

Conversation & Collaboration: Resources & Best Practices

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Discussion #1: Human Resources in Rural Counties

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Brainstorm! What are common HR issues you encounter? What tips do you have for dealing with them?

Keeping Your Office Running

- Hiring, managing, and training
- Backup plans for if you lose any staff, if you are out of town

Protecting Your Office

- Theft, Harassment

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Top Mistakes
Small
Organizations
Make with
Human
Resources

1. Not having an effective hiring process

2. Not onboarding new employees

3. Not documenting performance issues

4. Not having up to date
materials/handbooks

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1. Effective Hiring Process

What skills make a good justice court clerk?
What do you look for during hiring?

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Week 1: What do you do?

HR policies – Leave, time off, benefits, rules

2.
Onboarding

Office culture – How do you like to communicate?

Office procedures

After week 1?

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TJCTC Resources for Onboarding

- The People's Court Module:
<https://www.tjctc.org/onlinelearning/selfpacedmodules.html>
- New JP Resources: <https://www.tjctc.org/justices-of-the-peace/newjpresources.html>
- TJCTC Deskbooks and webinars

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3. Documenting Performance Issues

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Documenting Performance Issues

- Focus on behavior, not the person
 - “Jessica is rude.” “Jessica spoke dismissively to a person on the phone”
- Don’t exaggerate. Stay away from words “always” and “never.”
- Determine consequences for not correcting the problem.
 - “You need to do better” versus “You have until X date to complete the duty you did not finish.”
- *Got backup? County HR? Other county offices?*

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Progressive Discipline Policy Example

One JP office adopted their county's discipline policy, but added some caveats to fit their office culture

See your handouts

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4. Not
having up to
date
materials/
handbooks

Process and procedures.

If your clerk wins a million
dollars and says “see ya,” do
you know how to operate?

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Policy vs. Procedure

Policy – what the
management expects
from employees
(what)

Procedure – detailed
description of how the
instructions in the
policy should be
carried out (how)

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Policies/Procedures to Include

IT

- Email
- Website maintenance

HR

- Timekeeping
- Pay Periods
- Vacation, Sick time, etc.

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More Policies/Procedures to Include

- Job duties
 - Filing cases
 - Setting hearings & trials
 - Juries
 - Legal resources
 - *What else??*

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Drafting & Approving Policies/Procedures

- Judge handles it exclusively
- Judge collaborates with staff
- Clerks and other staff provide their current procedures to the judge, then the judge either finalizes or works with staff to finalize procedures
- *What benefits/drawbacks do you see to each approach?*

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Tips for Drafting Policies/Procedures

Simple

Easy to read/understand

Relevant

Enforceable

Have multiple reviewers to check the above

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Thorny Issues

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Sexual Harassment and Harassment Resources

- The Texas Labor Code Sec. 21.010 and 21.556 lists the requirements for all state employees to have sexual harassment training. Many counties have policies mirroring this requirement. It is a best practice to make sure you and your employees have taken a training in this area to limit liability for the county.
- Here are some helpful links:
 - <https://www.county.org/Risk-Management/Risk-Control/HR-Consultants-Services>
 - <https://www.eeoc.gov/laws/types/harassment.cfm>
 - <https://twc.texas.gov/>
 - <https://clearlawinstitute.com/blog/harassment-training-essential-employees-states-not-just-california-supervisors/>

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Disability and Accessibility

- Make sure everyone can comply with your procedures or you are able to make an accommodation
- US Office of Disability Employment Policy -
<https://www.dol.gov/agencies/odep>
- Texas Governor's Office information on Employment Protections -
https://gov.texas.gov/organization/disabilities/employment_protections

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Getting a Little Help

Bench Exchange through Virtual Hearings

- <https://www.tjctc.org/tjctc-resources/virtualbenchexchange.html>

Inquest bench exchange agreements

- A second option is to have what is called a “bench exchange” with other justices of the peace in neighboring counties. This allows those judges to be included in the list of who could be called if the judges in your county are not available. Government Code § 27.0545 & Code of Criminal Procedure Art. 49.07 (c)(3)

Clerk Mentor Program

- <https://www.tjctc.org/court-personnel/Mentors.html>

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Real Life Example



Judge Mary Ann Luedcke:

- “After Justice Scalia passed, I realized things needed to change. I was available for his inquest, and was 45 minutes to an hour away but was not considered since the county line stood between. I've also found it necessary to seek help from neighboring J.P.'s in case of a necessary absence from the bench” or when an inquest involves “travel time as another barrier, most places [in Jeff Davis County] having only dirt roads.”

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Discussion #2: Communicating with the Public in Rural Counties

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Discussion Question

What issues have you had with the below topics?

What solutions and ideas do you have?

Informing the public about court business

- How do you utilize your website? Phone? Physical office?

Customer Service

- How do you handle delivering legal information without going into legal advice? What resources do you have available to help the public?

Interacting with the community?

- Do you have any programs with the community? Like teen court, juror for a day, etc.

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Top Responses for “I can’t give legal advice.”

- Who has the best one-liner in the room?

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Your materials and website

- Are they made for good communication?

Issues:

- The average U.S. reading level is 6th grade
- People have opinions that the court is there to take their money, not hear their case

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Example from a justice court website:

- Tickets that were issued to juveniles cannot be paid online.
 - Any offense under the Alcohol and Beverage Code that involve minors under the age of 21 must contact the court for instructions.
 - Only tickets that have been filed with the Courts by the issuing officer and that have not yet been disposed may be accessed by this service.
 - I hereby understand that in accordance with Texas Code of Criminal Procedure, Art. 27.14 (c), case payment will result in a waiver of a jury trial and a finding of guilty, which may be reported to the Texas Department of Public Safety.
- What are some issues with this webpage?

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Top 5 Tips for Your Materials, Website, and Verbal Responses

1. Be easy to understand
 - “Do you want deferred or DSC?” How could this be phrased in a way people can understand?
2. Be neutral
 - “Pay your ticket here.” How can this be phrased say on your website in a more neutral way?
3. Tell folks where they can get more info.
 - “I can’t give legal advice.” Where could you point them instead?

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Top 5 Tips for Your Materials, Website, and Verbal Responses

4. Use simple, professional design
 - Fonts that are easy to read (san serif) - *Not this kind of font!*
 - DON’T USE CAPITALS. THEY ARE HARD TO READ.
 - **Don’t use red. People who are color blind cannot see.**
 - Use 12-point font or above. Tiny font is bad.
5. Accommodate people’s differences
 - Have a lot of Spanish speakers in your area? Use TJCTC’s Spanish forms!
 - Many legal help websites also have

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Design Examples

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Contrast

Good

Bad

Okay

Bad

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Use Headings & Lists

Our New Process

- Step 1
- Step 2
- Step 3
- Step 4

New
Process:Step 1,
Step 2, Step 3,
Step 4

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San Serif Font

Century Gothic
Articulate
Calibri
Arial
Tahoma
Lato

Times New Roman
Bell MT
Bodoni MT
Century Schoolbook
Book Antiqua
Garamond

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Left Alignment (vs. Right)

Our New Process

- Step 1
- Step 2
- Step 3
- Step 4

Our New Process

- Step 1
- Step 2
- Step 3
- Step 4

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Avoid All Caps

Our New Process

- Step 1
- Step 2
- Step 3
- Step 4

OUR NEW PROCESS

- STEP 1
- STEP 2
- STEP 3
- STEP 4

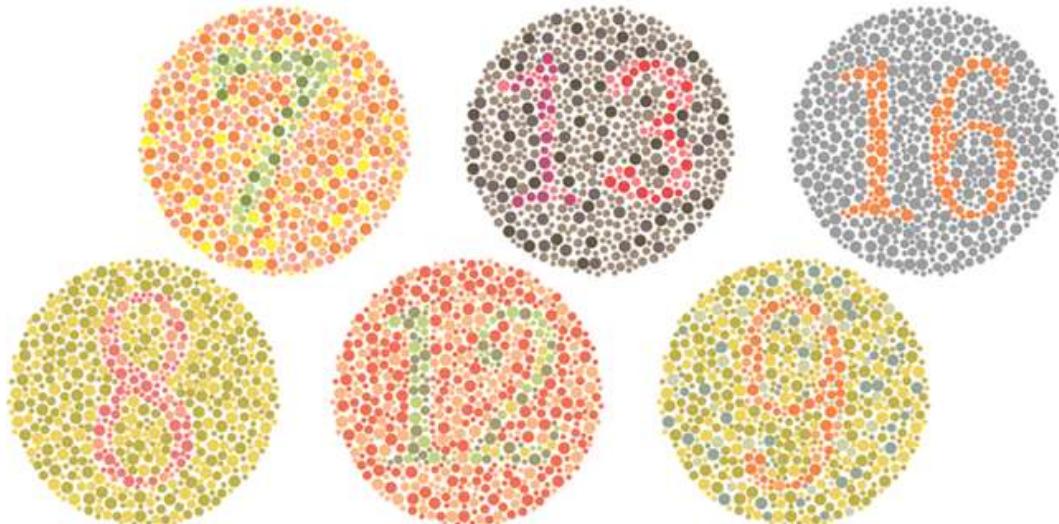
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COLOR BLIND TEST

Do you see a number inside each circle?



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Be Careful with Color – *Color Blindness*

- **Red-green**
 - Deuteranomaly – green looks more red
 - Protanomaly – red looks more green + less bright
- **Blue-yellow**
 - Tritanomaly – blue/green + yellow/red
 - Tritanopia – blue/green + purple/red + yellow/pink + colors look less bright
- **Complete** – can't see colors at all

<https://www.nei.nih.gov/learn-about-eye-health/eye-conditions-and-diseases/color-blindness/types-color-blindness>

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Real Life Example #1

Judge Dub Gillum from Hood County

- QR codes that link to TJCTC information packets or forms.
- QR code generators are FREE! Just google “QR code generator” and many examples will come up.



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Real Life Example #2

Legal help resources on the Jefferson County JP websites:

Representing Yourself in Court

Below are several sources of information for persons who do not have a lawyer.

The information is not legal advice and does not take the place of an attorney.

- [Texas State Law Library](#)
- [Texas Law Help](#)
- [Texas Court Help](#)
- [State Bar of Texas Lawyer Referral & Information Service \(LRIS\)](#)
- [Texas Lawyers for Texas Veterans](#)
- [Lone Star Legal Aid](#)
- [Referral Directory for Low-Income Texans \(PDF\)](#)

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Discussion #3: Stakeholders – Getting Along with Everyone in Rural Texas

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Discussion Question

- What partners and stakeholders do you have an effective relationship with? Why is that case?
- What unique ways can rural courts work with other rural partners?
- What partners and stakeholders have you had trouble with? What steps have you taken to improve the relationship?

Example: Commissioners, county judges, constables, county/district attorneys, LMHAs, local law enforcement, auditors, others?

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Real Life Example

Judge Tracy Byrd from Randall County

- Created a pre-trial diversion program for underage alcohol offenses.
- Leadership Tips for starting a program like this:
 - 1. Ask around what others are doing. This program was a copy of a larger program out of Lubbock.
 - 2. Ask yourself if this would be a good thing for your community.
 - 3. Get in touch with the most important stakeholder first. (In this case, the DA).

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Real Life Example

- 4. Do the legwork. Have a plan mapped out and an example of success so other stakeholders are comfortable with your idea.
- 5. Bring in new stakeholders as the program grows. (Ex. Judge Byrd is working on getting the local municipal court involved in this diversion program as well.)
- Questions about the program? The Judge will love to talk to you.
 - Tracy Byrd tracy.byrd@randallcounty.com
 - Phone: 806-468-5606 (Make sure and tell his clerks you are a judge calling.)

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Discussion #4: Technology in Rural Justice Courts



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Technology Discussion Question

- What software and hardware do you use? How do you like it?
 - Hardware = Physical thing like a computer or ipad
 - Software = Programs that run on computers like zoom or your collection software
- If a rule was made next year that said your court had to e-file, how prepared would you be to implement that process? What is your biggest concern?
- How does being a rural court make tech more difficult? How can it be more useful for rural communities?

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Specialized
Software vs.
Using What
You Already
Have

Microsoft Suite

Google Apps

Adobe Programs

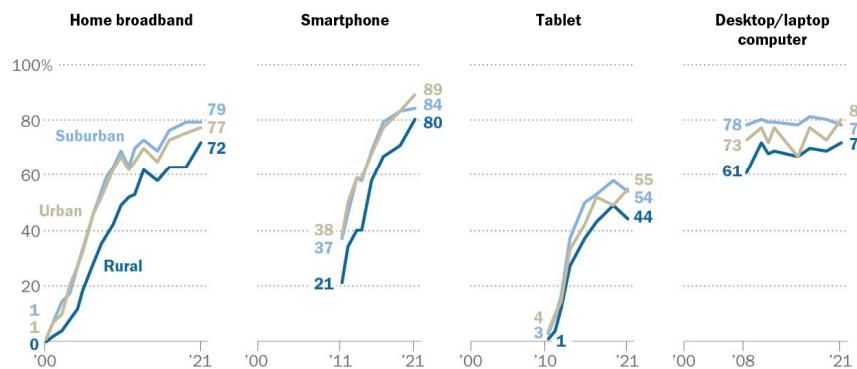
What else??

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Rural America and Tech – Pew Research 2022

Despite growth, rural Americans have consistently lower levels of technology ownership than urbanites and lower broadband adoption than suburbanites

% of U.S. adults who say they have or own the following



Source: Survey conducted Jan. 25-Feb. 8, 2021.

PEW RESEARCH CENTER

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What is Texas Doing to Address Broadband Issues?

- Texas Broadband Development Office
 - Operated by the Comptroller's Office
 - Awards grants
 - Provides tools and resources
 - <https://comptroller.texas.gov/programs/broadband/>

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Tips to Prepare for the Inevitable – E-Filing

1. Figure out what it looks like (Have a county or district court administrator walk you through it.)
2. Get your website in good working order.
3. Get your files in good working order.

Who is e-filing? Do you have any experience you would like to share?

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Wrap-Up

After the courses, the discussions with others, and the brainstorming sessions, what is your number 1 leadership takeaway?

What is 1 thing you hope to implement in your court soon?

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Work in Progress

- Try to do better
- No one starts at perfect!

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