

HOW TO CONDUCT A FUTURES VISIONING WORKSHOP

For the Commission on the Future of the Tennessee Judiciary
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First of all, we need to remind ourselves, and SJI, where visioning fits into the overall process. Presumably we want to end up with the people responsible for the day-to-day administration of the courts in Tennessee making their daily decisions on the basis of a long range vision for the future of Tennessee and of the Tennessee courts. That vision itself should be the basis of a strategic plan, and that strategic plan be the basis of highly specific functional plans (or operational decisions--whatever you choose to call them) that administrators use to make their day-to-day decisions (including all budgetary decisions, by the way).

But before the Commission attempts to develop a vision for the courts, it will have spent some time 1) reviewing (and praising where appropriate) the history of the courts (and the state); 2) clearly acknowledging the rationale, structure, process, and mandates--including the weaknesses and problems (as well as strengths and advantages)--of the present judicial system; 3) identifying the major trends and events (within the courts, in the state, nation and world) which might impact the courts (including the structure, operation, and personnel of the courts; their caseload, including changes in the law or the consequences of past laws); and 4) experiencing what the work of the courts and the administration of justice might be like if the future were different in one of several ways from the way it is now, or has been historically.

While this is going on, the members of the Commission have also been working in (four?) separate working groups (namely: ????) in order better to understand the history, present situation, and possible futures of those specific aspects of the courts.

Now the Commission is ready to begin to envision a preferred future for the courts during a (how long? one, two, three days?) workshop.

The Commission has obtained and reviewed the Guidebook, "Reinventing Courts for the 21st Century," and the accompanying video (Is this true? If so, how many people will have reviewed the Guidebook and/or seen the entire video? [all members of the Commission, or only some select members?] and when [before the visioning workshop, or during it?]. If this has not been done, should it? It seems to me a good idea to show SJI that we are using their products somehow.

Assuming that the workshop we are considering here will focus only of visioning, since the things necessary to lead up to it have been done, and the things necessary to follow from it will be done, and that the workshop is about two days long, then following loosely the Sample Agenda Three, page 69f, of the Reinventing Courts Guidebook seems appropriate:

1. Ask all participants in the workshop to come to the workshop with their personal vision of the future of the courts already written down, ready to share with others (to do that, you need to give them plenty of time before the workshop to think about this, and you need to remind them of where "visioning" fits in the overall work of the commission. Also refer them especially to p. 112f of the Guidebook).

2. The workshop opens with Very Important People (eg., the CJ and head of the Commission, etc.) reminding everybody that this is a very important and serious activity. Don't take today lightly. The future of the courts literally depends on how well you do your work today. This is the heart of the all the work the Commission is to do. So do your very best, as conscientiously as you possibly can.

And yet today should also be great fun. We want you to be as creative, imaginative, and optimistic as possible, so don't hold back: go for it; reach for the stars (and other words like that coming very sincerely and earnestly from the mouths of Very Important People).

The facilitator (me?) will then go over what it is we will be doing so that everyone will have a sense of how every part fits into the whole, and how today fits into past and future activities of the Commission. (It's OK for the Very Important People to have said the same thing; I will merely reinforce it from my Mere Facilitator's view).

3. I will then lead the group in a short visioning exercise to warm them up and to model two very different visions of the future of the courts.

4. We will then break into dyads, and ask each person to share with a partner her vision of the future of the courts (p. 74f of Guidebook).

[SHORT BREAK]

5. Each dyad then forms into a small group (of 6, 8, or 10 persons), and each person tells the rest of the group her partner's vision (with the partner adding or subtracting to her report as necessary) [p. 114f of Guidebook]. But there is no criticism of anyone else's vision by anyone else. NONE! Also when participating in each and every segment of this workshop the rule for everyone is: "Be creative; be positive; be brief; be silent."

After the vision of every person in the small group has been shared, the group as a whole will try to determine what the commonalties and differences of the group might be (remember: no criticisms!). Some member of the group needs to be chosen beforehand to facilitate this discussion, and some person not a member of the group--a student, or court employee not part of the Commission, etc.--should join the group at this stage and act as reporter for the group. Each group also needs space separate from other groups (either well-separated in a large room, or in separate small rooms of their own) where the reporter can try to capture the essence of their vision on poster paper (or the like) on a wall where all members of the small group can see what is being written. The small group works until it has either reached a consensus on a

single vision, or (more likely) decided what the essence of the different visions are.

[BREAK FOR LUNCH]

6. The reporter then (if necessary) re-writes the essence of these visions on new poster paper. If possible, diagrams, arrows, drawings, and other visuals are added by the reporter either while taking the notes originally, or in transcribing them now, so that the essence of each vision can be understood by others as clearly, dramatically, and quickly as possible. Each reporter then posts the visions on a wall in the large common meeting room besides all of the other small group visions so that everyone can come up and review all of the visions from all of the groups.

[LUNCH BREAK IS OVER]

7. After everyone has had a chance walk up to and look over each groups' vision, someone from each group explains to the group as a whole what their group's vision, or visions, is/are.

8. Different small groups will then be formed in the large room, and each will be asked to review what is on all the poster papers, and see if there are any vision statements or components missing that they would like to add to what is already on the wall. This is only adding new things in order to be sure everyone's vision is expressed. However, if someone feels a vision they expressed was inadequately stated on the wall poster, they should use this opportunity to see that it is better stated. However, people should not criticize what is on the wall, nor should they try to combine seemingly similar statements into a smaller number of statements--that will come later.

9. The small groups report back, and any new items are added to those on the wall and/ or existing items are modified.

[SHORT BREAK]

10. New and different small groups are formed, and their task is only to identify the possible side effects (good or bad) of the vision items. This is a first approved chance to criticize what has been suggested, or to point out consequences perhaps unforeseen by those who proposed them. These ideas are reported back to the group as a whole, and discussed.

11. If there are two or more clearly different and seemingly incompatible visions (eg., one clearly rejecting any form of new technology and wanting to restore face-to-face Native American forms of dispute settlement, and another wanting to embrace every form of technology possible so as to integrate all state courts and the US federal courts into a single national system, on the way to forming a single global judicial system) then two or more larger groups will be formed to flesh out the details of these seemingly incompatible visions, by following the process outlined below. While a single consensual vision is the ultimate goal here, do not squelch any visions at this point; in fact work towards a consensual vision which combines even the seemingly incompatible ones.

12. If it seems possible (or preferable) to work as a group towards a single vision immediately, then the facilitator will work with the group as a whole to reduce the diversity of statements. To do this, each person is given five silver stars and one gold star. They are told to walk up to the posters on the wall, put their gold star on the statement they most favor, and their silver stars on the five other things they favor (or they can put more than one silver star--up to all five--on some statement(s) they particularly favor, including the one they put their gold star on).

[BREAK FOR SUPPER]

13. The organizers and facilitator then review what the group as a whole has done, and sees if some adjustments need to be made in order to see that some obviously important, but not sufficiently popular, idea(s) need(s) to be included. The results are then arranged in some kind of an order by the organizers and facilitator, and written down. Copies are given to all participants. There then needs to be a period for individual reflection and informal discussion on what has been done--preferably overnight.

[NO FORMAL PROGRAM IN THE EVENING TO FACILITATE INFORMAL DISCUSSION AND INDIVIDUAL REFLECTION]

14. The group as a whole meets again, and there is a general discussion aimed at determining (one or more) final list(s) of vision-components. The group as a whole does NOT try to write a finished vision statement. Rather the final list(s) is/are given to (a) small committee(s) which work(s) on a polished statement to be presented to the commission the next time it meets--some weeks hence.

15. So the actual vision statement is not written at this workshop, but rather the workshop provides material for a subcommittee of the Commission to draft one. The Commission as a whole then discusses and (if necessary) revises that draft, and ultimately approves a vision statement, trying to be sure that the vision is really visionary, future-oriented and futuristic, clear and compelling, but still acceptable and thus actionable in the present.

Of course, the vision is not directly actionable. Rather, the vision is used for the next part of the process, which is creating the strategic plan, and then the functional plans, or whatever determines the day-to-day actions of judicial administrators. It is also possible to go back and revise the vision statement on the basis of new insights gained in the strategic and operational planning phases as well.

Indeed, all of this MUST be part of a continual cycle of reconsideration and revisioning. This must NOT be a one-shot snapshot of the future which will be cast in concrete and used to create a "blueprint for the future of the courts." The entire process must be dynamic and continual--like driving a car or steering a boat towards some predetermined destination, all the while monitoring the surrounding environment and reconsidering your final destination on the basis of new threats, new opportunities, and new dreams.

NOTES:

1. Please realize that I know that all of this, including the placement of the breaks, is strictly tentative at this point. Let's just use it to approach reality.
2. I am assuming a workshop of a day and one half, with the second half of the second day reserved to allow the vision-drafting subcommittee to meet and begin their work. This can of course be expanded or shrunk.
3. Also, we need to determine exactly how long each of the numbered components might take. Where I have placed the breaks gives some sense of that.
4. If it is possible to "mood control" the room with different lights and music for the different phases of the process, this is a good idea, too--if done well!
5. Presumably the exercises (or something like them) in the Guidebook on p. 86f ("Asking fundamental questions for the judiciary") and 100f ("Removing constraints on visionary thinking") will be experienced by the Commissioners before the vision workshop, perhaps in the working group sessions, or in the instructions sent out to the participants before the vision workshop.
6. I look forward to your comments on all of this!