

JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: January 17, 2020

Title

Judicial Branch Education: Fiscal Years 2020–22 Education Plan

Rules, Forms, Standards, or Statutes Affected None

Recommended by

Center for Judicial Education and Research Advisory Committee Agenda Item Type

Action Required

Effective Date

July 1, 2020

Date of Report

November 5, 2019

Contact

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Executive Summary

The Center for Judicial Education and Research Advisory Committee recommends approving the fiscal years 2020–22 Education Plan, effective July 1, 2020. Through the work of its standing curriculum committees, the CJER Advisory Committee developed this plan for CJER education programs and products that will enable its judicial branch constituencies to fulfill the education requirements and expectations outlined in rules 10.451–10.491 of the California Rules of Court.

Recommendation

The CJER Advisory Committee reviewed and unanimously approved the education plan for fiscal years 2020–22 and now recommends that the Judicial Council approve the plan, effective July 1, 2020. With Judicial Council approval, the CJER Advisory Committee and CJER staff will initiate the education and training they are required and expected to deliver to the multiple judicial branch audiences they serve. The entire plan—including target audience(s), delivery method, frequency of delivery, and the respective curriculum committee—is attached as Attachment A.

Relevant Previous Council Action

In 2009, at the direction of the Judicial Council's Executive and Planning Committee (E&P), the CJER Advisory Committee streamlined its committee structure to include nine curriculum committees with specific subject matter and audience expertise (e.g., Criminal Law Curriculum Committee, Family Law Curriculum Committee, etc.). The committees submit recommendations to the CJER Advisory Committee for a two-year education plan in their areas. The CJER Advisory Committee oversees the curriculum committees and the execution of all the education it approves for the judicial branch; it also makes modifications in the plan as circumstances warrant (e.g., reduction in funding or staffing, emerging issues requiring new training). This model provides accountability to the Judicial Council for judicial branch education as well as the costs associated with that education.

At the conclusion of each two-year education plan (2010–12, 2012–14, 2014–16), the CJER Advisory Committee has reported to the Judicial Council on the plan's execution and success. The CJER Advisory Committee will be reporting to the Judicial Council after the July 2020 conclusion of the current 2018–20 Education Plan and will report on the 2020–22 plan after its conclusion.

Analysis/Rationale

Approving the 2020–22 Education Plan will allow the CJER Advisory Committee and CJER staff to fulfill their primary mission of developing and delivering education to the judicial branch. Included in this education plan are all the live programs and courses, as well as the multiple distance-education products—such as videos, webinars, online courses, podcasts, and publications—developed for justices, judges, subordinate judicial officers, appellate court clerk/executive officers, court executive officers, and appellate and trial court management and staff. This plan maps out the education and training CJER will develop and deliver to the judicial branch from July 1, 2020, through June 30, 2022.

As previously, this document itemizes the length, number, areas of content emphasis, and target audience for all the high-cost items: that is, the live statewide education events, including primary assignment orientations, institutes, New Judge Orientation, and the B.E. Witkin Judicial College. The education plan also lists the specific number of, and anticipated audience for, the lower-cost live courses like regionals and webinars, and the recorded distance education products for judicial officers and court personnel, including videos, podcasts, and online tutorials and courses.

As before, the education plan does not specify the content details for the lower-cost items. Instead, the plan specifies the numerical capacity of such products over the two-year period. In other words, the education plan maps out all the education that CJER will provide but does not specify the title of each course or product. This ensures flexibility and the just-in-time responsiveness of the education content. On average, there are 125 changes in California statutory law every year. Potentially, each one of those changes can pose a new educational need that the curriculum committees could not have anticipated. Listing capacity instead of

specific topics enhances CJER's flexibility and responsiveness without impacting budgetary planning or CJER Advisory Committee oversight.

The content details for each lower-cost product will be developed on an ongoing basis, using, as CJER always has, the topics developed and prioritized by the curriculum committees. Specific topics, faculty, and delivery methods will be reported to the CJER Advisory Committee at its quarterly meetings, as part of a detailed Education Implementation Plan that tracks the content details for lower-cost live and recorded distance education products as those are finalized.

The process has a high degree of transparency and review by judicial officers as well as court leadership who belong to both the CJER Advisory Committee and the CJER curriculum committees.¹

Policy implications

In developing the education plan, the CJER Advisory Committee sorted through the various educationally effective and cost-efficient alternatives for meeting the educational needs and priorities identified by the curriculum committees.

The curriculum committees identified the needs specific to their audiences by:

- Reviewing attendance at live courses;
- Reviewing the currency and relevance of the online curriculum represented in the appropriate CJER Online Toolkits;
- Reviewing analytics on the usage of existing online products;
- Identifying gaps in the current curriculum;
- Anticipating emerging educational needs.

Under the leadership of the individual chairs, the committees determined priorities among the needs they identified, indicated possible delivery methods, and submitted those recommendations to the CJER Advisory Committee.

In sum, the 2020–22 education plan fulfills the educational needs of the various judicial branch audiences that the CJER Advisory Committee serves.

Comments

None.

Alternatives considered

The CJER Advisory Committee considered the nine sets of recommendations and applied a costbenefit analysis (see Attachment B) to the high-cost items to confirm that the educational effectiveness of these items outweighed their high costs. Not surprisingly, multiday statewide events held at an offsite facility such as a hotel (e.g., the Civil Law Institute) ranked highest in

¹ The full set of committee rosters is in Attachment C.

cost and often in priority. Other education products, such as webinars or podcasts, rank in the medium- to low-cost range. These lower-cost products are inexpensive to produce, and the content developed is commensurate to live 60- or 90-minute classes. However, the high-cost items have far greater educational impact than distance education (live or recorded). After conducting a careful cost-benefit analysis, the CJER Advisory Committee approved the high-cost items recommended by its curriculum committees.

Fiscal and Operational Impacts

Starting in October 2016, the CJER Advisory Committee instituted a Program Cost Reimbursement (PCR) of \$50 per day for all nonmandated live judicial education courses and programs, excluding New Judge Orientation, the Judicial College, and the Primary Assignment Orientation courses. The PCR abates a portion of the program costs paid by CJER for the benefit of the participants (i.e., lodging, meals, faculty costs).

Participants appear to accept the reimbursement costs; those programs have shown no evidence of reduced enrollment. After closely watching the effects of the PCR since October 2016, the CJER Advisory Committee has concluded that the reimbursement:

- Represents a manageable cost for judges;
- Enables CJER to continue to deliver education for experienced judges, a crucial audience; and
- Eliminates the need to further reduce education in the areas where judges serve our most vulnerable populations, such as children and the elderly.

Crucially, the PCR prevents fluctuating costs of new judge education from undermining funds for experienced judge education. The 2020–22 education plan requires the continued implementation of this independent funding for experienced judge education, at the same relatively modest level of a \$50 PCR per day.

The CJER Advisory Committee has crafted a two-year education plan that meets the education needs of the judicial branch and can be fully funded based upon CJER's current budget.

Attachments

- 1. Attachment A: 2020–22 Education Plan
- 2. Attachment B: Cost-Benefit Analysis for Live Face-to-Face Statewide Education Programming
- 3. Attachment C: Rosters of the CJER Advisory Committee and CJER Curriculum Committees

ATTACHMENT A

2020–22 Education Plan

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience					
Statewide Programs and Courses										
NEW JUDGE EDUCATION AND JUDICIAL ASSI	GNMENT EDU	CATION								
B.E. Witkin Judicial College of California			10 days	CJER Advisory Committee	Judges and SJOs					
B.E. Witkin Judicial College of California			10 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 1/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 2/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 3/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 4/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 5/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 6/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 7/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 8/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 9/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 10/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 1/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 2/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 3/10			5 days	CJER Advisory Committee	Judges and SJOs					
New Judge Orientation 4/10			5 days	CJER Advisory Committee	Judges and SJOs					

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
New Judge Orientation 5/10			5 days	CJER Advisory Committee	Judges and SJOs
New Judge Orientation 6/10			5 days	CJER Advisory Committee	Judges and SJOs
New Judge Orientation 7/10			5 days	CJER Advisory Committee	Judges and SJOs
New Judge Orientation 8/10			5 days	CJER Advisory Committee	Judges and SJOs
New Judge Orientation 9/10			5 days	CJER Advisory Committee	Judges and SJOs
New Judge Orientation 10/10			5 days	CJER Advisory Committee	Judges and SJOs
Appellate Justice Orientation	Offered if Needed		1 day	Appellate	Justices
Appellate Justice Orientation		Offered if Needed	1 day	Appellate	Justices
Civil Law Basic Orientation (PAO)			4.5 days	Civil	Judges and SJOs
Civil Law Basic Orientation (PAO)			4.5 days	Civil	Judges and SJOs
Orientation for Experienced Civil Law Judges (PAO)			3 days	Civil	Judges and SJOs
Orientation for Experienced Civil Law Judges (PAO)			3 days	Civil	Judges and SJOs
Limited Jurisdiction, Small Claims & Unlawful Detainer Orientation (PAO)			3 days	Civil	Judges and SJOs
Limited Jurisdiction, Small Claims & Unlawful Detainer Orientation (PAO)			3 days	Civil	Judges and SJOs
CEQA Overview	Every Other Year		2 days	Civil	Justices, Judges, Attorneys
Criminal Law Orientation (PAO) 1/3			4.5 days	Criminal	Judges and SJOs
Criminal Law Orientation (PAO) 2/3			4.5 days	Criminal	Judges and SJOs
Criminal Law Orientation (PAO) 3/3			4.5 days	Criminal	Judges and SJOs

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Criminal Law Orientation (PAO 1/3			4.5 days	Criminal	Judges and SJOs
Criminal Law Orientation (PAO) 2/3			4.5 days	Criminal	Judges and SJOs
Criminal Law Orientation (PAO) 3/3			4.5 days	Criminal	Judges and SJOs
Traffic Orientation (PAO)			2 days	Criminal	Judges and SJOs
Traffic Orientation (PAO)			2 days	Criminal	Judges and SJOs
Fundamentals of Felony Sentencing 1/2			2.5 days	Criminal	Judges and SJOs
Fundamentals of Felony Sentencing 2/2			2.5 days	Criminal	Judges and SJOs
Fundamentals of Felony Sentencing 1/2			2.5 days	Criminal	Judges and SJOs
Fundamentals of Felony Sentencing 2/2			2.5 days	Criminal	Judges and SJOs
Advanced Topics in Felony Sentencing			2 days	Criminal	Judges and SJOs
Advanced Topics in Felony Sentencing			2 days	Criminal	Judges and SJOs
Homicide Trials			2 days	Criminal	Judges and SJOs
Homicide Trials			2 days	Criminal	Judges and SJOs
Death Penalty Trials			2 days	Criminal	Judges and SJOs
Death Penalty Trials			2 days	Criminal	Judges and SJOs
Death Penalty Habeas Corpus Petitions after Prop 66			2 days	Criminal	Judges and SJOs
Death Penalty Habeas Corpus Petitions after Prop 66			2 days	Criminal	
Family Law Orientation (PAO) 1/2			4.5 days	Family	Judges and SJOs
Family Law Orientation (PAO) 2/2			4.5 days	Family	Judges and SJOs
Family Law Orientation (PAO) 1/2			4.5 days	Family	Judges and SJOs
Family Law Orientation (PAO) 2/2			4.5 days	Family	Judges and SJOs
AB1058 Commissioners Orientation (PAO)			1/2 day	Family	Judges and SJOs

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Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
AB1058 Commissioners Orientation (PAO)			1/2 day	Family	Judges and SJOs
Dependency Law Orientation (PAO) 1/2			4.5 days	Juvenile	Judges and SJOs
Dependency Law Orientation (PAO) 2/2			4.5 days	Juvenile	Judges and SJOs
Dependency Law Orientation (PAO) 1/2			4.5 days	Juvenile	Judges and SJOs
Dependency Law Orientation (PAO) 2/2			4.5 days	Juvenile	Judges and SJOs
Delinquency Law Orientation (PAO) 1/2			4.5 days	Juvenile	Judges and SJOs
Delinquency Law Orientation (PAO) 2/2			4.5 days	Juvenile	Judges and SJOs
Delinquency Law Orientation (PAO) 1/2			4.5 days	Juvenile	Judges and SJOs
Delinquency Law Orientation (PAO) 2/2			4.5 days	Juvenile	Judges and SJOs
Probate Orientation (PAO)			4.5 days	Probate	Judges, SJOs; Probate Attorneys, Probate Examiners
Probate Orientation (PAO)			4.5 days	Probate	Judges, SJOs; Probate Attorneys, Probate Examiners
CONTINUING JUDICIAL EDUCATION - EDUCATI	ON FOR EXP	ERIENCED J	l IUDGES		
Complex Civil Litigation Workshop			1 day	Civil	Complex Civil Judges
Complex Civil Litigation Workshop			1 day	Civil	Complex Civil Judges
Evidence in Civil & Criminal Cases 1/2			3 days	Civil	Judges and SJOs
Evidence in Civil & Criminal Cases 2/2			3 days	Civil	Judges and SJOs
Evidence in Civil & Criminal Cases 1/2			3 days	Civil	Judges and SJOs
Evidence in Civil & Criminal Cases 2/2			3 days	Civil	Judges and SJOs
CONTINUING JUDICIAL EDUCATION COURSES	- DOMESTIC	VIOLENCE (COURSES AND P	ROGRAMS	
Domestic Violence Institute: Orientation to Judicial Skills (VAWEP)			4 days	VAWEP	Judges and SJOs
Ethics and Self-Represented Litigants in Domestic Violence Cases (VAWEP) 1/20			2 days	VAWEP	Judges and SJOs

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Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Ethics and Self-Represented Litigants in Domestic Violence Cases (VAWEP) 2/20			2 days	VAWEP	Judges and SJOs
VAWEP Nuts and Bolts before Ethics and SRL course 3/20			2 days	VAWEP	Judges and SJOs
VAWEP Nuts and Bolts before Ethics and SRL course 4/20			2 days	VAWEP	Judges and SJOs
VAWEP Immigration Issues in Domestic Violence Cases 5/20			2 days	VAWEP	Judges and SJOs
VAWEP Immigration Issues in Domestic Violence Cases 6/20			2 days	VAWEP	Judges and SJOs
VAWEP Handling Sexual Assault Cases 7/20			2 days	VAWEP	Judges and SJOs
VAWEP - Handling Sexual Assault Cases 8/20			2 days	VAWEP	Judges and SJOs
VAWEP Human Trafficking Cases 9/20			2 days	VAWEP	Judges and SJOs
VAWEP Human Trafficking Cases 10/20			2 days	VAWEP	Judges and SJOs
VAWEP Handling Cases Involving Abuse In Later Life 11/20			2 days	VAWEP	Judges and SJOs
VAWEP Cow County Preconference Domestic Violence Course 12/20			2 days	VAWEP	Judges and SJOs
VAWEP Trafficking 13/20				VAWEP	Judges and SJOs
VAWEP TBD 14/20				VAWEP	Judges and SJOs
VAWEP TBD 15/20				VAWEP	Judges and SJOs
VAWEP TBD 16/20				VAWEP	Judges and SJOs
VAWEP TBD 17/20				VAWEP	Judges and SJOs
VAWEP TBD 18/20				VAWEP	Judges and SJOs
VAWEP TBD 19/20				VAWEP	Judges and SJOs
VAWEP TBD 20/20				VAWEP	Judges and SJOs

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Cow County Judges Institute			2 days	CJER Advisory Committee	Judges and SJOs
Cow County Judges Institute			2 days	CJER Advisory Committee	Judges and SJOs
Appellate Justices Institute		Every 18 Months	2 days	Appellate	Justices
Civil Law Institute	Every Other Year		2 days	Civil	Judges and SJOs
Criminal Law Institute	Every Other Year		2 days	Criminal	Judges and SJOs
Family Law Institute	Every Other Year		2 days	Family	Judges and SJOs
Juvenile Law Institute		Every Other Year	2 days	Juvenile	Judges and SJOs
Probate and Mental Health Institute		Every Other Year	2 days	Probate	Judges, SJOs; Probate Attorneys, Probate Examiners
LEADERSHIP TRAINING - JUDICIAL					
PJ/CEO Management Institute			2 days	JBLD	PJ/CEO
PJ/CEO Management Institute			2 days	JBLD	PJ/CEO
Supervising Judges Institute			2 days	JBLD	Judges and SJOs
Supervising Judges Institute			2 days	JBLD	Judges and SJOs
MANAGER/SUPERVISOR COURSES					
Institute for Court Management (ICM) 1/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 2/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 3/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 4/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 5/10			2.5 days		Manager/ Supervisors CEOs

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Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Institute for Court Management (ICM) 6/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 7/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 8/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 9/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 10/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 1/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 2/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 3/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 4/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 5/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 6/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 7/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 8/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 9/10			2.5 days		Manager/ Supervisors CEOs
Institute for Court Management (ICM) 10/10			2.5 days		Manager/ Supervisors CEOs
Core 40 1/3			4 days	JBLD	Manager/ Supervisors
Core 40 2/3			4 days	JBLD	Manager/ Supervisors
Core 40 3/3			4 days	JBLD	Manager/ Supervisors
Core 40 1/3			4 days	JBLD	Manager/ Supervisors
Core 40 2/3			4 days	JBLD	Manager/ Supervisors
Core 40 3/3			4 days	JBLD	Manager/ Supervisors

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Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Advanced Core 40 1/2			3 days	JBLD	Manager/ Supervisors
Advanced Core 40 2/2			3 days	JBLD	Manager/ Supervisors
Advanced Core 40 1/2			3 days	JBLD	Manager/ Supervisors
Advanced Core 40 2/2			3 days	JBLD	Manager/ Supervisors
Core 24			3 days	JBLD	Manager/ Administrator
Core 24			3 days	JBLD	Manager/ Administrator
COURT PERSONNEL INSTITUTES AND COURSES					
Appellate Judicial Attorney Institute			2 days	Appellate	Judicial Attorneys
Appellate Judicial Attorney Institute			2 days	Appellate	Judicial Attorneys
Appellate Staff Institute		Every Other Year	2 days	ATCO	Appellate Court Staff
Appellate Management Institute	Every Other Year		2.5 days	JBLD	Appellate Managers/ Supervisors
CCTI/Court Clerk Training Institute 1/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 2/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 3/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 4/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 5/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 6/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 7/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 8/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 1/8			4 days	ATCO	Trial and Appellate Court Staff

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Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
CCTI/Court Clerk Training Institute 2/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 3/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 4/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 5/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 6/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 7/8			4 days	ATCO	Trial and Appellate Court Staff
CCTI/Court Clerk Training Institute 8/8			4 days	ATCO	Trial and Appellate Court Staff
Core Leadership and Training Skills 1/2			3-days	ATCO	Leads and Seniors
Core Leadership and Training Skills 2/2			3-days	ATCO	Leads and Seniors
Core Leadership and Training Skills 1/2			3-days	ATCO	Leads and Seniors
Core Leadership and Training Skills 2/2			3-days	ATCO	Leads and Seniors
Trial Court Judicial Attorneys Institute		Every Other Year	2 days	CJER Advisory Committee	Trial Court Attorneys
Regional Courses					
JUDICIAL (multiple offerings)					
Qualifying Ethics 7 Core Course			Multiple offerings	JBAEF	Justices, Judges, and SJOs
Qualifying Ethics 8 Core Course			Multiple offerings	JBAEF	Justices, Judges, and SJOs
MANAGER/SUPERVISOR (capacity is 2 per year	r)				
Leadership Topic 1/2				JBLD	Manager/Supervisor
Leadership Topic 2/2				JBLD	Manager/Supervisor
Leadership Topic 1/2				JBLD	Manager/Supervisor
Leadership Topic 2/2				JBLD	Manager/Supervisor
COURT PERSONNEL (capacity is 5 per year)					
Court Personnel: Staff Topic 1/5				ATCO	Court Staff
Court Personnel: Staff Topic 2/5				ATCO	Court Staff
Court Personnel: Staff Topic 3/5				ATCO	Court Staff
Court Personnel: Staff Topic 4/5				ATCO	Court Staff

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Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Court Personnel: Staff Topic 5/5				ATCO	Court Staff
Court Personnel: Staff Topic 1/5				ATCO	Court Staff
Court Personnel: Staff Topic 2/5				ATCO	Court Staff
Court Personnel: Staff Topic 3/5				ATCO	Court Staff
Court Personnel: Staff Topic 4/5				ATCO	Court Staff
Court Personnel: Staff Topic 5/5				ATCO	Court Staff
Webinars	Capacity	is 20 pe	r year		
Webinar TBD 1/20					
Webinar TBD 2/20					
Webinar TBD 3/20					
Webinar TBD 4/20					
Webinar TBD 5/20					
Webinar TBD 6/20					
Webinar TBD 7/20					
Webinar TBD 8/20					
Webinar TBD 9/20					
Webinar TBD 10/20					
Webinar TBD 11/20					
Webinar TBD 12/20					
Webinar TBD 13/20					
Webinar TBD 14/20					
Webinar TBD 15/20					
Webinar TBD 16/20					
Webinar TBD 17/20					
Webinar TBD 18/20					
Webinar TBD 19/20					
Webinar TBD 20/20					
Webinar TBD 1/20					
Webinar TBD 2/20					
Webinar TBD 3/20					
Webinar TBD 4/20					
Webinar TBD 5/20					
Webinar TBD 6/20					
Webinar TBD 7/20					
Webinar TBD 8/20					
Webinar TBD 9/20					
Webinar TBD 10/20					
Webinar TBD 11/20					
Webinar TBD 12/20					
Webinar TBD 13/20					
Webinar TBD 14/20					

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience	
Webinar TBD 15/20						
Webinar TBD 16/20						
Webinar TBD 17/20						
Webinar TBD 18/20						
Webinar TBD 19/20						
Webinar TBD 20/20						
Videos						
10 MINUTE MENTORS (capacity is 5 per year)	_					
10 Minute Mentor TBD 1/5						
10 Minute Mentor TBD 2/5						
10 Minute Mentor TBD 3/5						
10 Minute Mentor TBD 4/5						
10 Minute Mentor TBD 5/5						
10 Minute Mentor TBD 1/5						
10 Minute Mentor TBD 2/5						
10 Minute Mentor TBD 3/5						
10 Minute Mentor TBD 4/5						
10 Minute Mentor TBD 5/5						
VIDEO PANELS (capacity is 12 per year)						
Video Panel TBD 1/12						
Video Panel TBD 2/12						
Video Panel TBD 3/12						
Video Panel TBD 4/12						
Video Panel TBD 5/12						
Video Panel TBD 6/12						
Video Panel TBD 7/12						
Video Panel TBD 8/12						
Video Panel TBD 9/12						
Video Panel TBD 10/12						
Video Panel TBD 11/12						
Video Panel TBD 12/12						
Video Panel TBD 1/12						
Video Panel TBD 2/12						
Video Panel TBD 3/12						
Video Panel TBD 4/12						
Video Panel TBD 5/12						
Video Panel TBD 6/12						
Video Panel TBD 7/12						
Video Panel TBD 8/12						
Video Panel TBD 9/12						
Video Panel TBD 10/12						
Video Panel TBD 11/12						

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Video Panel TBD 12/12					
VIDEO LECTURES (capacity is 6 per year)					
Video Lecture TBD 1/6					
Video Lecture TBD 2/6					
Video Lecture TBD 3/6					
Video Lecture TBD 4/6					
Video Lecture TBD 5/6					
Video Lecture TBD 6/6					
Video Lecture TBD 1/6					
Video Lecture TBD 2/6					
Video Lecture TBD 3/6					
Video Lecture TBD 4/6					
Video Lecture TBD 5/6					
Video Lecture TBD 6/6					
VIDEO COURTROOM SIMULATIONS (capacity is	s 3 per year)				
Video Courtroom Simulation -TBD 1/3					
Video Courtroom Simulation -TBD 2/3					
Video Courtroom Simulation -TBD 3/3					
Video Courtroom Simulation -TBD 1/3					
Video Courtroom Simulation -TBD 2/3					
Video Courtroom Simulation -TBD 3/3					
Podcasts (capacity is 10 per year)					
Podcast - TBD 1/10					
Podcast - TBD 2/10					
Podcast - TBD 3/10					
Podcast - TBD 4/10					
Podcast - TBD 5/10					
Podcast - TBD 6/10					
Podcast - TBD 7/10					
Podcast - TBD 8/10					
Podcast - TBD 9/10					
Podcast - TBD 10/10					
Podcast - TBD 1/10					
Podcast - TBD 2/10					
Podcast - TBD 3/10					
Podcast - TBD 4/10					
Podcast - TBD 5/10					
Podcast - TBD 6/10					
Podcast - TBD 7/10					
Podcast - TBD 8/10					

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Podcast - TBD 9/10					
Podcast - TBD 10/10					
Online Courses					
COMPLEX ONLINE					
Basic Customer Service				Civil	Judges and SJOs
Jury Instructionsthe Problem Areas				Criminal	Judges and SJOs
Special-Needs Trusts				Probate	All Probate Audiences
Business Writing				ATCO	Court Staff
ONLINE TUTORIALS					
TBD - Staff Topic				ATCO	Court Staff
TBD - Staff Topic				ATCO	Court Staff
TBD - Staff Topic				ATCO	Court Staff
TBD - Staff Topic				ATCO	Court Staff
Updates to Online Courses (update	ed as nee	eded)			
Trial Court Appellate Division Practice and Procedure				Appellate Practice	Judges and SJOs
Civil Jury Voir Dire				Civil	Judges and SJOs
Effective Civil Case Management				Civil	Judges and SJOs
Unlawful Detainer				Civil	Judges and SJOs
CEQA				Civil	Judges and SJOs
Civil Trial Evidence: I Object!				Civil	Judges and SJOs
Punitive Damages Primer				Civil	Judges and SJOs
Small Claims Court: Consumer and Substantive Law				Civil	Judges and SJOs
Small Claims Court: Procedures and Practices				Civil	Judges and SJOs
Is It Hearsay?				Civil, Criminal	Judges and SJOs

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Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Jury Challenges				Civil, Criminal	Judges and SJOs
Trial Evidence: Handling Common Objections				Civil, Criminal	Judges and SJOs
You Be The Judge—Hearsay and Its Exceptions				Civil, Criminal	Judges and SJOs
Arraignments Primer				Criminal	Judges and SJOs
Bail and Own Recognizance Release Procedures Primer				Criminal	Judges and SJOs
Common Motions: Criminal Calendar Primer				Criminal	Judges and SJOs
Criminal Discovery Motions Primer				Criminal	Judges and SJOs
Preliminary Hearings Primer				Criminal	Judges and SJOs
Proposition 36: Drug Court				Criminal	Judges and SJOs
Traffic Cases				Criminal	Judges and SJOs
ADA in State Court				JBAEF	Judges and SJOs
Communicating With Self Represented Litigants				JBAEF	Judges and SJOs
Courtroom Control				JBAEF	Judges and SJOs
Judicial Campaign Ethics				JBAEF	Judges and SJOs
Judicial Ethics for New Judges				JBAEF	Judges and SJOs
Judicial Ethics for Temporary Judges				JBAEF	Judges and SJOs
Real World Judicial Ethics 1				JBAEF	Judges and SJOs
Real World Judicial Ethics 2				JBAEF	Judges and SJOs
Real World Judicial Ethics 3				JBAEF	Judges and SJOs
Real World Judicial Ethics 4				JBAEF	Judges and SJOs

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Self Represented Litigants: Special Challenges				JBAEF	Judges and SJOs
Calendar Management in Family Court				Family	Judges and SJOs
Characterizing Property				Family	Judges and SJOs
Child and Spousal Support				Family	Judges and SJOs
Custody and Visitation				Family	Judges and SJOs
Determining Income				Family	Judges and SJOs
Dividing Property				Family	Judges and SJOs
Family Law Jurisdiction				Family	Judges and SJOs
Juvenile Delinquency Hearings				Juvenile	Judges and SJOs
Juvenile Dependency Hearings				Juvenile	Judges and SJOs
Character Evidence				CJER Advisory Committee	Judges and SJOs
Domestic Violence Restraining Orders				CJER Advisory Committee	Judges and SJOs
How to Run a Busy Calendar				CJER Advisory Committee	Judges and SJOs
Orders Prohibiting Civil Harassment and Workplace/Postsecondary School Violence				CJER Advisory Committee	Judges and SJOs
Relevance and Its Limits				CJER Advisory Committee	Judges and SJOs
827 Petitions				ATCO	Juvenile Court Staff
Basic Customer Service				ATCO	Court Staff
Basic Misdemeanor Case-Flow				ATCO	Criminal Court Staff
Basic Safety in the Courts				ATCO	Court Staff

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Basics of Domestic Violence Restraining Orders				ATCO	Civil Court Staff
Civil Caseflow Basics				ATCO	Civil Court Staff
Code of Ethics				ATCO	Court Staff
Confidential and Sealed Records				ATCO	Family Court Staff
Customer Service in Action				ATCO	Court Staff
Employment Law for Supervisors and Managers				ATCO	Court Staff
Ethics Orientation/Conflict of Interest				ATCO	Court Staff
Family Law Notice Requirements				ATCO	Family Court Staff
Family Procedure: enforcement				ATCO	Family Court Staff
Felony Caseflow Basics				ATCO	Court Staff
For the Record: Records Management in the Felony Courtroom				ATCO	Court Staff
Guardians ad Litem				ATCO	Court Staff
Handling Change				ATCO	Court Staff
Handling Fee Waiver Applications				ATCO	Court Staff
ICWA Inquiry and Notice				ATCO	Court Staff
Intercounty Transfers in Probate Cases				ATCO	Probate Court Staff
Interstate Transfers in Probate Cases				ATCO	Probate Court Staff
Introduction to Customer Service				ATCO	Court Staff
Introduction to Family Procedure				ATCO	Court Staff

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Judicial Council Forms (mandatory v. optional)				АТСО	Court Staff
Personal Security in the Courts				ATCO	Court Staff
Processing Creditors' Claims in Probate				ATCO	Court Staff
Requests for Domestic Violence Restraining Orders				АТСО	Court Staff
Small Claims Basic Caseflow				ATCO	Court Staff
Stress Management				ATCO	Court Staff
Surrogacy Cases				ATCO	Family Court Staff
The Basics of Family and Medical Leave				ATCO	Court Staff
The Courtroom Clerk in the Felony Courtroom				ATCO	Court Staff
The Work of the Courts				ATCO	Court Staff
Time Management at Work				ATCO	Court Staff
Unlawful Detainer Actions Overview				ATCO	Court Staff
Updates to Publications - Capacity	16 per ye	ear			
Felony Sentencing Handbook				Criminal	
Felony Sentencing Handbook				Criminal	
Mandatory Jury Instructions Handbook				Criminal	
Mandatory Jury Instructions Handbook				Criminal	
California Judges Benchbook Civil Proceedings: Before Trial				Civil	
California Judges Benchbook Civil Proceedings: Before Trial				Civil	
California Judges Benchbook Civil Proceedings: Trial				Civil	

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
California Judges Benchbook Civil Proceedings: Trial				Civil	
California Judges Benchbook Civil Proceedings: After Trial				Civil	
California Judges Benchbook Civil Proceedings: After Trial				Civil	
California Judges Benchbook Civil Proceedings: Discovery				Civil	
California Judges Benchbook Civil Proceedings: Discovery				Civil	
Domestic Violence Cases in Criminal Court Benchbook				Criminal	
Domestic Violence Cases in Criminal Court Benchbook				Criminal	
Search and Seizure Benchbook				Criminal	
Search and Seizure Benchbook				Criminal	
Small Claims and Consumer Law Benchbook				Civil	
Small Claims and Consumer Law Benchbook				Civil	
Bail and OR Release Benchguide 55				Criminal	
Publication Update - TBD					
Publication Update - TBD					
Publication Update - TBD					
Publication Update - TBD					
Publication Update - TBD					
Publication Update - TBD					
Publication Update - TBD					

Content	Plan Year 1 2020-2021	Plan Year 2 2021 -2022	Course Length	Curriculum Committee	Target Audience
Publication Update - TBD					
Publication Update - TBD					
Publication Update - TBD					
Publication Update - TBD					
Publication Update - TBD					
Publication Update - TBD					
New Judicial Bench Tools					
Produced As Needed					
New Staff Job Aids					
Produced As Needed					
Updates to Bench Tools					
Updates As Needed					
DV Selected Case Summaries and Statutes				CJER Advisory	Judges and SJOs
DV Selected Case Summaries and Statutes					Judges and SJOs
Updates to Job Aids					
Updates As Needed					
Updates to Course and Facilitation	Guides				
General Ethics (lesson plan and course materials)				JBAEF	Judges and SJOs
Bench Demeanor (lesson plan)				JBAEF	Judges and SJOs
l Object! Civil Trial Evidence (lesson plan)				Civil	Judges and SJOs
Summary Judgments Fairness Training (lesson plan)				JBAEF	Judges and SJOs
Preventing and Responding to Sexual Harassment				JBAEF	Judges and SJOs

ATTACHMENT B

Cost-Benefit Analysis for Live Face-to-Face Statewide Education Programming

Cost Benefit Analysis for Live Face-to-Face Statewide Education Programming

Because of the high cost of the live face-to-face statewide delivery method, the Judicial Council has charged the CJER Governing Committee with carefully considering the method's costs and benefits and to ensure that it is used appropriately once approved.

To support the Governing Committee in this role, CJER staff apply their expertise in instructional design and adult education theory and practice to recommend the most appropriate ways to achieve the objectives recommended by the curriculum committees. Accordingly, staff are expected to recommend low-cost distance delivery methods such as videos, webinars or online resources when sufficient to meet objectives, rather than live face-to-face course delivery that might be preferred by a curriculum committee. Conversely, staff are expected to recommend high cost live face-to-face statewide delivery methods when required to meet objectives, even though lower cost methods might result in the availability of additional funding for other education efforts. Staff support faculty in designing courses that make appropriate and effective use of face-to-face delivery.

This document details the analysis and rationale for live face-to-face statewide programs considered by the Governing Committee for the 2018-20 Education Plan period. Live face-to-face delivery can uniquely achieve certain learning objectives, detailed below. The first five benefits described below are unique to live face-to-face education as demonstrated by scientific research and our participants' experience. Although some benefits of face-to-face delivery are also available through live distance education, they are usually less effective at a distance. The next four benefits described below are more effective in face-to-face delivery but are also available to some degree in live distance education. The final three benefits below are uniquely effective in live distance education.

Benefits Unique to Live Face-to-Face Delivery

- 1. Uninterrupted single-focus learning: Although distance education is conveniently accessible to the learner in his or her workplace, for instance, the judge¹ in chambers, it also makes the learner accessible to interruptions and prone to multi-tasking. Multi-tasking, far from being efficient, actively interferes with learning,² especially of complex material. Trial court judges have said: "There are too many distractions [at court]. . . as there is always something else to do, like review files for the next day." "I get distracted often when sitting at my desk trying to view an online course."³ In the 2014 CJER Governing Committee Evaluation of CJER Programs and Products: Survey Report, over two-thirds of trial judges and over three-quarters of appellate justices surveyed by CJER indicated that live multi-day programs serve their educational needs best.⁴ The judicial officers valued the way live education allows uninterrupted, focused education away from court.
- 2. Confidential practice space: Reassessment of belief systems and habitual behavior, and the acquisition of personal skills that accompany new insights, require a confidential, peer-to-peer practice space. The 2014 Report of the Experienced Judge Education Workgroup found that "experienced judges need more live programming, specifically in the areas of courtroom control and communication, and disruptive litigants." In a face-to-face environment, affective (emotional and empathetic) instruction can more effectively overcome natural resistance to changing personal beliefs, values and stereotypes, especially, for example, in areas such as ethics, self-care, trauma, fairness, and judicial empathy. Most personal skills, including leadership skills, require a

¹ Although the term "judge" is used frequently in this document, this analysis applies equally to all the learners that CJER serves, including judges, subordinate judicial officers, court executive officers, and court personnel.

² American Psychological Association, March 20, 2006: http://www.apa.org/research/action/multitask.aspx; https://www.psychologytoday.com/blog/creativity-without-borders/201405/the-myth-multitasking

³ 2014 CJER Governing Committee Evaluation of CJER Programs and Products: Survey Report, pp. 24, 20.

⁴ 2014 CJER Governing Committee Evaluation of CJER Programs and Products: Survey Report, p. 16

⁵ 2014 Report of the Experienced Judge Education Workgroup, p. 11

face-to-face, interactive space where participants can try out new skills – in role-playing, for instance – and share the discomfort and risk of failure with peers. Unfortunately, recorded or live-at-a-distance education can afford low participation and minimal emotional engagement, making it far less effective for affective learning and acquiring inter-personal skills.

- 3. A community of learning in and out of the classroom: During face-to-face education, peer-to-peer interaction mitigates professional isolation, and lays the foundation for educational social interaction beyond the classroom. Face-to-face education can also lay the foundation for subsequent educational peer-to-peer interaction and energize subsequent distance education. Distance education, especially in an asynchronous environment, does not have the same impact. The value of peer-to-peer interaction increases for those in unique roles at their own courts. Presiding judges and court executive officers, for instance, do not have local peers in similar roles with whom to exchange experience and ideas. Trial court judges observe that, "Meeting other judges from across the state and learning how other areas do things is invaluable." "We can all read. We can all access the computer. What we can't do is access each other. We are locked into a system where we are isolated in our courtrooms and our chambers. We need to TALK to each other."
- 4. *Multi-sensory experience*: Participation in live face-to-face education activates multiple senses to a far greater degree than recorded or live at-a-distance education. The more senses involved in a learning experience, the easier it is for the brain to pay attention in the moment and to access memories later,⁷ two important neurological processes associated with learning.
- 5. Ample time for in-depth learning: Legal education, which is complicated and nuanced, requires time, without interruptions, for learners to explore a fully developed context and make use of educational scaffolding, a cognitive sequencing that supports in-depth learning. Currently, live distance education has practical time limitations (it is difficult to be in a web-based or telephone-based course for more than two hours at one sitting). Experienced judges particularly express the need for in-depth learning. The 2014 Report of the Experienced Judge Education Workgroup noted that, "For experienced judges, however, the opportunity to reflect on the role of the judge, how judges make decisions, and how to take one's judging 'to the next level' is a valuable area of educational support." Discrete, small chunks of content work well with specific, process-oriented content. More abstract conceptual work and new ideas require time to build up to and process.

Benefits Uniquely Effective in Face-to-Face Delivery, But Also Present in Live Distance Education

6. Collaborative learning: Participants can tackle problems and discuss questions together to some extent in distance and asynchronous environments, a key opportunity for learning. According to the constructivist learning theories favored by many adult education experts, especially in the work of psychologist Lev Vygotsky, social interaction, like discussion and team problem-solving, is fundamental to the development of cognition. Collaborative learning in a face-to-face environment, however, tends to accelerate and extend cognition-building social interaction beyond what can be achieved at a distance. Trial court judges affirm the value of collaborative learning for their work: "Audience involvement is very important. The speakers don't have all the answers." "You have a chance to learn from the other students -- discussions are often the most valuable part of class."

⁶ 2014 CJER Governing Committee Evaluation of CJER Programs and Products: Survey Report, pp. 17, 18

⁷ Research-Based Strategies to Ignite Student Learning, Judy Willis (Association for Supervision & Curriculum Development: 2007), http://www.ascd.org/publications/books/107006/chapters/Memory, Learning, and Test-Taking Success.aspx

⁸ Larkin, M. (2002). Using scaffolded instruction to optimize learning. http://www.vtaide.com/png/ERIC/Scaffolding.htm

⁹ Vygotsky, L. S. (1978). *Mind in society: The development of higher psychological processes*. Cambridge, MA: Harvard University Press, cited in: McLeod, S. A. (2014). Lev Vygotsky. Retrieved from www.simplypsychology.org/vygotsky.html

¹⁰ 2014 CJER Governing Committee Evaluation of CJER Programs and Products: Survey Report, p. 18

- 7. Immediate verbal and nonverbal feedback: When participants receive and offer feedback in the moment, learning is accelerated. Participant feedback, including non-verbal communication, helps faculty respond immediately to various learning needs in the classroom and offer differentiated instruction. A trial judge notes that in face-to-face education "instructors are able to adapt to the class and be more responsive to the needs of students." Live distance education can minimize or eliminate non-verbal communication, though verbal feedback can occur at a distance.
- 8. *Immersive adoption of a new role*: In game theory, multi-sensory experiences and emotional engagement prompt participants to adopt the mindset of a new character.¹³ Live face-to-face training effectively creates an immersive environment that helps new judges, court leaders and staff internalize the mindset and technical skills of a role that is new to them. Live distance education does not (yet) emulate the character-based interaction of online games.
- 9. Creativity and innovation: Creative problem solving often comes from less focused, goal-oriented cognitive exploration and the stimulation of new environments and social interaction. New learning, interaction with new people, and breaks from the daily routine can prompt an expansion of the solution horizon. One trial court judge puts it this way, "Live courses away from court have a value far beyond the educational content. The change of scenery, interchange with colleagues from other courts, and some element of recreation are important for all of us." Live distance education can provide broadly stimulating new information and cognitive activity, but it is not dramatically different in context or social interaction, and tends to be less effective in stimulating creativity.

Benefits Uniquely Effective in Live Distance Education

- 10. Accessibility: No education works when it is inaccessible to participants or faculty. Statewide face-to-face events are accessible to some but not all of the potential audience and faculty, because of the amount of time and cost to travel. Live education at a distance is accessible to a far greater number of participants and faculty because they do not need to travel to participate.
- 11. Reduced cost: No education is available if it is too costly to deliver in a statewide face-to-face event. Statewide face-to-face events require funding for participant and faculty lodging and meals, faculty transportation and equipment and meeting room rental. Live education at a distance is available to learners when no funding is available for CJER to provide a live face-to-face event.
- 12. *Timeliness*: When educational outcomes require rapid delivery to a statewide audience, live education at a distance can be implemented quickly and multiple times to achieve time-sensitive objectives. Statewide events require much more time to deliver because of mandated government procurement rules, hotel venue selection, contract negotiation and writing, registration-site development, and a host of other administrative logistics.

¹¹ "Meeting Students Where They Are," Tracy Heubner, *Educational Leadership*, February 2010, Volume 67, Number 5, Pages 79-81 http://www.ascd.org/publications/educational-leadership/feb10/vol67/num05/Differentiated-Learning.aspx

^{12 2014} CJER Governing Committee Evaluation of CJER Programs and Products: Survey Report, p. 18

¹³ "Serious Games for Immersive Cultural Training: Creating a Living World," Marjorie A. Zielke, *IEEE Computer Graphics and Applications*, Volume 29, Issue 2, March-April 2009. DOI: 10.1109/MCG.2009.30 http://ieeexplore.ieee.org/abstract/document/4797516/

¹⁴ 2014 CJER Governing Committee Evaluation of CJER Programs and Products: Survey Report, p. 19

ATTACHMENT C

Rosters of the CJER Advisory Committee and CJER Curriculum Committees

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