Seattle, WA	Harry O. Lawson, Colorado
1973	Columbus, OH	Roy O. Gulley, Illinois
1974	Honolulu, HI	Lester E. Cingcade, Hawaii
1975	Homestead, VA	Richard E. Klein, Minnesota
1976	Philadelphia, PA	Marian P. Opala, Oklahoma
1977	Minneapolis, MN	Phillip B. Winberry, Washington
1978	Burlington, VT	Walter J. Kane, Rhode Island
1979	Flagstaff, AZ	James M. Parkison, Missouri
1980	Anchorage, AK	William H. Adkins II, Maryland
1981	Boca Raton, FL	Eugene J. Murret, Louisiana
1982	Jackson Hole, WY	Carl F. Bianchi, Idaho
1983	Savannah, GA	Richard V. Peay, Utah
1984	Lake Ozark, MO	Larry P. Polansky, DC
1985	Lexington, KY	William J. O'Brien, Iowa

1986	Omaha, NE	Robert L. Doss, Jr., Georgia
1987	Rapid City, SD	J. Denis Moran, Wisconsin
1988	Rockport, ME	Arthur S. Snowden II, Alaska
1989	Lake Tahoe, NV	Robert N. Baldwin, Virginia
1990	Lake George, NY	James D. Thomas, Colorado
1991	Philadelphia, PA	Sue K. Dosal, Minnesota
1992	Lahaina, Maui, HI	Howard P. Schwartz, Kansas
1993	Blaine, WA	Joseph C. Steele, Nebraska
1994	Jackson Hole, WY	Aaron Ment, Connecticut
1995	Monterey, CA	Mary Campbell McQueen, Washington
1996	Nashville, TN	Hugh M. Collins, Louisiana
1997	Cleveland, OH	Nancy M. Sobolevitch, Pennsylvania
1998	Lexington, KY	William C. Vickrey, California
1999	Williamsburg, VA	Howard W. Conyers, Oklahoma
2000	Rapid City, SD	David K. Byers, Arizona
2001	Seattle, WA	Mercedes M. Bauermeister, Puerto Rico
2002	Rockport, ME	Patricia Tobias, Idaho
2003	San Juan, PR	Michael L. Buenger, Missouri
2004	Salt Lake City, UT	Daniel Becker, Utah
2005	Charleston, SC	Jonathan Lippman, New York

## ***Appendix C: Conference of State Court Administrators Position Papers – 1999 to 2005***

<b>1999</b>	Therapeutic Courts
<b>2000</b>	Access to Court Records Self-represented Litigants
<b>2001</b>	Effective Judicial Governance and Accountability State Courts' Responsibility to Address Issues of Racial and Ethnic Fairness
<b>2002</b>	Court Leadership in Justice Information Sharing Effective Management of Family Law Cases
<b>2003</b>	State Judicial Branch Budgets in Times of Fiscal Crisis
<b>2004</b>	Safety and Accountability: State Courts and Domestic Violence
<b>2005</b>	The Emergence of E-Everything

## ***Appendix D: Conference of State Court Administrators Resolution 1***

### ***In Recognition of COSCA's 50th Anniversary***

WHEREAS, the Conference of State Court Administrators was formally established in August 1955; and

WHEREAS, the Conference evolved over the years and expanded its influence, with a mission to provide a national forum to assist state court administrators in the development of a more just, effective, and efficient system of justice; and

WHEREAS, almost 300 members representing a diversity of judicial systems have worked tirelessly over the past 50 years to forge an increasingly effective national agenda for court improvement; and

WHEREAS, in anticipation of its 50th Anniversary the Conference established a special committee to plan numerous opportunities to celebrate this significant occasion, including:

- A 50th Anniversary Celebration to be held on August 3, 2005, in Charleston, South Carolina to "Remember the Past, Celebrate the Present and Anticipate the Future,"
- Publication of the Conference's 50-Year History, as authored by Theodore J. Fetter and Robert L. Doss,
- A permanent display of the state flags at the National Center for State Courts in Williamsburg, Virginia in recognition of this anniversary,
- Full support of the efforts of the National Center for State Courts, in coordination with the Conference of Chief Justices, to establish a leadership development program for court leaders,
- Establishment of ongoing leadership and service opportunities for Conference members to support the mission of the National Center for State Courts and to advance the improved administration of the state courts, and
- A commitment to update the Conference's history at least every ten years.

NOW, THEREFORE, BE IT RESOLVED that the Conference of State Court Administrators adopts this resolution in celebration of its accomplishments in judicial administration over the past 50 years and in anticipation of its continued commitment at the state and national level to the improvement of the state courts.

Adopted as proposed by the COSCA 50th Anniversary Committee at the 2005 Annual Meeting on August 3, 2005.

## *Appendix E: Conference of State Court Administrators Years of Service*

### **Alabama**

---

Randy Helms	2003 - present	Oliver Gilmore	1992 - 1995
Rich Hobson	2001 - 2003	Leslie G. Johnson	1991 - 1992
Frank W. Gregory	1995 - 2001	Allen L. Tapley	1977 - 1991

### **Alaska**

---

Stephanie J. Cole	1997 - present	John W. McMillian	1967
Arthur H. Snowden, II	1973 - 1997	Thomas B. Stewart	1961 - 1966
Robert N. Reeves	1970 - 1973	David L. Luce	1959 - 1961
Robert H. Reynolds	1967 - 1970		

### **American Samoa**

---

Otto Thompson	2005 - present	Eliu F. Paopao	1991 - 2005
---------------	----------------	----------------	-------------

### **Arizona**

---

David K. Byers	1992 - present	Marvin Linear	1964 - 1976
William L. McDonald	1985 - 1992	Larry Coughnour	1961 - 1964
Noël Dessaint	1976 - 1985		

### **Arkansas**

---

James D. Gingerich	1988 - present	Jim Petty	1980
Chris Thomas	1985 - 1988	C.R. Huie	1965 - 1979
Robert Lowrey	1981 - 1984		

### **California**

---

William C. Vickrey	1992 - present	Ralph J. Gampell	1977 - 1986
William E. Davis	1987 - 1992	Ralph N. Kleps	1961 - 1977

### **Colorado**

---

Gerald A. Marroney	2000 - present	John F. Healy, Jr.	1961 - 1966
Steven V. Berson	1993 - 2000	James R. Carrigan	1960 - 1961
James D. Thomas	1977 - 1993	Clyde O. Martz	1959 - 1960
Harry O. Lawson	1966 - 1977		

**Connecticut**

Joseph H. Pellegrino	2000 - present	Maurice Sponzo
Robert C. Leuba	1999 - 2000	John Cotter
Aaron Ment	1984 to 1999	

**Delaware**

Patricia W. Griffin	2005	Lawrence P. Webster	1998 - 2000
Edward G. Pollard, Jr.	2003 - 2005	Lowell L. Groundland	1988 - 1998
Dennis B. Jones	2000 - 2003	John R. Fisher	1971 - 1986

**Washington, DC**

Anne B. Wicks	2001 - present	Larry P. Polansky	1979 - 1990
Ulysses B. Hammond	1990 - 2001		

**Florida**

Elisabeth H. Goodner	2003 - present	Donald Conn	1981 - 1985
Robin Lubitz	2002 - 2003	John F. Harkness	1974 - 1981
Kenneth R. Palmer	1985 - 2002	James B. Ueberhorst	1972 - 1974

**Georgia**

David L. Ratley	2001 - present	Robert L. Doss, Jr.	1975 - 1999
George Lange, III	1999 - 2001		

**Guam**

Perry C. Taitano	2004 - present; 1987 - 1995	Anthony P. Sanchez	1995 - 1996
Daniel J. Tydingco	1996 - 2004		

**Hawaii**

Thomas R. Keller	2003 - present	Irwin I. Tanaka	1989 - 1993
Michael F. Broderick	1996 - 2001; 2002 - 2003	Toshimi Sodetani	1989; 1985 - 1986
Walter M. Ozawa	2001 - 2002	Janice Wolf	1986 - 1989
Sharon Y. Miyashiro	1995 - 1996	Lester E. Cingcade	1966 - 1985
Clyde Namuo	1993 - 1993	Elmer Poston	
Daniel G. Heely	1993 - 1995		

**Idaho**

Patricia Tobias	1993 to present	William F. Lee	1968 - 1972
Carl F. Bianchi	1973 - 1993		

**Illinois**


---

Cynthia Y. Cobbs	2001 - present	Robert E. Davison	1993 - 1995
Joseph A. Schillaci	1997 - 2001	William M. Madden	1991 - 1993
Daniel R. Pascale	1995 - 1997	Samuel D. Conti	1987 - 1991
Roy O. Gulley			

**Indiana**


---

Lilia G. Judson	1998 - present	Bruce A. Kotzan	1975 - 1998
-----------------	----------------	-----------------	-------------

**Iowa**


---

David K. Boyd	2003 - present	R. Hanson Lawton	1971 - 1973
William J. O'Brien	1973 - 2003		

**Kansas**


---

Howard P. Schwartz	1980 - present	James R. James	1965 - 1979
--------------------	----------------	----------------	-------------

**Kentucky**


---

Melinda Wheeler	2004 - present	Don Cetrulo	1981 - 1995
Cicely J. Lambert	1999 - 2004	William E. Davis	
Paul F. Isaacs	1995 - 1999	Charles D. Cole	

**Louisiana**


---

Hugh M. Collins	1987 - present	C. Jerre Lloyd	1960 - 1963
Eugene J. Murret	1971 - 1987	Richard F. Knight	1958 - 1960
Robert E. LeCorgne, Jr.	1964 - 1971	Donald J. Tate	1956 - 1958
Jerry W. Millican	1963 - 1964	George W. Pugh	1954 - 1956

**Maine**


---

James T. Glessner	1992 - present	Betsy Belshaw	1976 - 1979
Dana R. Baggett	1981 - 1992	Charles Rodway	
John Duffy	1979 - 1981		

**Maryland**


---

Frank Broccolina	2000 - present	William H. Adkins	1973 - 1982
George B. Riggan, Jr.	1990 - 1999	Frederick W. Invernizzi	1955 - 1973
James H. Norris, Jr.	1983 - 1990		

**Massachusetts**


---

Robert A. Mulligan	2003 - present	Arthur M. Mason	1978 - 1992
Barbara A. Dortch-Okara	1998 - 2003	John Fiske	
John J. Irwin, Jr.	1994 - 1998	John Burke	
John E. Fenton, Jr.	1992 - 1994		

**Michigan**


---

Carl L. Gromek	2005 - present	Russell Baugh	1981 - 1983
John D. Ferry, Jr.	1997 - 2004	Einar Bohlin	1973 - 1981
Marilyn K. Hall	1988 - 1997	William Hart	1966 - 1973
Robert V. Payant	1985 - 1988	Austin Doyle	1964 - 1966
Daniel F. Walsh	1983 - 1985	Meredith Doyle	
Harold Hoag	1983 - 1983		

**Minnesota**


---

Sue K. Dosal	1982 to present	Richard E. Klein	1969 - 1976
Laurence Harmon	1976 - 1982	William P. Westphal	1966 - 1969

**Mississippi**


---

Kevin Lackey	2005 - present	Martin T. Smith	1993 - 1997
Stephen J. Kirchmayr	1998 - 2005	Amy D. Whitten	1987 - 1993
Rick D. Patt	1997 - 2000		

**Missouri**


---

Michael L. Buenger	2000 - present	James Max Parkison	1974 - 1981
Ronald L. Larkin	1994 - 2000	Wayne Buckner	1971 - 1974
Jane A. Hess	1981 - 1994	L.D. Cunningham	

**Montana**


---

Jim Oppedahl	2003 - present	Jim Oppedahl	1986 - 1993
Richard J. Lewis	2001 - 2003	Mike Abley	1978 - 1986
Patrick A. Chenovick	1993 - 2001	Ray Stewart	1977 - 1978

**Nebraska**


---

Janice Walker	2005 - present	Joseph C. Steele	1980 - 2004
Frank E. Goodroe	2004 - 2005	James E. (Jim) Dunlevey	1972 - 1979

**Nevada**


---

Ronald R. Titus	2001 - present	Donald J. Mello	1986 - 1998
Karen Kavanau	1998 - 2001		

**New Hampshire**


---

Donald D. Goodnow	1995 - present	James A. Gainey	
James F. Lynch	1990 - 1995	Samuel Hayes	
Jeffrey W. Leidinger	1980 - 1990		

**New Jersey**

Philip S. Carchman	2004 - present	Art Simpson	1973 - 1979
Richard J. Williams	1999 - 2004	Ed McConnell	1953 - 1973
James J. Ciancia	1996 - 1999	Willard Woelper	1948 - 1953
Robert D. Lipscher	1980 - 1996		

**New Mexico**

Gina Maestas	2002 - present	Debora H. Kanter	1993 - 1996
John M. Greacen	1996 - 2002	Robert L. Lovato	1987 - 1993

**New York**

Jonathan Lippman	1996 - present	Joseph W. Bellacosa	1985 - 1987
E. Leo Milonas	1993 - 1995	Robert J. Sise	1983 - 1985
Matthew T. Crosson	1989 - 1993	Herbert B. Evans	1979 - 1983
Albert Rosenblatt	1987 - 1989	Richard J. Bartlett	1974 - 1979

**North Carolina**

Ralph A. Walker	2004 - present	Jack Cozort	1995 - 1997
John M. Kennedy	2002 - 2004	James C. Drennan	1993 - 1995
Robert Hobgood	2001 - 2002	Franklin E. Freeman, Jr.	1981 - 1993
Thomas W. Ross	1999 - 2001	Fran Tallifero	
Dallas A. Cameron, Jr.	1997 - 1999	Bert Montague	

**North Dakota**

Saly Holewa	2005 - present	William G. Bohn	1975 - 1992
Ted Gladden	2002 - 2005	Calvin N. Rolfson	1971 - 1975
Keith E. Nelson	1992 - 2001		

**Northern Marianas Islands**

Margarita M. Palacios	1999 - present	Edward C. DeLeon Guerrero	1997 - 1999
-----------------------	----------------	---------------------------	-------------

**Ohio**

Steven C. Hollon	1999 - present	Coit H. Gilbert	1976 - 1983
Stephan W. Stover	1987 - 1999	William D. Radcliffe	1963 - 1976
Louis C. Damiani	1983 - 1987		

**Oklahoma**

Howard W. Conyers	1988 - 2005	Marion P. Opala	1968 - 1977
-------------------	-------------	-----------------	-------------

**Oregon**

Kingsley W. Click	1995 - present	Betsy Belshaw	early 80s
R. William Linden, Jr.	1983 - 1995		

**Pennsylvania**

Zygmunt A. Pines	2000 - present	Alexander F. Barbieri	1974 - 1983
Nancy M. Sobolevitch	1986 - 2000	A. Evans Kephart	1969
Abraham J. Gafni	1983 - 1985		

**Puerto Rico**

Sonia I. Velez	2004 - present	Ramon Negron-Soto	1991 - 1992
Lirio Bernal-Sanchez	2004	Rene Arrillaga-Belendez	1985 - 1991
Mercedes M. Bauermeister	1992 - 2004		

**Rhode Island**

J. Joseph Baxter	2004 - present	Matthew J. Smith	1988 - 1993
John Barrette	2001 - 2004	Walter Kane	
Robert C. Harrall	1993 - 2001		

**South Carolina**

Rosalyn Woodson Frierson	1998 - present	L. Edmund Atwater, III	1976 - 1982
George A. Markert	1994 - 1998	William Dallas	1974 - 1976
Louis L. Rosen	1982 - 1994		

**South Dakota**

D.J. Hanson	2000 - present	Mark G. Geddes	1976 - 1986
Michael L. Buenger	1995 - 2000	Ellis D. Pettigrew	1974 - 1976
Thomas D. Geraets	1987 - 1995		

**Tennessee**

Elizabeth A. Sykes	2005 - present	Paul R. Summers	1976 - 1977
Cornelia A. Clark	1999 - 2005	Brooks McLemore	1976
Charles E. Ferrell	1992 - 1999	(Appointed); 1975 - 1976 (Acting)	
Cletus W. McWilliams	1977 - 1992	T. Mack Blackburn	1964 - 1975

**Texas**

Carl V. Reynolds	2005 - Present	Jerry L. Benedict	1995 - 2002
Carrice Marcovich	2004 - 2005	C. Raymond Judice	1977 - 1995
Alicia G. Key	2002 - 2004		

**Utah**

Daniel Becker	1995 - present	William C. Vickrey	1985 - 1992
Pamela T. Greenwood	1995 - 1995	Richard V. Peay	1973 - 1985
Ronald W. Gibson	1992 - 1995		

**Vermont**

Lee Suskin	1996 - present	Michael Kevin Krell	1976 - 1981
Thomas J. Lehner	1981 - 1995	Lawrence Joseph Turgeon	1967 - 1976

**Virginia**

Karl R. Hade	2005 - present	Hubert D. Bennett	1952 - 1975
Robert N. Baldwin	1976 - 2005		

**Virgin Islands**

Glenda L. Lake	1999 - present	Viola E. Smith	1993 - 1999
----------------	----------------	----------------	-------------

**Washington**

Janet L. McLane	2004 - present	Phillip B. Winberry	1972 - 1979
Mary C. McQueen	1987 - 2004	Albert C. Bice	
Jim Larsen	1981 - 1986		

**West Virginia**

Steven D. Canterbury	2005 - present	Barbara H. Allen	2001 - 2002
Linda Rae Richmond Artimez	2004 - 2005	James M. Albert	1999 - 2001
James M. Albert	2002 - 2004	Ted J. Philyaw	1988 - 1999

**Wisconsin**

A. John Voelker	2003 - present	Ed Wilke	
J. Denis Moran	1978 - 2003	John Martin	

**Wyoming**

Holly A. Hansen	1998 - present	Theodore Fetter	1980 - 1981
Allen C. Johnson	1996 - 1998	J. Ruel Armstrong	1977 - 1979
Robert L. Duncan	1981 - 1996		