

# Leading Change—How to Stimulate and Manage New Directions in Courts Court Leadership Academy

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# Goals for today

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- 1** Help you improve your **planning and analytical skills** in understanding major change dynamics.

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- 2** Help you see yourselves as “**change leaders**” able to recognize and effectively deal with change.

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- 3** Provide a set of **tools, techniques, and ideas** for working through “turbulent change” using **culture as a critical asset.**

# Our agenda

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<b>8:45 - 9:00AM</b>	<b>Welcome and Purpose of the Program</b>
<b>9:00 - 9:45AM</b>	<b>Leading Change in Turbulent Times</b>
<b>9:45 - 10:00AM</b>	<b>Break</b>
<b>10:00 - 11:30AM</b>	<b>Leading Change in Other Sectors: Panel Discussion with Leaders from Mayo Clinic and ASU Law School</b>
<b>11:30AM - 12:30PM</b>	<b>Finding the Future Inside: Culture and Change</b>
<b>12:30 - 1:30PM</b>	<b>Lunch</b>
<b>1:30 - 2:30PM</b>	<b>Leading Change: Creating Pull and Building a Coalition for Change</b>
<b>2:30 - 3:30PM</b>	<b>Return to Your Change Challenges</b>
<b>3:30 - 3:45PM</b>	<b>Break</b>
<b>3:45 - 4:30PM</b>	<b>Action Plans and Reflections</b>

# What are your learning goals for this session?

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- ▶ Take a few minutes to jot down your thoughts on what you want to get out of this program and how you can ensure that this opportunity contributes to your developmental path.
- ▶ Share your goals with a colleague.



# Leading Change in Turbulent Times

# Turbulence stretches our leadership capabilities

**Turbulence =  
Pace x Disruptiveness of change**

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- ▶ **Pace** = acceleration and volume of change
  - ▶ **Disruptiveness** = variety and severity of surprises and shocks
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**Result:** A fundamental disruption in the way many organizations operate



# Some of this turbulence comes from changes in how organizations function

## From...

- ▶ Command and control (*"I"*)
- ▶ Process and compliance
- ▶ Hierarchy
- ▶ Extrinsic motivation
- ▶ Obedience



## To...

- ▶ Distributed decision-making (*"We"*)
- ▶ Creativity and autonomy
- ▶ Collaboration
- ▶ Intrinsic motivation
- ▶ Negotiation

**The Industrial Age model no longer fits the emerging reality of twenty-first century organizations.**

# ... driving towards greater autonomy

## Shifts...

- ▶ Increased turbulence leads to **reorganization, downsizing, and overload.**
- ▶ Organizations become much more lean—spans of control increase, resulting in **more reliance on employees to manage themselves.**
- ▶ Length of time in one job, in one company, averages 4.6 years (Bureau of Labor Statistics).

## The Response...

- ▶ Work shifting to collaborators and “volunteers”—the “gig” economy
- ▶ Loyalty is redefined—loyal first to myself and my career
- ▶ I have to take care of myself—  
“You are the CEO of your life.”

**The leadership challenge:  
How to motivate others who you don't have authority over.**

## “Get comfortable with disruption...”



I’m not big into organizational charts because they can put people in silos. People have roles, but they should be porous...

One of the things I always look for in people is whether they’re comfortable with disruption and comfortable with a degree of confusion. If somebody wants total clarity, they’re not the person for me.

—Michael J. Dowling, chief executive of Northwell Health (formerly North Shore-LIJ Health System)



Source: Michael J. Dowling, quoted in Adam Bryant, “Michael J. Dowling: If It Can’t Be Done, You Haven’t Tried,” *The New York Times*, Corner Office, February 12, 2016.

# What forces of change are you experiencing?

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# Leadership is more challenging when you work in a “loosely-coupled organization”

**Complex-knowledge-based decisions**



**Rapidly changing  
Life; death; family;  
property; freedom**

**Professional  
autonomy**



**Judicial selection**

**Accountability v.  
autonomy**



**“My” cases  
conflict resolution or  
problem solving**

**Unpredictable  
connections**



**State-local-federal-  
tribal  
Executive-legislative-  
private sector**

# We can compare tightly-coupled and loosely-coupled systems

	<b>Tightly-coupled</b>	<b>Loosely-coupled</b>
<b>Structure</b>	All functions organized to achieve single set of objectives	Different parts of the system have their own objectives
<b>Leadership/ Authority</b>	Clear chain of command—authority granted by position	Authority located in many places—often earned through trust and collaboration
<b>Decision-making</b>	Leader makes decisions, re: distribution of resources	Many people are involved in decisions

# Loosely-coupled systems offer leadership opportunities as well as challenges

## Opportunities

- ▶ Can offer best of both worlds: **autonomy and interdependence.**
- ▶ Autonomy encourages innovation and decreases the likelihood of “groupthink.”

## Challenges

- ▶ System-wide change can be more difficult.
- ▶ If speed, direction, and alignment are needed, more effort is required to integrate the parts.
- ▶ Leadership is often undervalued.

## The Good News

- ▶ Loosely-coupled systems are flexible and adaptable, particularly through leadership intervention.
- ▶ Leaders with the requisite skills have many opportunities to shape the system.

# What change are you trying to drive in your organization?

## From...

- ▶ Slow and bureaucratic
- ▶ Staff-driven
- ▶ ...
- ▶ ...



## To...

- ▶ Efficient and agile
- ▶ Customer-driven
- ▶ ...
- ▶ ...

**What direction are you trying to set  
as a leader of change?**



**Break**

## PANEL DISCUSSION:

# Leading Change in Other Sections

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### Discussants:

- ▶ **Dr. John Caviness**  
Chair, Personnel Committee, Mayo Clinic-Scottsdale
- ▶ **Breeann Adelman**  
Senior Hospital Administrator, Mayo Clinic-Scottsdale
- ▶ **Douglas Sylvester**  
Dean, Sandra Day O'Connor College of Law, ASU
- ▶ **Melissa Harris Thirsk**  
Executive Director, Sandra Day O'Connor of Law, ASU
- ▶ **Mary McQueen**  
President, NCSC
- ▶ **Hon. Janet Barton**  
Presiding Judge, Arizona Judicial Branch in Maricopa County



# **Finding the Future Inside:**

Culture and Change

**In times of turbulence and change  
we can get stuck...**



# Don't rush to get unstuck

- ▶ We often rush to get unstuck...
  - ... by pushing change through.
  - ... or by trying to avoid or postpone it.
- ▶ What if we learn how to tap into the value and energy in being stuck?

And what if building a capability to get stuck and unstuck is **critical to success** in a world of continuous change?

# These are opportunities to “listen in” and learn

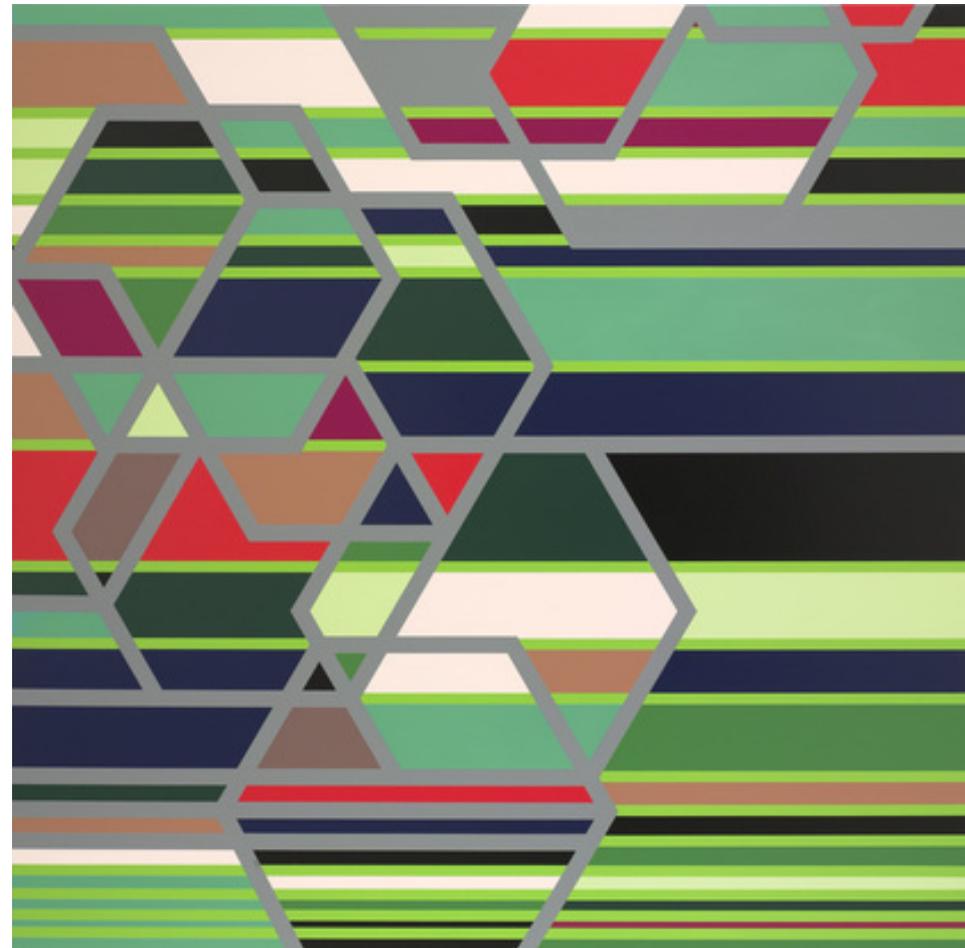
- ▶ Observe your organization like **an anthropologist**.
- ▶ Go **beyond what people say** to observe the actions and behaviors that show how they are thinking: how they see the problem through their lenses.
- ▶ Listening in involves:
  - Deliberately **taking a pause**.
  - Listening to individuals and groups about what’s going on—often as they go about their daily lives.
  - Capturing content in context.
  - Asking questions, using your feelings as data, and **recognizing signals** when your own assumptions are getting in the way.

**Be prepared to be surprised.**

## Getting many points of view

**No “one” version.** There’s no complete or correct version of “what’s happening.” Search for multiple perspectives.

**Seek out a mix of sources.** Imagine if all your information came from a disgruntled employee, one of the judges, a small contingent of lawyers, or an overstressed manager... or if it came from you alone?



# Go towards resistance

- ▶ Resistance is not a reaction to change—it's a part of every change implementation.
- ▶ Resistance is usually not about the person—it's about the system.
- ▶ Resistance provides useful feedback about how to work through it.



**Working *with* resistance is more productive than working against it.**

# Sharing your change challenges

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- ▶ In groups of 2 or 3 at your tables, share a change challenge you prepared in advance or one you are currently facing.
- ▶ What is the dilemma or problem you are facing in leading change?
- ▶ What actions you have taken or do you intend to take?
- ▶ What questions would you most like to address?

# Find the future inside

- ▶ Your organization almost surely has hidden assets and strengths to move in the direction that you want to go.
- ▶ And the beginnings of the change you want to make are already emerging in your organization.
- ▶ **“The future is already here, its just unevenly distributed.”** William Gibson, science fiction writer.



**Your organization’s culture is a  
“renewable resource.”**

## We call these “found pilots”

People, projects, and efforts where behavior is moving in the direction you want to go.

### “Found pilots”

because you  
discover them.

because they are piloting the  
behaviors you want to see—  
and you can learn from them  
and use them as a resource to  
make things happen.

**Found pilots help you change the culture by  
*working with it*, not trying to replace it.**

# Be careful or you'll miss them...

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## What found pilots are...

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- ▶ **Building blocks**
- ▶ **Raw material** to create buzz and attract others
- ▶ **Fragmentary early efforts**

## What they aren't...

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- ▶ **Complete models**, ready "as is" to replicate
- ▶ **Perfect examples** of the best
- ▶ If this is what you expect found pilots to be, **you'll miss them**

# Found pilots are diagnostic—they teach you how to make the change you're trying to create

**Texture & detail:** What do the new ways of working look like on the ground? How to describe them so others know what you're trying to do?

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**Structures & skills:** What will be needed for the new practices to thrive?

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**Differences:** How much of a stretch will it be?

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**Similarities to build on:** How is it like what we're already doing?



# Locate found pilots by “listening in”

- ▶ Observe like **an anthropologist**.
- ▶ Go beyond what people say to observe the actions and behaviors that show how they are thinking:
  - How they see the problem through their lenses.
- ▶ **“Listening in”** will help you understand how your culture can help or hold you back.
- ▶ Listening in involves:
  - Deliberately taking a pause
  - Talking to individuals and groups about what’s going on—often as they go about their daily lives
  - Asking questions, and recognizing signals when your own assumptions are getting in the way.

## APPLICATION:

# Identifying found pilots to advance your projects

On your handout, describe:

- 1. From/To** (completed earlier)
- 2. The desired change:** Describe (in just a phrase) the change you're trying to create. Make it as clear and concrete as possible.
- 3. Found pilots:** Identify a few found pilots that already display some aspect or element of the desired change.
- 4. For each pilot identify:**
  - ▶ What you can learn from this pilot?
  - ▶ Who are the key allies involved in this pilot

# If “the future is already here,” the work of leadership is very different

## If you have to *invent the future...*

- ▶ You create pilots to **nurture and support.**
- ▶ A leader’s job is to **persuade others to buy in.**
- ▶ **Enact behavior** to encourage and enable change.

## If pieces of the future are *already here...*

- ▶ Identify and shape what’s **already moving in the direction you want to go.**
- ▶ **Look for strategic opportunities** to highlight and spread change.
- ▶ **Put supports in place** to accelerate behavior change.



## **Creating Pull and Building a Coalition for Change**

# Motivation works differently in twenty-first century organizations

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**Push leads to compliance...**

You have to **manage compliance** to make sure it's happening, and it takes a lot of time and effort.

**Pull leads to commitment...**

People **manage themselves** because they're motivated by their own interests.

# Use influence to get others to help do the work of change

Influence and persuasion are **communication processes**, and a way of leading in complex organizations where you may not have authority.

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Good leaders use them as **tools to navigate in a shifting landscape of authority**—and it take constant practice.

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It's through influence and persuasion that leaders can **collaborate effectively and achieve their goals.**



# Politics

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**95 percent** of all organizations are political to “some” extent.

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Nearly half are political to a “very great” or “fair” extent.\*

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Political skills are the **strongest predictor** of performance ratings, outstripping by far both intelligence and personality traits.

\*Sources: “How Frequent is Organizational Political Behavior,” Wickenberg & Kylen; “Political Skill at Work”



# To work through resistance: use “pull”—it is stronger than “push”

## Push

- ▶ We make an assignment
- ▶ We convince you

People may be compliant, but they **often do just the minimum.**

## Pull

- ▶ You see an **opportunity**
- ▶ You want to **commit**

**People aim higher** because they're doing something they care about.



If you create “pull,” others will do the *work of change for you.*

# Get others to do the pulling for you

**Triangulate.** Aim “around” the target— Can you get others to pull on the target for you?

For example, campaigns to prevent drunk driving are often aimed at those around the drinker—the designated driver, the party host, the bartender.

## Handwashing in hospitals— triangulating to create pull

**The problem.** Hospital workers not washing their hands between patients is by far the biggest cause of infections that patients pick up in hospitals.

**The intervention.** Patients were taught the risks and instructed to ask doctors, nurses, and others: “Did you wash your hands?”

**The result.** 57% asked caregivers. Soap use rose 34%.

*Source: LDI Issue Brief, Volume 7, No. 3, Nov. 2001*

## And an example closer to home . . .

### Drug Courts: Triangulating to create pull

**The problem.** Defendants are cycling and recycling through the criminal justice system.

**The intervention.** Drug courts reduce recidivism, as measured by fewer re-arrests for new offenses.

**The Result.** Drug courts expanded and considered a best practice by national court reform organizations, mandated for certain defendants.

Source: National Drug Court Institute Research Update on Adult Drug Courts

# Make it easier, even part of a regular habit

## Embed the changes

The **pull of habit** is very strong. Can you embed the changes in what people are already doing?

## Give people a way to “start”

Can you get a foot in the door by **giving people a way to start**? Research shows that people who agree to a small commitment are much more likely to make a larger one later on.

## Infiltrate existing groups, events, processes.

People’s **time and attention are limited**. Can you piggyback on existing committees and events—or on processes like budget and planning cycles, training, or deployment of new technologies

# Engage stakeholders systematically

	More Powerful	Less Powerful
For	<ul style="list-style-type: none"><li>▶ Build coalitions among members of this group</li><li>▶ Link them with others</li></ul>	<ul style="list-style-type: none"><li>▶ Connect with those who are more powerful</li><li>▶ Keep them informed</li></ul>
Against	<ul style="list-style-type: none"><li>▶ Listen carefully to sources of resistance</li><li>▶ Find common interests</li><li>▶ Reframe where possible (e.g., through a strategic theme)</li></ul>	<ul style="list-style-type: none"><li>▶ Convert, if possible, or ignore</li><li>▶ Prepare to manage and respond to road blocks</li></ul>



# **Return to Your Change Challenges to Build Your Coalition for Change**

# STAKEHOLDER MAP: Driving Strategic Change

<b>State the Change You Are Trying to Create:</b>		<b>Found Pilots for your change:</b>	<ul style="list-style-type: none"> <li>▪ #1:</li> <li>▪ #2:</li> <li>▪ #3:</li> </ul>
<b>List of Stakeholders</b>	<b>Stakeholder's Interest in Your Change Project</b>	<b>Stakeholder's Influence (+/-)</b>	<b>"Pull" Strategies</b>

# REFLECTIONS

A person is seen from behind, sitting in a meditative pose on a grassy hill. They are wearing a light blue t-shirt and dark pants. The background features a vast landscape under a sunset sky with warm orange and yellow tones. In the distance, a town or city is visible, and a road winds through the fields. The overall mood is peaceful and contemplative.

# About NCSC

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The National Center for State Courts is an independent, nonprofit court improvement organization founded at the urging of Chief Justice of the Supreme Court Warren E. Burger. He envisioned NCSC as a **clearinghouse for research information and comparative data** to support improvement in judicial administration in state courts.

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NCSC is the organization courts turn to for authoritative knowledge and information, because its efforts are directed by **collaborative work** with the Conference of Chief Justices, the Conference of State Court Administrators, and other associations of judicial leaders.

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NCSC is able to return expertise to the courts in a variety of forms — from **web resources to hands-on assistance**. State assessments pay for the distribution of information from knowledge analysts and online sources, available free of charge to state trial and appellate courts and their administrative offices.

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The mission of the National Center for State Courts is to **IMPROVE THE ADMINISTRATION OF JUSTICE** through **LEADERSHIP** and **SERVICE** to state courts, and courts around the world.



# About CFAR

CFAR is a private **management consulting firm** that helps leaders create *superconducting* organizations in which talent and innovation flow freely across the enterprise. People own the changes they need to make, and behavior is aligned with strategy.

CFAR spun off from **The Wharton School** in 1987. We leverage our academic roots in strategy, finance and the social sciences to help clients manage complex organizational issues.

Our clients are **mission-driven organizations**—including health systems, academic medical centers, family enterprises, life science companies, universities, foundations and associations.

We **partner with our clients** to understand obstacles to their success and offer ideas, tools and approaches that improve outcomes and performance.

Named one of **America's Best Management Consulting Firms** for the second year in a row by Forbes

