

GOVERNANCE

Wahl Commission schedules public hearings

JP White

XXVI *Syllabus* 1, Winter 1995, p 2

Reports on the membership and charge of the Commission to Review the Substance and Process of the American Bar Association's Accreditation of American Law Schools. The Commission is chaired by Justice Rosalie E Wahl. The Commission's charge is summarised in the *Legal Education Digest* (vol 3 no 3). The article reports that deans have been asked for comments and views and that public hearings will be held. The Commission is to report by August 1995.

HISTORY

[no material in this edition]

INDIVIDUAL SUBJECTS/AREAS OF LAW

[no material in this edition]

INHOUSE CLE

[no material in this edition]

INSTITUTIONS & ORGANISATIONS

[no material in this edition]

JUDICIAL EDUCATION

Evaluating the impact of judicial education

L Armytage

4 *J Judicial Admin* 3, Feb 1995, pp 143-170

Evaluation is the process of assessing the value or worth of an educational endeavour, in terms of its effectiveness in accomplishing its goals or results. Evaluation serves two fundamentally different functions. The first is to provide institutional accountability or justification to external or sponsoring bodies. More recently evaluation has also become important in providing a learner-based method of assessing the personal worth of the individualised learning process.

In the domain of judicial education the provision of self-assessment is appropriate given the implications of judicial independence. However, evaluation must also provide the means to assess the value of judges' own continuing education on the systematic performance of the justice system.

Consequently the evaluation process will vary in accordance with the purpose being met. The purpose of the evaluation must be clarified before a methodology of evaluation is selected. Judicial education will only provide value if it serves the purpose of equipping individual judicial learners with the tools to monitor and critique their own progress. The ultimate purpose of the evaluation of judicial education is to assess the value of continuing education on the professional performance of judges and the systematic performance of the justice system.

Evaluation embodies the assessment of outcomes against objectives. Such assessment involves measurements within a framework of standards defined in terms of behavioural proficiencies. For evaluation of judicial education a hybrid of quantitative and qualitative techniques is required. Evaluation of judicial education programs is usually by observation of the formalised appeal process. The reluctance of judicial educators to evaluate judicial education is due to the independence of the judiciary. But, rather than abandoning the endeavour, they should be searching for a distinctive evaluation model appropriate for judicial education.

The evaluation of judicial education is often inadequate, inappropriate and of limited utility. A review of the evaluation practices used in the United States, Britain, New South Wales and Michigan leads to the conclusion that the prevailing practice is deficient in concentrating on participant-reaction process evaluation at the expense of providing direct assessment of outcomes for the purpose of external accountability. This is largely a result of the difficulties of selecting assessment criteria, data collection, shortages of resources, measurement impediments and a lack of methodological rigour.

The current evaluation processes fail to accommodate the distinctive requirement of the doctrine of judicial independence. It is therefore necessary to develop a distinctive evaluation model to assess the impact of judicial education. A model titled the Judicial Systematic Performance Model is postulated to provide judicial educators with the means to