***CASE STUDY***

TQM and the Government

The Importance of Leadership and Personal Transformation

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n the past decade, the government, including the judicial system, has looked to the private sector for improve- ment methods. The government has explored and implemented total quality management (TQM) with reasonable success. Analysis of three applications indicates the importance of two critical TQM principles: leadership commitment and establishing a common, unified organizational vision. This article exam- ines the application of TQM in the Oregon Judicial Department, Florida’s Fourth District Court of Appeal, and the Texas Department of Mental Health and Retardation, benchmarking their initia- tives and outlining the importance of leadership commitment as it relates to

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TQM success.

# Oregon Judicial Department

Some people believe TQM is a man- agement fad while others see it as a powerful approach for change. In the article “TQM or Not?”1 Crampton and

Keilitz report that court officials often ask questions about TQM’s applicability, such as “Should the courts adopt TQM?” “Are there unique factors that will result in failure when applying TQM to the courts?” and “Is there anything really new and innovative about TQM?” These authors identify the Oregon Judicial Department (OJD) as a court organi- zation that completed a state-funded quality improvement initiative. Its 1992 project focused on the appellate filing process, consisting of several customers and processes.

## Implementation Strategy

According to Keilitz and Crampton, the project included the following six stages:

* Initially, the steering committee selected a third-party training orga- nization to help develop a relevant education, analysis, and evaluation plan, providing the road map for the TQM initiative.



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* + The second stage focused on gathering internal and external customer expectations for all per- sonnel involved with the appellate filing process because identifying customer expectations is fundamental to TQM.
  + The appellate filing process was analyzed, and process metrics were established, including error rates and cost associated with appellate filing.
  + An outside firm conducted education and train- ing for individuals involved with the appellate filing method. Training targeted general TQM principles such as the team-based approach for process improvement, data analysis for decision making, identification of process improvement methods, and expected benefits realized from a successful TQM implementation.
  + Teams formed to represent the diverse organiza- tion applied the principles stressed during the educational sessions.
  + Finally, the teams proposed solutions to prob- lems discovered during the problem analysis phase.

## Results

Although Crampton and Keilitz state, “The documentation provided by the three project teams points to significant achievements,” they convey a degree of disappointment by noting, “Determining whether the OJD project was a suc- cess in a comprehensive sense may be analogous to the question of whether the glass is half full or half empty.” They point to the lack of leadership involvement and failure to convey an organiza- tion-wide vision as a possible explanation for the marginally successful TQM initiative.

## Implementation Analysis

Project results might have improved if the OJD leaders had introduced the concept of TQM as a management philosophy and espoused long-term commitment for continual improvement of court systems, rather than relying on the contractor to convey these important messages. Leaders must establish a clear, concise shared vision that the entire organization can support.

Furthermore, leaders should first attend edu- cation and training in the TQM discipline to demonstrate they fully understand and embrace the concepts before implementation begins. OJD

simultaneously trained leaders and participants, disregarding this important TQM concept. When TQM follows a top-down approach, leaders overtly demonstrate their indisputable support.

Without clear, decided direction, a TQM initia- tive is likely viewed as a short-term program or “flavor of the month.” Undoubtedly, this leads to skepticism and inhibits real cultural transforma- tion. A clearly articulated and cohesive purpose is essential to success. Crampton and Keilitz note, “the OJD planned to allow many other employees to attend the educational sessions to receive train- ing on TQM principles in the hope that a TQM management culture would be brought to other locations in OJD… Shortly after the beginning of the project, however, staff at the medium-sized court concluded that it could not devote the necessary time to participate. A new court was added, but it decided to focus on a separate work process not related to appellate filing.” So, only a few handpicked courts within the OJD actually completed the training, and the potential culture change was not realized. When leaders ignore the TQM principles of leadership commitment and establishing a common organizational purpose, the risk of reduced success or failure increases significantly.

Crampton and Keilitz assert, “Courts embark- ing on TQM must be aware of the stamina required for a transformation to a ‘real’ TQM management culture.” This important statement summarizes an often-ignored concept; TQM is not a program or a project but is a management philosophy requir- ing leadership, commitment, a central purpose, and education to generate an organization-wide cultural transformation. Failing to lay this critical foundation returns marginal results and can create cynicism.

# Florida’s Fourth District Court of Appeals

In contrast to the OJD case, a review of Florida’s Fourth District Court of Appeals provides docu- mented results that demonstrate TQM success is possible when leaders are fully committed, and they establish and communicate a clear purpose to the organization.

## Implementation Strategy

Warner, Beuttenmuller, and Wagenknecht- Ivey described the Florida initiative by outlining the improvement process used, the tangible and

intangible gains, and in true TQM fashion, outlined areas for improvement, as follows.2

* The court provided training in quality man- agement principles to all court employees, describing the initiative’s rationale.
* Then the court selected two quality improve- ment teams to improve specific court tasks related to original writs and summary appeals from post-conviction hearings.
* Teams formation included development of team charters and delineation of responsibilities.
* Each team met on several occasions to review its respective process. The first team utilized process mapping to identify non-value-added redundant stages, recommend areas requiring efficiency gains, and determine any non- necessary tasks to eliminate. Alternatively, the second team utilized a six-step problem- solving approach to identify target areas for efficiency improvement.

## Results

As a result, both teams developed and imple- mented well-considered improvement suggestions. For example, one of the team’s suggestions realized the following efficiency gains:

* Reduced time (30 percent) required for the deputy clerk to set up the court.
* Reduced waiting time to make copies.
* Increased attorney availability due to flagging of relevant pleadings.
* Reduced time to move appeals to assigned judges.

Similarly, the second team reported the produc- tivity increases described below:

* Reduced memo preparation time through use of a standardized checklist.
* Improved quality (consistency) through imple- mentation of that checklist.
* Reduced preparation time through standardiza- tion of orders.

Many intangible benefits also occurred, accord- ing to the authors covering the Florida initiative. For instance, the entire staff became familiar with structured problem solving. Staff involve- ment in the process created a sense of ownership and excitement for the initiative, and everyone gained an increased understanding of the court processes.

## Implementation Analysis

The case study authors concluded that TQM can induce process improvement, increase process efficiency, elevate job satisfaction, and provide the necessary accountability mandated by Florida legislation.

Of course, opportunities for improving this initial approach also were identified. Participants recommended that the training sessions have more focus, emphasizing concepts that apply directly to the session participants’ particular jobs. Many staff members believed that a more efficient involvement process could be developed to improve the ratio of invested time to benefits attained. In particular, staff felt that better defini- tion of the problem statements would increase teams’ effectiveness and efficiency.

The shortfalls identified for OJD were not issues in the Florida initiative, where leadership commitment and judicial involvement clearly were demonstrated. “Judicial involvement in each project was critical. Not only did the judges lend a sanctioning authority to the project, but also they were readily available to divert the team from developing a recommendation that would be unacceptable to the judges. In all, their com- mitment and involvement were instrumental, indeed, essential in helping the project succeed,” reported the authors.

Additionally, the Florida Court established a unified goal that was understood and commu- nicated throughout the organization. Although two distinct teams with divergent objectives were established, the organization’s over-arching goal was clear— improve faltering court processes by applying TQM principles to fulfill the require- ments of Florida legislation, which mandated use of an effective strategic planning process and implementation of a quality management program. All court personnel participated in a brief overview that outlined the primary philoso- phies of TQM, including the legislature’s intended purpose.

“The intent of these sessions was to inform all judges and staff about the project and introduce them generally to quality improvement princi- ples,” explain the writers who covered the Florida court project. They go on to say, “When starting a project, the entire court should be informed generally about quality improvement processes and goals of the courts in instituting the project.

A court-wide educational session may not be the best way to do this, however. Nevertheless, judges and staff should be kept informed of the teams’ progress, have input into the process where appro- priate, and be informed of the changes that will be coming.”

# Texas Department of Mental Health and Retardation

In the early 1990s, the Texas Department of Mental Health and Retardation embarked on a TQM initiative. Just as many other organizations have discovered, TQM implementations come with a host of challenges— in particular a lack of top-down involvement, such as that described in the first of W. Edwards Deming’s famous 14 points: “Create constancy of purpose toward improvement of product and service, with the aim to become competitive and stay in business, and to provide jobs.”3

In the case of the Texas Department of Mental Health and Retardation, however, the key barriers to TQM implementation involved the personal transformation required by individuals, rather than leadership commitment, according to William

* 1. Rago’s account in the article “Struggles in Transformation: A Study in TQM Leadership, and Organizational Culture in a Government Agency.”4 The issues experienced in this Texas initiative are relevant to all organizations that are considering where to adopt TQM.

## Key TQM Struggles

Rago describes four areas where leaders who have adopted the tenets of TQM can personally demonstrate their commitment and positively affect the organization: purpose, empowerment, coordination, and communication. The impact of these factors is sufficient to jeopardize the success of the TQM implementation.

Commitment to personal change by senior man- agement is as important as supporting the overall TQM effort. Rago contends, “We have found that those senior managers who have yet to personally transform their approach to work rarely seem to have the time or energy to participate actively and effectively in the group work that is necessary for the development of a mission and vision.”

Managers who have not grasped the value of TQM or who do not understand how TQM really works perceive that their workload will increase sig- nificantly—even double. In most cases, they already

are pressed for time and energy, so this percep- tion can undermine their potential commitment. Instead they need to shift paradigms and change the way they manage subordinates by embracing a more empowering approach. “They have to become more trusting of their subordinates, more willing to accept the merit and validity of decisions made in meetings they no longer attend,” surmises Rago. Coordination of activities such as goal setting and strategic planning amongst individual organiza- tions within the department also proves an essential element of a TQM initiative. In this instance, 63 organizations were required to coordinate activities. The department previously developed goals and strategic plans; however, Rago explains, “We want to be clear, it is not the absence of goals or a strategic plan that concerns us; we have always had these. It is the inability to relate these documents to opera- tions that is a barrier. In the absence of functional goals, cross-functional management is very difficult. Before managers are willing to have their particu- lar division subordinate to the whole, they need to agree with and support the direction the entire

agency is taking.”

As previously mentioned, top management’s communication of the organizational vision is essential. Although the agency’s leaders collectively developed policy, they struggled with becoming personally involved in its deployment. When they had not personally transformed, they failed to set aside sufficient time to promote the policy. They didn’t understand the potential value gained if they were more obvious in their support of the TQM implementation.

# Conclusion

These three case studies of TQM implementa- tion in government agencies make it clear that leadership involvement is an essential aspect of success. Not only do the leaders need to ensure that they clarify the purpose of their organiza- tions’ TQM initiatives, but they also need to adopt a new personal philosophy and demonstrate their changed mind-sets as they become directly involved in the cultural transformation. This per- sonal commitment becomes obvious to staff as the leaders communicate new policies, participate in education and training, increase empowerment, and take part in myriad activities to support the implementation.

As evidenced in Florida’s Fourth District Court of Appeals, a perfect implementation is not

required for an organization to succeed. Real-life experiences point to continuous improvement opportunities, reinforcing the principles of TQM. A strong leader-led launch, continuing long-term support, and a willingness for leaders to change styles are far more critical.

Taken as a whole, TQM in the government is a value-added, successful endeavor. By examin- ing marginally and highly successful initiatives, the imperatives become clear. TQM is not a finite program, project, or initiative. It is a management philosophy, guided by leadership and a common vision that requires a new mind-set and cultural paradigm shift, and consequently results in signifi- cant quantifiable benefits.

***References***

1Scott Crampton and Ingo Keilitz, “TQM or Not?” *The Court Manager,* Vol.10, No. 2, 1995, pp. 21-28.

2M. C. Warner, M. Beuttenmuller, and B.J. Wagenknecht- Ivey, “Improving Court Operations: A Quality Improvement Project in Florida’s Fourth District Court of Appeal,” *The Judges Journal,* Vol. 41, No. 2, 2002, pp.16-21.

3W. Edwards Deming, *Out of the Crisis,* Massachusetts Institute of Technology, Center for Advanced Engineering Study, 1986.

4William V. Rago, “Struggles in Transformation: A Study in TQM Leadership, and Organizational Culture in a Government Agency,” *Public Administration Review,* Vol. 56, No. 3, 1996, pp. 227-234.

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For information on other articles that discuss the implementation of TQM in the courts and government, check [**www.asq.org/pub/jqp.**](http://www.asq.org/pub/jqp)



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# “Total Quality Management in the Courts: A Handbook for Judicial Policy Makers and Administrators”

* + 1. B. Aikman, National Center for State Courts, 1994.

**Excerpt:** “…This handbook identifies the key prin- ciples, tools, and procedures and expands on TQM being an attitude… This handbook is offered to judges, clerks, court administrators, and chief pro- bation officers interested in learning about TQM in the unique context of courts. It also provides pointers to those wishing to start and sustain a TQM program. This handbook will not substitute for the careful planning process that must be fol- lowed in each court to have a successful TQM program. It will, however, enable the reader to understand the concepts of TQM and to under- stand how TQM can be used in courts…”

**“Law Firm Pioneers Explore New Territory”** Nancy Blodgett, *Quality Progress,* August 1996, pp. 90-94.

**Abstract:** Attorneys who participate in total qual- ity management (TQM) initiatives can improve customer satisfaction as well as their own work environment. Three law firms have done especially well in managing the cultural changes of TQM, in an industry that can be slow to change. These firms are among the 10 participants in the American Bar Association’s pilot program for client-focused con- tinuous-improvement programs. Turner, Padget, Graham & Laney used Stephen Covey’s principles to develop a mission statement and a new com- pensation system. The traditional compensation system of billable hours is being replaced by annual agreements based on the needs of both clients and attorneys. At Phillips, Lytle, Hitchcock, Blaine & Huber, 46 quality improvement teams have improved processes such as preparation of loan-closing documentation, mail sorting, forms development, and fax deliveries. Improvement teams at Mays & Valentine have increased the promptness of phone call responses, outsourced some copying operations to Xerox, and explored

alternative billing methods. The success of these firms suggests that the first steps in TQM imple- mentation may best take place in administrative processes. The article includes an adaptation of Deming’s 14 points to law firms.

# “Quality Comes to Criminal Justice: Reengineering Core Processes in the Courthouse”

Stephan D. Bloomfield, *Journal of Quality Management,*

Vol. 3, No. 2, 1998, pp. 225-240.

**Excerpt:** “Although the principles and techniques of quality management are increasingly being applied within public sector organizations, most implemen- tations involve processes that are routine and highly structured. This article reports on a public-sector reengineering project that successfully addressed a less structured core process: the efficient use of courthouse facilities and staff in a county’s dis- trict and circuit courts. The principal focus of the article is the team-based procedure through which standard quality management concepts and tech- niques were reconceived to permit their successful application in this nontraditional context. The article also describes the results obtained through implementation of the reengineered processes…”

# “Total Quality Management and the Law: A Survey of Legal Issues Relating to Implementation of TQM”

Harold Federow, *Commercial Law Journal,* Spring 1993, pp. 96-116.

**Abstract:** Total quality management (TQM) is an improvement technique that espouses coopera- tive efforts between manufacturers and suppliers. It can generate significant advantages; however, in some cases, this collaboration may put manu- facturers at risk for insider trading, antitrust violations, and product liability actions. Misuse of shared information in stock trading is one area of concern and so are undue restrictions on trade. This article describes how TQM implementation is affected by current legal principles that impact the business environment.

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TQM and the Government

Additional References

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# “Improving Productivity in Federal Courts Through Participation

David K. Hendrickson, *Federal Probation,* March 1996, pp. 11-20.

**Excerpt:** “…Over the last two and a half years, the Federal Judicial Center (FJC) has worked with the federal courts to develop and implement a project entitled ‘Maximizing Productivity in the Courts.’ This project helps interested court managers intro- duce and implement any of three management strategies: team-based management, total quality service or TQS (also known as total quality man- agement), and process improvement. All three of these strategies have a history of success in the private sector and have increasingly been applied in government. The Maximizing Productivity proj- ect helps court managers identify an approach that is right for their court. They begin by attend- ing a three-day orientation workshop to learn about all three strategies and hear from panels of court managers and staff who are currently using them…”

# “TQM: Surviving the Cynics”

Jonathan Walters, *Governing Magazine,* [http://](http://www.governing.com/archive/archive/1994/sep/tqm.txt) [www.governing.com/archive/archive/1994/sep/](http://www.governing.com/archive/archive/1994/sep/tqm.txt) [tqm.txt,](http://www.governing.com/archive/archive/1994/sep/tqm.txt)

**Excerpt:** “The quality movement is stronger than ever in government. But its success is likely to be measured in many small victories, rather than sweeping reforms… Which brings it all back to the most cosmic of questions begged by TQM: Can ingrained human behavior really change? Will labor start trusting management? Will manage- ment give power to labor? Will politicians invest in long-term, gritty management reform? Will legislators deliver freedom and flexibility? Will voters ever understand any of it?… And, in spite of the formidable obstacles to implementation and the slow progress, the ranks of labor and manage- ment, and even—ever so slowly—politicians who support TQM, are growing. And while anyone expecting TQM to reinvent government anytime soon had better be patient, so too, it seems, should anyone with plans to wait TQM out.”

**2** The Journal for QualiTy & ParTiciPaTion *October 2009*