

2024.06.20 webinar transcript

Unlocking the Secrets to Employee Success and Engagement with our new Court Employee Viewpoint Survey

Lori Shemka (NCSC): [00:00:00] Welcome, everyone, and thank you for joining us for the National Center for State Courts webinar about *Unlocking the Secrets to Employee Success and Engagement* with our new *Court Employee Viewpoint Survey*. I'm Lori Shemka, a court consultant with the National Center. And I'm delighted to be joined by our wonderful panel.

The National Center has been developing, piloting, and refining this employee viewpoint survey and reporting tool since 2022. Today's panel includes some who have piloted the tool in their court systems. And I'm incredibly thankful that they've made time today to share their first-hand perspectives with us.

Webinar friends, if you don't already know them, it's an absolute treat for me to introduce you to . . . From Nebraska: Amy Prenda and Melissa Ireland. Amy is the Deputy Administrator for Court Services in the Administrative Office of the Courts and Probation. She works with the Nebraska State Court Administrator Corey Steel.

I mention him because Corey Steel's been a [00:01:00] member of the Conference of Chief Justices and Conference of State Court Administrators' Pandemic Rapid Response Team since 2020. He's also the COSCA Vice President. This tool was created and piloted at the Rapid Response Team's suggestion and with generous funding support from the State Justice Institute.

And Amy was one of my primary strategic partners when we piloted the tool in Melissa's court, well before Melissa's arrival. No matter how many balls she has in the air, Amy keeps things moving forward with individual attention. Melissa Ireland is the Judicial Administrator at the Lancaster County Court in Lincoln, Nebraska.

She was appointed earlier this year, after a retirement, after her court had finished our survey, and as the report and recommendations were finalized. Like all administrators in a new court, Melissa's been finding her sea legs, and I'm so grateful she's made time to give us [00:02:00] her six-month-in perspective.

From Michigan's Cass County Courts, we have the pleasure of Chief Judge Carol Bealor and the multi-hat wearing Sarah Mathews. Chief Bealor is a servant leader in many dynamic ways in her community and within Michigan's judiciary, including serving on the Workforce of Today and Tomorrow workgroup of Michigan's Judicial Council.

Sarah is the Friend of the Court Director, the Circuit, Probate, and Family Court Administrator, and a backup referee, which is not included in this slide count. And Sarah's in the final climbing stretches of her ICM Fellows paper that she recently presented, *Climb On! The Case for Coaching Court Employees*.

And from a different Lancaster County, this one in Pennsylvania, we are lucky to be joined by Judge Len Brown, who's in his 13th year as a general jurisdiction trial judge on the [00:03:00] Lancaster County Pennsylvania Court of Common Pleas. Judge Brown's a

retired military officer where he developed his interest in employee wellbeing and has been a solid champion of the survey.

And with Judge Brown is District Court Administrator Mark Dalton. Mark was named district court administrator in June 1993. So happy 31st anniversary, Mark. And where under the authority of the president judge, he directs all of the court's administrative functions encompassing 8 departments, 19 magisterial district courts, and 450 employees.

Folks, in terms of strategic planning and execution, Mark's as agile as they come. And behind the scenes and keeping me on track is the unflappable Nora Sydow, a managing director at NCSC, and our technical maestro is Miguel Trujillo. Thank you, Nora and Miguel, [00:04:00] for helping me to ensure that we are good stewards of everyone's time.

We've slotted 75 minutes for this webinar. As a reminder, the webinar is being recorded and will later be posted at ncsc.org/webinars and we will include links to the resources that are shared. We invite you to ask questions using the Q & A box at the bottom of your screen. If someone else has posted a question that you are also interested in, give it a "like".

A considerable number of attendees are with us today. If we don't get to your question and if the information wasn't already covered in the main presentation, I'll do my best to later follow up with you. So today's order of business has three parts. First, I'll share a brief overview of the survey Tool Kit and how the survey was piloted and refined.

You should have already received a link with your confirmation email. [00:05:00] No worries if you missed it. The complete Tool Kit will be linked in the chat and in the posted webinar resources. And then we'll focus on what you signed up for, the panel conversation about their experiences with the survey and what happened after.

Last, we'll work through the audience Q & A as time allows. So on to the Tool Kit. Our kit begins with an overview of the survey, including how the survey results give court leaders moment-in-time pulse on employee engagement, satisfaction, inclusion, and wellness, other workplace positives and strengths, and suggests a blueprint for other areas that may need attention.

And at page five, it includes two different hyperlinked buttons. One link is to a demo version of the online survey, and the second is to a report's results [00:06:00] with mock data. For those of you who are like me, and you want to see the survey in action, and how you can use it in your efforts to advance employee success and engagement, we got you at page five with those linked buttons.

Broadly speaking, here are the question categories included in the online survey. The voluntary and anonymous surveys tended to run around 125 questions, give or take, and were framed to (1) show employees that court leadership is really interested in their perspective about what they are experiencing in the workplace, and (2) invite responses that give court leadership actionable information.

We promised employees that it would take no longer than 30 minutes. Not only did we keep that promise, but most finished it well under that window, maybe 20 minutes or less. [00:07:00] After the online survey was piloted at a court, we also gave employees the chance for an anonymous one-on-one interview with me, either by Zoom or telephone, to dig deeper into some court environment or culture themes that we may have noticed from the survey results.

These anonymous conversations really helped us learn the stories of what was happening behind the survey-result data, and they truly informed our site-specific recommendations. Our Tool Kit includes what those questions were in Section 3.2. Now to get a sense for some of those responses, you'll notice how many of the headers of the Tool Kit's pages include a different quote of an employee's sentiment.

Each is from an unnamed piloted site, either from the survey or one-on-one interviews. If you're curious about process and workflow, [00:08:00] you'll absolutely love Section 6.1 in the Tool Kit, starting at page 29, which is a two-page checklist for how to deploy an employee viewpoint survey in your court. We also have appendices, of course. In those we include tables of all of the surveyed questions, how they were configured for the online environment, and we also share some email communication templates. And like in our reports and recommendations that NCSC issued for each pilot, the Tool Kit ends with an extensive directory, often with block quotes, of relevant and helpful resources.

These resources were intentionally picked to help better understand the context of how the survey questions and responses matter. How they fit together and are relevant in court operations of any size. Okay. So let's jump to our panel conversation and I want to [00:09:00] thank those in our audience who included questions or areas of interest when you registered.

Your input was helpful in framing today's conversation. But spoiler alert, the Tool Kit doesn't have information about trauma-informed approaches to the workforce. But because of your topical registration suggestions, this webinar will go there and include some resources. So Judge Brown, let's start with you.

What piqued your interest in participating as a pilot? What were you hoping to learn from the survey results that you didn't already know about your team and workplace? Did you have any fears or reservations?

Judge Len Brown (PA): Thank you, Lori. My interest was piqued by discovering that our court has not engaged employees in a very long time to find out their thoughts on workplace satisfaction and their concerns.

In my experience in other jobs outside of the court, [00:10:00] we routinely surveyed and engaged employees to discover issues and to build on success. So Mark and I discussed the possibility of a survey, and Mark reached out to the National Center for State Courts, and thankfully we were accepted as a pilot. I hope through the survey and through the listening session process that we've learned many things that we did not already know about employees' perceptions and their challenges.

I really had no fears about the survey because I was looking forward to hearing what our employees were thinking, but I just had a lot of anticipation.

Lori Shemka (NCSC): And Amy, can you share your starting point in this work?

Amy Prenda (NE): Yes, thank you, Lori. So at the state level, we were having what we thought were a few systemic management issues in the Lancaster County Court that were resulting in low employee morale and also having difficulty retaining [00:11:00] employees.

So, Human Resources and Court Services Division we offered quite a bit of assistance and support. However, we were having a difficult barrier for us to overcome because there was a perception, we believe, that the local court had that the AOC as the authority figure was surveilling or monitoring or judging the way they ran their court office.

So, for us, having National Center for State Courts in as a neutral facilitator who interacted directly with the judges and the employees was helpful for us because we knew that there were issues that needed to be addressed. And while our intentions were always to do what was best for the court to help the judges and the court staff, it was difficult for us to work with them directly because of some of those trust issues that we had.

So as for the question about what we learned from the survey results, I think that we were hoping that the survey would [00:12:00] reassure the court that while the employees may have some frustration with the work culture and the environment, they also had a lot of employees that were committed to doing great work for the courts and wanted to make it a better work environment.

So I really didn't have any fear or reservations, but I also appreciated the fact that the survey like this exposed for us that there's complicated issues involved in the workplace culture and environment and things aren't going to be resolved overnight. And it's hard for us to look in the mirror sometimes and take ownership of the things that we may not be doing well.

But at the same time, the survey also reinforced for us things the court's doing really well and should be recognized for.

Lori Shemka (NCSC): Thank you. Mark, once the survey went live. And in terms of employee participation, [00:13:00] what did you find to be effective ways to get your staff to complete the survey? And were there any barriers?

Mark Dalton (PA): Well, I do want to kind of back up just briefly to say that, as Judge Brown said, we were very happy in Lancaster County to be able to get on board with the survey. So, you know, I want to appreciate and thank you, Lori, for all the work that you've been able to do on this. But I will say, we kind of jumped on really quickly.

Judge Brown and I had this conversation probably, maybe about four weeks before we actually put this into place. And so to some extent, I felt a little bit like I was scrambling a bit. So the way that I look to do this is communicate, communicate, communicate. That's always been my view on how to get these things done.

But I probably, if I were actually to do this again, I would have actually got started a little bit sooner. So the process that we used was email, but how you get to people and whether they [00:14:00] read it or not. Or whether they, you know, look at it as just kind of another thing in their email inbox that they've got to look and deal with.

And I'm really busy here. And, you know, yeah, the court thinks this is important, but, you know, I've got this pile of stuff on my desk to, to deal with. And so whether I'm not going to take this survey serious or not was a concern and I think it kind of showed through. So I think what we tried to really do in, in, you know, with your help was to really set out some goals of which we were looking for people to in responding to, to the survey, to assure them the fact that it was anonymous and that they were able to do all of these things and be able, and that we really needed and wanted their feedback.

But I would say that as much as we were able to do, I would have done more communication. So I put a lot of emphasis on pre-survey email that, you know, the [00:15:00] email that went out that said, Hey, the survey is ready for you to do. I would have put more emphasis on that. Preloaded it.

Lori Shemka (NCSC): And, and what did you notice?

I'm sorry. What did you notice in your court, Sarah?

Sarah Mathews (MI): So for our courts, our participation was really impacted by the buy-in and support of leadership and managers. So from the start, our chief judge voiced her support for it. She made sure the managers knew that this was important, that leadership was going to listen to it.

She's the one that sent the email out to staff. But following up with that, the managers really were our boots-on-the-ground for this and going and personally communicating with staff that they wanted them to take the 30 minutes to do the survey. That was okay. That we supported them doing the follow-up interviews if they wanted to. Answering their questions, because some of the barriers we had is they didn't believe it was truly confidential, right?

So really addressing those concerns and letting them know it truly was confidential, [00:16:00] encouraging them. And where we had more manager support and buy-in, we saw increased participation. And I know you might be thinking, "Well, you're a small county. Maybe that's just you." That actually matches with national data that shows you where your managers are more engaged, your employees are more engaged. And if you have a variance in engagement, usually 70 percent of that variance is attributed to your manager. And that's according to Gallup. So we really benefited from managers buying-in and supporting the survey.

Lori Shemka (NCSC): Okay, excellent. Thank you so much. All right. The next topic, full disclosure to everyone, is front-loaded with a lot of context.

So Judge Bealor, you're teed up on this one, but bear with me here. Where do you see the judge's and collective bench's role in this type of work? Is it the judge's role to care about employee engagement, satisfaction, and wellness—especially when it's well accepted that [00:17:00] more than 1 in 5 Americans (that includes our workforce) lives

with a mental health condition. And there's growing recognition of the need for trauma-informed approaches to the judicial workforce, as I noticed in our registration questions. And here, so that we're on the same page, we're going to show, Miguel's going to put up *Guiding Principles of Trauma-Informed Care* curated by Trauma-Informed Oregon. Slide 10. Apologies in advance if you're on a small screen and you can't see it. I'm not going to read the categories, but they'll be in our linked resources. But Judge Bealor, starting with you, where do you see the judge/bench's role in all of this? Or is it simply for HR and the court/judicial administrator to be concerned with?

Chief Judge Carol Bealor (MI): Definitely not. It's not an H, just an HR issue. It's definitely one of the key jobs, I believe, especially in Michigan, where our [00:18:00] system is, there's a chief judge who performs administrative functions. But if you don't have that model, even when you have that model, it's all the judges' responsibility to ensure that—as elected officials—the people working under us know that they have our support. And know that we're creating a culture where they can be heard, and where we can take their suggestions, and where we can make this hard work meaningful for them to do, and also to ensure that they're being taken care of along the way.

And as we all know, when you work for government, you might not earn the most money. But I believe it's important—when you find people that say, “Yes, I have a passion for public service”—to honor that passion by ensuring that we're not just asking them to take care of other people, but that we in turn take care of them.

I feel that we're in positions of trust, and that it's important to do those things. And what I loved when I saw this slide on the trauma-informed care, because we have many drug courts in Cass County, we've [00:19:00] been preaching about trauma-informed care for a long time. And that's made our culture here different, too. Because we're small. If we're doing it in one area, we're going to do it in more areas.

And we use that to really approach procedural fairness and due process when my predecessor was here and talk a lot about our mission. That our mission is to be sure that we're serving the public and providing due process. But then we created like a little diagram to let our staff know that we see ourselves as a pyramid. With our mission on the bottom, which is serving the public. And that supervisors, judges, and staff are all working together then to hold up.

You know, to hold up that we're able to carry out that mission by using a positive office culture, caring for our staff, and then that translates into positive public customer service. And then our mission can get carried out. So we really believe [00:20:00] that the only way we can carry out our mission is if we take care of ourselves and our staff as well. So I think that, like Sarah said, it's important for the judges to be the champion. And if your bench isn't at that place yet, I would just encourage you to make sure that you start working on them first, because this type of project . . . I think it would be tough for it to be successful, if you have the cheerleaders saying, “Yay, do this!” But then you've got judges saying, “Yeah, this is stupid. You don't need to waste your time on that.” And I'm not suggesting that people would use those exact words, but we can do that not only by the words we use, but how we act about doing these things.

And also, if we don't, if we say, "Do a survey. It's important" but don't free up the staff people's time to do the survey. And then we don't follow the recommendations about debriefing with staff about the results of the survey, doing listening sessions to make sure they can have full input, and then actually taking what's said to us and not being [00:21:00] afraid to hear it. Because it's not going to all be positive.

And I feel that it is the judge's role to set the stage that: It's okay to tell us what we need to fix. Because if we don't fix those things, then we're not going to grow. And I feel that's really important.

Lori Shemka (NCSC): Excellent. What are your thoughts about this, Judge Brown?

Judge Len Brown (PA): Yeah, I agree that the judges need to be setting the example and building trust within the team that administers the court system.

And we've got to show that we care about each person in the workforce and support efforts that build resilience in our staff. I believe the most significant factor in building trust. And an important component to resilience is actually listening to our employees, which this survey gives us an incredible opportunity to do.

The listening sessions that come out of the survey were fantastic. I don't know how many hours we spent, Mark and I, and some others spent [00:22:00] probably in excess of 50 to 75 hours listening to different groups of employees. If we're not caring or if we're not listening to our employees, I don't think we're caring for them and we're certainly not building trust.

And if the judges foster an environment where team members know their value, then I think by, we will by doing that, cover each of the categories that are listed in the slide. Specifically with trauma-informed courts, similar to what Judge Bealor mentioned, we've been training the bench [and] employees within our judicial system for years and years on being trauma informed. Though I haven't been involved in discussions of this approach, particularly with respect to the workforce, other than reaching out to the individuals our employees are engaging in a trauma-informed way.

Lori Shemka (NCSC): Okay, awesome. [00:23:00] Now we received several questions during the registration about the survey results being anonymous, especially in smaller offices. So I'll toss it back to you, Judge Bealor. Chief, how'd you go about ensuring that employees felt comfortable and safe giving honest feedback during the survey and follow-up listening session?

Chief Judge Carol Bealor (MI): I think that we focused on the fact that we were using a third party, which is the National Center for State Courts, to oversee this and to just kind of walk them through the fact that it is confidential.

And I would kind of joke with them and say, "You know, sometimes I can barely use a computer. There's no way I would know what your responses are because that material is all in the hands of the National Center for State Courts. And they're going to give us a summary report. So there's no way that I could possibly know who's saying what."

And then I encouraged my benchmates and the supervisors and managers to give the same message. And I [00:24:00] think by giving people concrete examples of why we

would not be able to know who said what, it helped them believe it. I know there were still people who didn't believe it and, you know, that's okay. But I think that by also following through with the whole process, which we'll talk about later in this session, you have to . . . The first time you're not going to have everything perfect.

And I think you as a leader have to be willing to go out on a limb and say, let's do it. Let's show them that we're going to listen to them. And there are going to be some naysayers that say it's not confidential. Don't do it. And so maybe they won't this time. But our hope is when we repeat this exercise, that because of how we handled it this time, we're going to make it better next time, and maybe there'll be some trust there.

Because I don't think you should wait to do a survey until you have 100% trust. I don't think you're ever going to get it. And it's not because I'm negative. It's just, I think that's a reality. Because you have people at all stages of the workforce, new hires, long terms, and everything in between.

And [00:25:00] we're all different with our personalities. And so 100% buy-in, I think, would be impossible. But I think that's how we handled it here.

Lori Shemka (NCSC): Awesome. And what was your approach, Mark?

Mark Dalton (PA): So, similarly, we did emphasize the fact that we were going through the National Center for State Courts as third party, and that all the information would be provided to them.

We would not have access to that information. Just going back briefly to what I had said earlier, if I had probably had a little bit more time, I would have used a more—certainly not one-to-one, but a more, rather than just email actually getting out and talking to people and really emphasize that point to say, we really need your responses.

It will definitely be anonymous. This is the way that we're doing this. And really kind of have them see my face more than just my words in an email to say, "Yeah, this is important." We did emphasize the fact that the president judge and the whole board of judges is in complete agreement with this, and we really want [00:26:00] your feedback.

Now, the way we did it in regards to ensuring the fact that smaller groups did not get feeling like, okay, this can't possibly be anonymous, because if I put in my department and my department is only three people, how, you know, how will you do that? So we broke up the whole court into 10 different groups: high-level management, mid-level management, and then for small departments, we put them in with other departments, so that at a minimum, there was 15, 20, 25 people in any particular group. So that, so that no one could, you know, hopefully no one felt like that, that they would be able to, that they would stand out by their comments. And it wasn't so much their response on some of the questions, but there were two questions that talked about how well we did and how we didn't.

And then they would . . . clearly be able to based on some of the responses to be able to do that. So we were very careful on trying to make sure that. And we also extended the survey so that we really [00:27:00] said: Hey, this is an opportunity for you to respond, please respond by this time period.

But after we felt that maybe there wasn't enough quiet response, we extended it because we said, we really, and we really emphasized the second time. We really, really do want your, we want to hear what you have to say. So we've extended it. Please, please respond.

Lori Shemka (NCSC): Okay, I'm going to pivot a little bit here.

Because on the one hand, and understandably, and this is true in all industries, there's the concern about anonymity, yet, employees are always curious to learn about the results, the bottom line survey results. Even if they didn't take the survey, they're interested in that. So Judge Brown, how'd you share the results and follow-up with your team after the survey?

Judge Len Brown (PA): Well, first of all, when we received the results back from the survey, Mark and I went through it, [00:28:00] redacted things that were personally identifying because the way, as Mark sort of alluded to, the way some people answered the question, we could identify who it was even with 450 people in the system.

So we took those out or generalized them to get the point across that the individual was trying to make. And then we sent the survey [report] out to everyone to be able to read. [We] didn't really get any feedback that I, that I know of. But where we did receive the feedback was in the listening sessions.

The stage was set for the listening sessions based upon the survey. So I thought. I think Mark would agree. We had a very productive listening session in the number of hours that we spent with the different employees. And I don't believe it would have been as successful without the survey setting the framework for it.

Lori Shemka (NCSC): Okay. And what route did you take, Amy, with your court as it was [00:29:00] the court that you were working with as it was in its transition to Melissa?

Amy Prenda (NE): Well, Lori, we were always, we always had the intention that the results would have to be shared with all the employees in some form or format. So we did a lot of our initial meetings with National Center for State Courts and Lancaster County Courts and we wanted to make sure that the employees knew that.

They were invited to participate in the survey and they would see the results because we believe that doing this would help instill possibly greater confidence or trust for many of the employees to want to complete the survey. But we too, because Lancaster County is so small, we did quite a bit of modifying of the survey.

And we also modified some of the comments because they were sensitive and they directly related to certain employees. And we had a number of in-depth [00:30:00] conversations after the survey results came in with the judges, and then Melissa Ireland, on how best to go about to share the results. Because we wanted to make sure that we reinforced that the survey was not meant to be a gotcha.

But it was supposed to be an opportunity to be introspective and appreciating what is going well, but also being able to work through some ways to address some of the more negative work environment issues that were barriers to having a more healthy work culture. This was probably the most challenging, in my opinion, because I believe the

plan was to initially share the survey results with the supervisors individually before sharing a more summarized version of the results.

But Melissa kind of pivoted because once she got the results—and she did share them with the supervisors. Then in order to facilitate better trust and confidence, Melissa started to do one-on-one [00:31:00] individual meetings with everyone. And she was a small enough court. It took a lot of time, but she did a lot of one-on-one with her employees.

And then she also—which I really encouraged, too, was—implemented an exit-interview process so that this allows her to continue to receive continuous feedback from individuals and employees who are leaving so that it's sort of that constant monitoring of what the initial survey results in kind of an in-time, real-time: How are we implementing change?

Lori Shemka (NCSC): Okay, this is a great segue here. Melissa, you were named as your court's judicial administrator right after the survey was completed and as the report was being finalized. Can you give us a sense? I mean, you are really uniquely situated here. Can you give us a sense of whether the report's result information was helpful to you, and give us an idea of what role [00:32:00] the report's information played in how you approach your leadership role at your new court?

Melissa Ireland (NE): Thank you, Lori. I think you're right. This was kind of a rare opportunity and a huge benefit for me as I'm coming on as the new judicial administrator. And trying to get my sea legs under me, like you mentioned, as both the clerk of the court and the administrator in a court where there have been some morale and culture issues with the staff and with management. They were really helpful.

The results were really helpful in providing me that unbiased baseline of the engagement of the staff and also their perspective on court culture. You know, [the] court's culture, court management . . . The results immediately identified issues or potential issues that are spread throughout the court and also those perceptions.

And I think it legitimized their thoughts. And provided a concrete and objective context to their [00:33:00] opinion. So it was "results on paper". It wasn't just a he-said/she-said. Everyone had the opportunity to provide that anonymous feedback via the survey. You know, as we mentioned, it really showed me what was working well and what needed to improve, and also the immediacy in which things needed to be improved.

So I could kind of prioritize and strategize what I needed and wanted to do first. It even helped me identify issues within each division. And so within the divisions of the court, I could see where [were] our strengths and weaknesses. Since then, we've had some turnover. And it's helped me onboard new staff.

And so what has not gone so well previously and how can we avoid that and create a better culture and engagement for new staff right off the bat. And then I think another big piece [00:34:00] for me is: Staff were really willing to have me come in as the new administrator, and they really wanted to talk and have their voices heard.

And so they were very open to having those one-on-one conversations with me and get to know me. And it allowed me to show them that I was invested in the culture, and just them as staff/management, and just the overall success of our court. And it really allowed me the opportunity to start building trust immediately.

And sometimes that can be more difficult, getting to know your staff. But, with this process, it really was a huge benefit to me in that respect.

Lori Shemka (NCSC): Okay, Judge Bealor, do you feel that the survey results gave you information that you could act on? It sounds like Melissa had that positive experience.

Do you feel that the survey results gave you information that you could act on? And I'm kind of curious: Were there any new efforts or [00:35:00] decisions sparked because of what was learned from the survey in the listening session processes? And did your employees notice?

Chief Judge Carol Bealor (MI): Yes. Definitely. I think that we set up our listening sessions 'cause like some of the other courts may be, we have both union and non-union employees.

So we set up our listening sessions to offer a chance to meet with just a union leader. And then sessions with a non-union leader. And then combined sessions because we wanted to be sure we created safe spaces. And I think some of those listening sessions, the reason why I'm bringing them up is some of the people that I think at least it was reported that they might have not felt comfortable saying a lot of things in the survey, [but] then opened during some of those listening sessions. And so I felt that was a really helpful component. And we also then after those listening sessions, those people that ran those sessions prepared a summary document that we shared with all court staff in addition to the survey at the same time so that [00:36:00] we were transparent on what the survey said, and also what the listening session said, and what were some of the key takeaways.

And then we told the staff: These are the top couple of things we're going to be working on in the next year or so, and we need you to help us give us feedback as to whether these things are working or not. And so I think it was important to do all those things, and to let them know. We have quarterly staff meetings with all of our court staff we do it for like 15 minutes to a half hour depending.

And that's really important that we do that because staff can ask questions and we kind of report back to them during these staff meetings of: Hey, we've been working on this. What do you guys think? Is it working? Is it not? And then, at a smaller level, I don't know how big some of the listeners are, but we have it at any point in time, anywhere from about 36 to 42 court employees.

So we're smaller. But even in a smaller jurisdiction, we all get stuck in our silos, right? So it's really critical that in those separate silos—'cause we all have them—that the [00:37:00] supervisors and managers within those silos are doing the same work, reassuring people, building that culture. And I just want to emphasize, because I read some of the questions in the Q and A: Don't start the survey assuming that the reason people ask about anonymity is because they're worried about retaliation.

Sometimes, they also want to know about anonymity because they're worried about their coworkers finding out that they're reporting something that they feel is not good going on in the work environment. Or, sometimes, it's just they wanted people to know it's their opinion. And so they want to know: Am I going to be able to let people know that I'm saying, "Hey, around here, this is really great."

And we had people give information that made it known who they were. And we did redact things, but I had people afterwards say: "Hey, I wanted people to know that I think this is a great place to work." So it can cut both ways. And I think sometimes we come to these surveys with assumptions and we need to be careful because we need to wipe our slate clean to be open to whatever they [00:38:00] tell us.

And then even when they tell us things, not assume that we know what it means if we don't dig deeper with the listening sessions.

Lori Shemka (NCSC): Excellent. Same question, Judge Brown, what was your takeaway?

Judge Len Brown (PA): Very similar to what Judge Bealor just said. The listening sessions provided so much great actionable information.

Actually, some of the questions or issues that staff brought up at the listening sessions, they didn't realize were already things that were being worked on. So we were able to share additional information. Fantastic way to either build trust or reinforce trust so that people are comfortable sharing their concerns around other employees.

And again, similar to what Judge Bealor just mentioned, it gave the leadership the ability to start looking at things that needed to be addressed. Now, we're still collating all of those results. They are going to be [00:39:00] eventually released, I'm hoping, within the next couple of months. Similar, for similar reasons for transparency and for people to see how similar their concerns are across a number of different departments.

And then how we're going to address them, dividing them into short-term: things that we can address within the next six months. Things will have to take six to six months to a year. And then things are going to take a little longer.

Lori Shemka (NCSC): Okay. I'm switching over to you, Amy. For your court system and the work that you do, what did you notice that made the survey process and the experience successful?

Amy Prenda (NE): You've heard it before. I think a couple presenters have mentioned it. Lots and lots of communication before, during, and after every step of the way. There's got to be, there was a lot of planning meetings with National Center for State Courts. With a number of people at the AOCP. With the local courts, judges, [00:40:00] including Melissa. There also needs to be that open and transparent conversation with employees that might just come in and ask leadership, "Whether I should take the survey?", "What you're going to use it for?" So, I can't imagine doing this without a lot of prep before, during, and after.

I will also say that it helped that the National Center for State Courts wasn't rigid on the survey questions and/or the process. So Lori was great about reaffirming, reinforcing that National Center for State Courts would provide the technical assistance, the

guidance and the templates, but we had the ability to modify the survey and the process so it worked for us. It also helped that we had buy-in from all of the judges. I know that there's some questions on there related to whether or not you should or shouldn't have buy-in. In this particular situation in Lancaster County Court, yes, it really worked for us better to have that buy-in at that local level.

We also [00:41:00] had the presiding judge and the judges do a lot of the communicating. The communicating came directly from them or they primed the communication that the employees would be receiving direct communication from Lori encouraging employees to participate. So that was what made the process work for us: a lot of talking, and a lot of planning, and a lot of being able to be flexible in pivoting so that that we could respond appropriately.

Lori Shemka (NCSC): Great. And I share everything that you that you said there. What did you notice Sarah?

Sarah Mathews (MI): Well, I think the benefit for us—one, is it's a comprehensive survey. It did not give us just things that we already knew. We know staff would like increased pay. It didn't touch on things we were already aware of. It gave us a lot.

And it's a really broad snapshot of things going on for our employees at that time. That was very helpful. But I think what also made it very successful [00:42:00] is—once it was rolled out to employees—I have to give you a lot of kudos, Lori. You were prompt. You were quick. The turnaround was amazing for the size of the survey that it was, even though we are a smaller court, which allowed us to react to the responses quickly.

And employees need to see that to know that you're serious, that they gave you information. And you responded to it. You didn't wait a year. So I think the fact that the National Center for State Courts supported it at such a high level and were so prompt at getting things to us made it very successful.

And the third thing I think that made it very successful for us overall is the feedback that was given, and the suggestions for our court were very realistic. One of them was listening sessions. That was something that we could do right away, and we did do as Judge Bealor talked about. But you also didn't leave us on our own to figure it out, Lori.

You gave us a great template of: Here's some suggestions to do if this is helpful for you, so we could hit the ground running as soon as we got those [00:43:00] results to show our employees that we were serious about the feedback we got. And I think that made it very successful.

Lori Shemka (NCSC): Well, thank you. On to the next topic.

Mark, how do you think staff would have reacted? What would have been the effect on your team's morale and engagement if you and the court leadership had not done that follow-up after the survey and report?

Mark Dalton (PA): Well, and I'll just follow through on what Amy talked about a little bit briefly.

I think being able to do that and do the follow-up really answered the question: “How are you going to use the survey?” I think what we showed, within a reasonable length of time, um, how we’re going to use the survey. We’re going to use the survey to be able to better understand what your concerns are and then follow-up in a, in a more one on, you know, 20 or 30, you know, whatever, however the [00:44:00] size of the group is, discussion with you about what your concerns are.

And so we showed through action, again, answering that question. We’re . . . the whole point of the survey again is to try to best get the temperature of the folks out there, understand your top concerns, even some small concerns out there. We certainly got that when we had our feedback sessions and talked to everybody.

No, nothing was too large and nothing was too small to talk with us about that. So I think that really answered the question and just I also want to follow up on what Sarah said, too, in the fact that having worked with the National Center before, I knew that your support was going to be really great.

And when Judge Brown agreed to go with this, I was very excited to do that because I knew it was going to be very helpful in regards to that. So I think that also was helpful for staff because it was done in a professional way. And I think that stood out for them. [00:45:00]

Lori Shemka (NCSC): Fantastic. Melissa, how do you think that court team would have reacted?

What would have been the effect on morale and engagement if the, if your folks at ACOP or the court leadership had not done follow-up after the survey and report?

Melissa Ireland (NE): I think we would have seen a continued decline in our morale and our engagement here. Amy mentioned earlier that we took a bit of a different approach to sharing that information.

We’ve taken a more one-on-one approach. Some of the information in the survey results is sensitive. And I think if we aren’t having these conversations, staff have expressed, and I think they would continue to express that maybe we’re just going through the motions (we want you to do the survey, but we don’t actually care what the results are).

And so they [00:46:00] want to, and they need to see actions that we care about their thoughts, their opinions, and their experiences. And also they need to be able to see that we’re, that we are doing things to improve that and we hear their feedback.

Lori Shemka (NCSC): Okay. Now, Sarah, what advice would you give to other courts that are considering conducting an employee engagement survey and follow-up listening sessions?

Sarah Mathews (MI): First, don’t hesitate. I think you should do it. We had a great experience doing that with ours. But first and foremost, I think Chief Judge Bealor had mentioned it: You gotta have the buy-in of the bench. So start with your judges. Make sure that they support doing this survey. If they have hesitation or questions about it, work through that first.

Get the buy-in of your managers, your supervisors. If you have a union, the union president—we got her buy-in right off the bat for our group. And she was a big advocate for: Yes, the survey is important. So having that buy-in so you can increase engagement, [00:47:00] but also being transparent and honest with your staff.

Why are you doing the survey? And how are you going to use it? We were very honest all the way through. We wanted to respond and build a positive office culture for our staff in all of the courts because that's the purpose. We have not shared the results with outside organizations because it was for us and we were very clear from the very beginning what we were doing with that and we stuck to it.

I think third, also have a plan so that at the end, you know, once you've got the survey results: What are you going to do? Do you have time to actually follow through? Judge Bealor was great making sure we had stuff on our calendar of once you get the survey [report], we're doing a meeting, we're following up, we will respond to it.

So that planning in advance is very helpful.

Lori Shemka (NCSC): Okay. And Mark, what advice do you have for other courts who are thinking about this?

Mark Dalton (PA): Well, a couple of things. One, I briefly mentioned before, which is probably a little bit more prep time to be able to not [00:48:00] only tell people about it, but actually get out there and have some face time with people and say, this is very important.

We really would like your feedback. Second thing is a little bit more technical in nature. We had a couple of technical hiccups in getting the information out. Because of the way we're system. We have multiple systems here in Lancaster County. And our minor judiciary works on a different one.

So we had a little bit of that. So I probably would have done a test, a time, a little bit of a test ahead of time to make sure that didn't happen. And the third thing is, and this just happened related to timing. We did ours because we wanted to jump on board as quickly as possible because we definitely wanted to get with the National Center.

So we ended up doing it in July. That is not a great time to do a survey. It's in the middle of the summer. People are busy. They're going off and doing different things. I think probably the one of the best times is right after Labor Day. So if I were to have had a chance to do it time wise, I would have probably done it in the fall.[00:49:00]

Lori Shemka (NCSC): Thanks for that, Mark. And for the benefit of our audience, going back to the Tool Kit, Section 4.0 is of lessons from pilots and recommendations, and it includes some of those suggestions that Mark just identified. Melissa, what advice would you give to other courts that are thinking about conducting a survey and follow-up listening sessions?

Melissa Ireland (NE): A couple people mentioned time already. It is a huge time commitment as far as getting the survey out, distributing it, but also the listening sessions or the one-on-one meetings. However, it's distributed. I think you have to be

sure that you have the time to dedicate to your staff and relaying those results and following through on action.

And just the understanding that it's going to identify positives and weaknesses. Issues within the courts. And so being prepared to have maybe some uncomfortable conversations going into it.[00:50:00]

Lori Shemka (NCSC): Okay, excellent. All right. And then this is one of our registration-related questions that I'm going to throw at Amy here. Amy, given your high-level position in the state AOC hierarchy, if a peer from another state contacted you about doing an employee viewpoint survey, either statewide or at a specific court, what are some considerations and benefits that you would share for them to think about—and we're doing really great on time. So take however long you want.

Amy Prenda (NE): Well, for those of you who aren't familiar with Nebraska's judicial structure, the AOC. There is a lot of local autonomy and control. So while we have employees and we can see where there may be issues in a local court with culture or work environment, [00:51:00] it's very difficult for us to affect change.

So there is a definite distrust between the "us" and "them" by the local court. So it makes it difficult sometimes for us to assist them, especially in HR issues . . . Including if it's "us" Court Services Division or HR coming in to do one-on-one coaching with supervisors, for example. So having National Center for State Courts assist worked well for us because it was a buffer again.

It was a buffer between the "us" and "them." And it provided greater trust and confidence, I believe, in the process that confirmed for us what we anecdotally knew to be true, which is there were definitely internal issues within the Lancaster County Court, and there definitely was a need for a culture shift.

What I mentioned earlier, I think a lot of it comes down to communication and [00:52:00] planning is key, especially at the local level. Working with those local judges and local staff. And so, but I also want to bring your attention for us at the state level. What we did in Lancaster County may not have worked in another county or another court in Nebraska.

The judge and the staffing dynamics are very different and, I believe, that if this process is going to work then the local courts need to be responsive and part of the planning process because we have to have their buy-in. We also have a lot of courts that are very large and a lot that have very, very small staff, two or three people.

So it would have to, we'd have to look at a lot of different things. Again, and the other consideration is, and Melissa mentioned this, and I believe Sarah mentioned this: If you're going to do this with your court employees, there's got to be follow through. There's got to be "Share [00:53:00] the results."

There's got to be time spent with the follow through and there's got to be a concerted effort by the judges, the local administrators, and maybe even AOC at the state level. So the results don't get put on a shelf and nothing's done with them. And then, if possible, I'd also encourage that such a survey be replicated somehow or implemented

on a regular basis so that the local courts can continue to see growth and more readily address issues.

And that's kind of what Melissa is doing. She's still doing that exit interview with employees that are leaving so she can sort of keep a hand on what employees are feeling working in the courts.

Lori Shemka (NCSC): All right. And another question—common question—that we received for this webinar is about sharing feedback with those that we supervise or coach.

And one of [00:54:00] the survey questions is: *My supervisor gives me feedback that helps me improve my performance.* Sarah, can you share with us what we can learn from the research about the frequency and form of effective feedback to lessen any perceptions—and this is, I'm borrowing the terms from some of the comments we had received during registration—to lessen any perceptions of “nagging” or “being bossy”.

Sarah Mathews (MI): So I was really excited that this question was included in the survey, because to me, it's one of the most important things we need to know. And people are like, why is that the most important thing? Research from Gallup shows that employees who have had **meaningful feedback in the last week** from their supervisor are . . . **80%** of those employees are **more engaged**.

They're fully engaged. That's critical. Right now, Gallup [00:55:00] has released their workforce state of the workforce for 2023 [and it] shows that 33% of the workforce in America is engaged. The rest is disengaged, with a significant portion actively disengaged. That impacts turnover, absenteeism, numerous other issues.

So engagement's critical and your supervisor is critical to impacting that. And not only is your supervisor critical to impacting it, but the employees want it. Employees now actually want their managers to be coaches, not bosses. They want consistent communication. Communication that some authors, Kim Scott from *Radical Candor* calls it “radical candor,” right?

She's a compassionate candor where you collaborate and you're honest. You talk about goals, areas where they can improve, things they can do to move up professionally. I love in her book, she talks about employees don't want you to blow unicorns and rainbows at them all the time, right? They do want honest feedback, but they want it where you're [00:56:00] collaborating with them.

And then the question becomes, “I'm too busy. I don't have time to do that. And how do I figure it out?” Some research will tell you five minutes a week is all it takes. There is a book that says *The One-Minute Manager* says it's one minute. One minute to check in on goals. One minute for praise. One minute for a redirect if they need it.

The key isn't really so much the **time**. It's the **consistency**. And that you collaborate and include the employee in that communication so that they are part of “if I need to improve” let me be part of that conversation. If you caught me doing something great, I want to know specifically and see it in a real time—not at my annual performance review, so I know that you see me. You hear me. And you value me. That will increase

engagement, increase your customer service, decrease absenteeism. So those five minutes that you may spend checking in with an employee and having that conversation is critical.

So knowing if your employees have been given feedback from their supervisor recently [00:57:00] in their survey is extremely helpful. We used it to work with our supervisors on giving more consistent feedback and coaching with employees.

Lori Shemka (NCSC): And are there any proposed or accepted rules of thumb about the ratio of positive/affirmative versus constructive feedback ratios?

Sarah Mathews (MI): Yeah, so Harvard Business School Professor Frances Frei—I hope I'm saying her last name correct—she has a great video on it. I think you're going to share the link for it because we do have the link. She talks about five minutes to have that communication, but the ratio of 5 to 1. So five things are positive for that one thing of constructive feedback, right.

And that really I think it's helpful with the employees from that coaching perspective, because it shows you're not just nagging or micromanaging and coming in and I want this done and I want this and this is the problem. If you can give them the 5 to 1 ratio, it really does show you're paying [00:58:00] attention and that you see them, and that, and that balance of don't just come in with a rainbow and a unicorn of great week last week.

You did a great [job] last week because you did A, B, and C great. And I noticed this and I noticed that you paid attention. So having that feedback, but it is recommended the 5 to 1 ratio is very beneficial.

Lori Shemka (NCSC): Awesome. And like you said, the Gallup has the other data that says when there's that regular meaningful, I mean, regular on a weekly basis, meaningful feedback, engagement, employee engagement just skyrockets.

Awesome. Okay. Nora, are we ready for audience Q & A? Are we ready to shift towards that?

Nora Sydow (NCSC): Go for it, Lori.

Lori Shemka (NCSC): I'm looking at these here for the first time. I think I'm going to end up taking the answer to the top one. The question [00:59:00] is, and it's a very good question: If we administer the survey, is there the ability to compare ourselves to other courts or other results? And the answer is no.

And it's a very good answer. The relationships that we have with each court is individual, there's confidentiality matters and all of that. But here's the important thing, and any of the panel can chime in here after I'm done. You don't want to be measuring yourself against other courts. You want to take that survey for the first time, establish a baseline, get the information, have your listening sessions, do your planning, adopt some changes, learn from that, develop that relationship, make that progress, and then resurvey in another year [01:00:00] and measure your progress, your improvement against your earlier results. You want to be improving yourselves, not comparing yourselves against other courts because you have no idea what the leadership

management structures or anything like that are. Does anyone else want to chime in on that?

I'm seeing no takers. Okay. Admission by silence. I'll go with that. Another great question: How does this survey differ from NCSC's Court Employee Satisfaction Survey that is part of the CourTools Trial Court Performance Measures? This survey is that and mega plus. If you look at the satisfaction survey that NCSC has championed for many, many years, you'll see it's about 30ish questions. This is [01:01:00] much more, like I said in the intro. It's around 125ish. And it just gives you more information, more than just employee satisfaction. We're talking about engagement, satisfaction, wellness, inclusion, all of those categories and we've operationalized it into an online tool, so you're not doing paper surveys.

And it is really intended to give folks more specific feedback that leadership can act from. Would everyone agree with that? Does that sound fair? Okay, cool. Let's see here.

Oh, I'll throw this out here to the group. Let me finish reading it, skimming it. Okay. And Amy, you may be the best person to, you may [01:02:00] be the safest person to take the lead on this. Judicial involvement—and this is not about Melissa's court at all, but just from your higher perch—are there any recommendations or suggestions for moving this forward without judicial support or involvement?

I heard the suggestion of engaging the judges first, but is there still a way to meaningfully engage the team for feedback without judicial support?

Amy Prenda (NE): I might. I think Sarah mentioned this too. I, I, Amy Prenda in our courts—knowing our judges—would be very hesitant to do so. The judges are the direct supervisors for their court employees.

And so without judicial or judge buy-in, I think in Nebraska, it would be difficult for us to do an employee survey.

Lori Shemka (NCSC): Judge Brown, what were your first impressions to that question? [01:03:00]

Judge Len Brown (PA): I don't know why the judges wouldn't want to know what the employees are thinking. I guess it was my first impression that . . . I did not find it difficult in talking to my colleagues of any reservations that anyone had from our bench.

Now, we didn't ask the magisterial district judges, which are the judges that are a level below the court of common pleas. There's 19 of those. I don't know what their feelings were. But when we went out and talked to their staff, we generally had a conversation with them, and there seemed to be no, no animosity.

So my initial reaction is, why wouldn't the judges get on board? But that's just my experience here in...

Lori Shemka (NCSC): And thank you. And Chief Judge Bealor, what are your thoughts?

Chief Judge Carol Bealor (MI): Just be curious to know, "Why?". I mean, I would want to make an effort to try to gain that buy-in [01:04:00] because maybe there's a

misunderstanding of what the survey is for or what the need for it is when everyone's busy or something.

But I would be curious about that. But secondly, I guess, it depends on the level of the kind of survey you want to do. So if the culture is not such that you feel that this particular survey would benefit you, I can see that you might want to start in a department or something first. To have some success because I know when I came to the courts 12 years ago, we did start small with a lot of these projects to see would it work.

And we've replicated that in a lot of areas with different ideas. So I guess, I don't know what the National Center for State Courts would think about that. But I think there would be a way to do it smaller first, if you were worried that you didn't have across-the-board buy-in. But I would be curious, like I said, because sometimes when I think I'm experiencing reluctance, it's really a lack of understanding by all concerned about what we're really trying to [01:05:00] accomplish and by communicating about those things, sometimes we can, you know, achieve agreement on those things.

Lori Shemka (NCSC): Thanks. And Chief, if you can unmute yourself, I want to tag on something else, pivot a little bit. Like like many other courts in the country, in your court, you have these elected or appointed jurists, but some of your court records are maintained by an independently elected constitutional officer or county clerk.

And so you have overlap of interests and all of that. And can you share with us some of the work that you and your predecessor have done over the years to do this type of work involving those in [01:06:00] employees where there's that overlap?

Chief Judge Carol Bealor (MI): Yeah. I mean, we're really fortunate because we have a really great relationship with our county clerk/register. And her people who run our circuit court file room sit right next to my probate court employees.

And so this has actually been in the works prior to me with my predecessor when I was court administrator. But we now have, since I came to the bench, a memorandum of understanding with our clerk and she retains all of her constitutional and statutory responsibilities. But actually her clerk employees in my building that sit next to my court staff are being supported by my court administrator.

We have like, for example, regular monthly supervisor meetings to check in and just support them. And that's just been really phenomenal because like when we did this survey, we included them in the survey. And we just tried to create a culture of inclusiveness and including them understanding [01:07:00] that the clerk is still there.

You know, their constitutional boss, but they get daily support. And I call it support because that's what they asked for. They asked for more support because unfortunately she's located in a different building. And so she wasn't able to directly support them. She was always available and willing, but there is a problem when you're in a different building from the people that you supervise.

So I just love that we work together to create something that would work for everyone. And we've had very positive feedback from the employees on this. Because they do feel

more supported now. And in reality, those employees were coming to me when I was court administrator, or even me now that I'm chief judge and to Sarah and to other people to get that support in the past, but there was a little bit of, they felt like, "Oh, I'm going behind my boss's back or something."

And that was not the case. And we always shared information in the past, but now they've been encouraged. Hey, we're all working on stuff together. And that's just really a wonderful thing.

Lori Shemka (NCSC): Okay. Fantastic. Thank you for that. I think we're going to end on this positive note. [01:08:00] I want to thank everyone, our panelists and attendees for sharing part of your day with us.

We are grateful and hope you will consider using the Employee Viewpoint Survey as you continue to work to develop employee success and grow employee engagement in your court workplace. Again, this session was recorded and it will be available online in a few days. Now, if you'd like to learn more about how the National Center can help implement the Employee Viewpoint Survey in your court, please contact our other Managing Director, Kristen, at the email address listed on this slide, ktrebil@ncsc.org, and please include in the subject line, Court Employee Survey. Thank you again for joining us. We hope you have a safe day.