

Let's Talk about Ethics for Tennessee Judges

Hon. Thomas Fowler
November 3rd, 2023



Thank You Veterans



Learning Objectives

After this presentation, you will be able to:

1. Understand the Tennessee Board of Judicial Conduct;
2. Discuss the Tennessee Judicial Canons;
3. Integrate Procedural Fairness in Your Court; and
4. Summarize Disciplinary Actions Around the Country

Tennessee Board of Judicial Conduct

- The Board of Judicial Conduct was established by statute (T.C.A. §17-5-201) in 1979.
- The Tennessee General Assembly established the commission and approved the laws and rules governing due process for accused misconduct of the judiciary.



Tennessee Board of Judicial Conduct

- July 1st, 2019, the existing membership was vacated and reconstituted.
- Now consist of sixteen (16) members.
- Two (2) current or former trial judges, to be appointed by the Tennessee trial judges association.



Tennessee Board of Judicial Conduct

- One (1) current or former general sessions court judge, to be appointed by the Tennessee general sessions judges conference.
- One (1) current or former municipal court judge, to be appointed by the Tennessee municipal judges conference.



Tennessee Board of Judicial Conduct

- One (1) current or former juvenile court judge, to be appointed by the Tennessee council of juvenile and family court judges.
- One (1) current or former court of appeals or court of criminal appeals judge, to be appointed by the Tennessee supreme court.



Tennessee Board of Judicial Conduct

- Two (2) members who are attorneys licensed to practice law in this state but who are not current or former judges, to be appointed by the governor.
- Four (4) members, including three (3) who are neither a judge nor an attorney and one (1) who is a current or former judge, to be appointed by the speaker of the house of representatives.



Tennessee Board of Judicial Conduct

- Four (4) members, including three (3) who are neither a judge nor an attorney and one (1) who is a current or former judge, to be appointed by the speaker of the senate.



Tennessee Board of Judicial Conduct

- Appointments are staggered but members serve three year terms.
- Each member is eligible for 1 or 2 additional consecutive three year terms.
- Vacancies for unexpired terms are filled for the remainder of the original term.
- Vacancies are filled in the same manner as the original appointment.



Tennessee Board of Judicial Conduct

- A member who has served the maximum term is eligible for reappointment after the expiration of three years.
- The Board shall select its own chair from among the current or former judges serving on the board.
- The Chair shall serve as a direct liaison to the members of the general assembly.



Tennessee Board of Judicial Conduct

- The Chair shall divide the board into:
 - 5 investigative panels of 3 member with each panel having at least 1 current or former judge; and
 - 3 hearing panels of 5 members each with 2 panels composed of 3 nonjudicial members and 2 judicial members.

Tennessee Board of Judicial Conduct

- Members of the board receive no compensation. They may be reimbursed for food, lodging, and travel expenses pursuant to supreme court policies and guidelines.
- The appointing authorities, in making their appointments, shall strive to ensure the makeup of the board reflects the diversity of persons in Tennessee.



Tennessee Board of Judicial Conduct

- Monthly reports are due by 20th to the civil justice and criminal justice committees of the House and Senate.
- Quarterly reports are due by the 20th of January, April, July, and October to the same committees.

Tennessee Board of Judicial Conduct

- Quarterly reports are broken down by the following categories:
 - Failure to comply with the law;
 - Bias, prejudice, and unfairness;
 - Discourtesy;
 - Abuse of office;



Tennessee Board of Judicial Conduct

- Delay;
- Ex parte communication;
- Disability;
- Political violation;
- Recusal; and
- Miscellaneous.

Jurisdiction and Proceedings

§17-5-301/311

- Section 17-5-301 - Powers of board - Disciplinary counsel
- Section 17-5-302 - Investigation and action if reason to believe judge is disabled
- Section 17-5-303 - Investigations of complaints by disciplinary counsel - Recommendation by disciplinary counsel - Action by investigative panel

Jurisdiction and Proceedings

§17-5-301/311

- Section 17-5-304 - Investigation and dismissal of groundless complaint
- Section 17-5-305 - Immunity of members of board, disciplinary counsel, and their staff
- Section 17-5-306 - Formal charges - Answer - Failure to appear - Stated sanction

Jurisdiction and Proceedings

§17-5-301/311

- Section 17-5-307 - Hearing - Quorum - Clear and convincing evidence
- Section 17-5-308 - Dismissal of charges or imposition of sanctions - Findings and judgment - Moot removal recommendation
- Section 17-5-309 - Appeal by aggrieved judge

Jurisdiction and Proceedings

§17-5-301/311

- Section 17-5-310 - Action of board affirmed - Transmittal of recommendation of removal to general assembly
- Section 17-5-311 - Conflict between timeframes

JUDICIAL DISCIPLINE & DISABILITY COMMISSION

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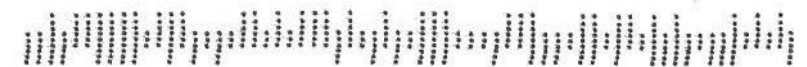
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US POSTAGE

PERSONAL AND CONFIDENTIAL

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**The most
dangerous phrase
in the language is
'We've always done
it this way.'**

– Grace Hopper





Tennessee Judicial Canons: Preamble

- [1] An independent, fair and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of men and women of integrity, will interpret and apply the law that governs our society.



Tennessee Judicial Canons: Preamble

- Thus, the judiciary plays a central role in preserving the principles of justice and the rule of law. Inherent in all the Rules contained in the Iowa Code of Judicial Conduct are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system.



Tennessee Judicial Canons: Preamble

- [2] Judges should maintain the dignity of judicial office at all times, and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity, and competence.



Tennessee Judicial Canons: Preamble

- [3] The Code of Judicial Conduct establishes standards for the ethical conduct of judges and judicial candidates. It is not intended as an exhaustive guide for the conduct of judges and judicial candidates, who are governed in their judicial and personal conduct by general ethical standards as well as by the Code.



Tennessee Judicial Canons: Preamble

- The Code is intended, however, to provide guidance and assist judges in maintaining the highest standards of judicial and personal conduct, and to provide a basis for regulating their conduct through disciplinary procedures.



Tennessee Judicial Canons: Scope

- The Code of Judicial Conduct consists of four Canons, numbered rules under each Canon, and comments that generally follow and explain each rule. Scope and terminology sections provide additional guidance in interpreting and applying the Code. An application section establishes when the various rules apply to a judge or judicial candidate.



Tennessee Judicial Canons: Scope

- The Canons state overarching principles of judicial ethics that all judges must observe. Although a judge may be disciplined only for violating a rule, the Canons provide important guidance in interpreting the rules.



Tennessee Judicial Canons: Scope

- Where a rule contains a permissive term, such as "may" or "should," the conduct being addressed is committed to the personal and professional discretion of the judge or candidate in question, and no disciplinary action should be taken for action or inaction within the bounds of such discretion.



Tennessee Judicial Canons: Scope

- The comments that accompany the rules serve two functions. First, they provide guidance regarding the purpose, meaning, and proper application of the rules. They contain explanatory material and, in some instances, provide examples of permitted or prohibited conduct. The Comments should be read in conjunction with the Rules and as aids to the interpretation and application of the Rules.



Tennessee Judicial Canons: Scope

- Therefore, when a comment contains the term "must," it does not mean that the comment itself is binding or enforceable; it signifies that the rule in question, properly understood, is obligatory as to the conduct at issue.



Tennessee Judicial Canons: Scope

- Second, the comments identify aspirational goals for judges. To implement fully the principles of this Code as articulated in the Canons, judges should strive to exceed the standards of conduct established by the rules, holding themselves to the highest ethical standards and seeking to achieve those aspirational goals, thereby enhancing the dignity of the judicial office.

Tennessee Judicial Canons: Scope

- The Rules of the Code of Judicial Conduct are rules of reason that should be applied consistent with constitutional requirements, statutes, other court rules, and decisional law, and with due regard for all relevant circumstances. The Rules should not be interpreted to impinge upon the essential independence of judges in making judicial decisions.

Tennessee Judicial Canons: Scope

- Although the black letter of the Rules is binding and enforceable, it is not contemplated that every transgression will result in the imposition of discipline. Whether discipline should be imposed should be determined through a reasonable and reasoned application of the Rules, and should depend upon factors such as the seriousness of the transgression,

Tennessee Judicial Canons: Scope

- the facts and circumstances that existed at the time of the transgression, the extent of any pattern of improper activity, whether there have been previous violations, and the effect of the improper activity upon the judicial system or others.

Tennessee Judicial Canons: Scope

- The Code is not designed or intended as a basis for civil or criminal liability. Neither is it intended to be the basis for litigants to seek collateral remedies against each other or to obtain tactical advantages in proceedings before a court.



Tennessee Judicial Canons: Terminology

- The Tennessee Judicial Canons contains a section of terminology which serves to help define terms which are used throughout the Judicial Canons.



Tennessee Judicial Canons: Application

- The application section establishes when the various rules apply to a judge or judicial candidate.
- The provisions of the Code apply to all full-time judges. Parts III through V of this section identify provisions that apply to the three categories of part-time judges only while they are serving as judges, and provisions that do not apply to part-time judges at any time.

Tennessee Judicial Canons: Application

- Rules that do not appear in Sections III through V are therefore applicable to part-time judges at all times. The three categories of judicial service in other than a full-time capacity are necessarily defined in general terms because of the widely varying forms of judicial service. Canon 4 applies to judicial candidates.

Tennessee Judicial Canons: Application

- A judge, within the meaning of this Code, is anyone who is authorized to perform judicial functions, including but not limited to an officer such as a magistrate, referee, court commissioner, judicial commissioner, special master, or an administrative judge or hearing officer.

Tennessee Judicial Canons: Application

- Senior Judge
- A judge designated as a senior judge or justice pursuant to Tenn. Code Ann. § 17-2-303, who by law is not permitted to practice law, is required to comply with the provision of this Code to the same extent as a full time judge.

Tennessee Judicial Canons: Application

- Continuing Part-Time Judge
- A judge who serves repeatedly on a part-time basis by election or under a continuing appointment is a “continuing part-time judge.” These include, but are not limited to, part-time judges, magistrates, referees, and judicial commissioners in the general sessions, juvenile, municipal and other courts.

Tennessee Judicial Canons: Application

- A continuing part-time judge:
- (A) is not required to comply at any time with RJC's 3.4 (Appointments to Governmental Positions), 3.8(A) (Appointments to Fiduciary Positions), 3.9 (Service as Arbitrator or Mediator), 3.10 (Practice of Law), 3.11(B) (Financial, Business, or Remunerative Activities), and 3.15 (Reporting Requirements), and



Tennessee Judicial Canons: Application

- A continuing part-time judge:

(B) shall not practice law in the court on which the judge serves or in any court subject to the appellate jurisdiction of the court on which the judge serves, and shall not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto.

Tennessee Judicial Canons: Application

- **Pro Tempore Part-Time Judge**
- A pro tempore part-time judge who serves or expects to serve once or only sporadically on a part-time basis under a separate appointment for each period of service or for each case heard is not required to comply:

Tennessee Judicial Canons: Application

■ Pro Tempore Part-Time Judge

(A) except while serving as a judge, with RJC's 2.4 (External Influences on Judicial Conduct), 3.2 (Appearances before Governmental Bodies and Consultation with Government Officials); and 4.1 (Political and Campaign Activities of Judges and Judicial Candidates in General) (A)(1) through (7); or

Tennessee Judicial Canons: Application

- Pro Tempore Part-Time Judge
- (B) at any time with RJC's 3.4 (Appointments to Governmental Positions), 3.8(A) (Appointments to Fiduciary Positions), 3.9 (Service as Arbitrator or Mediator), 3.10 (Practice of Law), 3.11(B) (Financial, Business, or Remunerative Activities), and 3.15 (Reporting Requirements).

Tennessee Judicial Canons: Application

Time for Compliance

A person to whom this Code becomes applicable shall comply immediately with its provisions, except that those judges to whom RJC's 3.8 (Appointments to Fiduciary Positions) and 3.11 (Financial, Business, or Remunerative Activities) apply shall comply with those Rules as soon as reasonably possible,



Tennessee Judicial Canons: Application

Time for Compliance

but in no event later than one year after the Code becomes applicable to the judge. To the extent such activities are related to the judge's law practice, the 180 day requirement related to the winding up of a law practice applies. See RJC 3.10 and Comment [2] thereto.



Tennessee Judicial Canons: 1

- Canon 1 - A Judge Shall Uphold and Promote the Independence, Integrity, and Impartiality of the Judiciary, and Shall Avoid Impropriety and the Appearance of Impropriety

Tennessee Judicial Canons: 1

- **RULE 1.1 Compliance with the Law**
- **RULE 1.2 Promoting Confidence in the Judiciary**
- **RULE 1.3. Avoiding Abuse of the Prestige of Judicial Office**

Tennessee Judicial Canons: 2

- **RULE 2.1 Giving Precedence to the Duties of Judicial Office**
- **RULE 2.2 Impartiality and Fairness**
- **RULE 2.3 Bias, Prejudice, and Harassment**

Tennessee Judicial Canons: 2

- **RULE 2.4 External Influences on Judicial Conduct**
- **RULE 2.5 Competence, Diligence, and Cooperation**
- **Rule 2.6 Ensuring the Right to Be Heard**

Tennessee Judicial Canons: 2

- **RULE 2.7 Responsibility to Decide**
- **RULE 2.8 Decorum, Demeanor, and Communication with Jurors**
- **RULE 2.9 Ex Parte Communications**

Tennessee Judicial Canons: 2

- **RULE 2.10 Judicial Statements on Pending and Impending Cases**
- **RULE 2.11 Disqualification**
- **RULE 2.12 Supervisory Duties**

Tennessee Judicial Canons: 2

- **RULE 2.13 Administrative Responsibilities**
- **RULE 2.14 Disability and Impairment**
- **RULE 2.15 Responding to Judicial and Lawyer Misconduct**

Tennessee Judicial Canons: 2

- **RULE 2.16 Cooperation with Disciplinary Authorities**



Tennessee Judicial Canons: 3

- Canon 3 - A Judge Shall Conduct the Judge's Personal and Extrajudicial Activities to Minimize the Risk of Conflict with the Obligations of Judicial Office

Tennessee Judicial Canons: 3

- **RULE 3.1 Extrajudicial Activities in General**
- **RULE 3.2 Appearances before Governmental Bodies and Consultation with Government Officials**
- **RULE 3.3 Testifying as a Character Witness**

Tennessee Judicial Canons: 3

- RULE 3.4 Appointments to Governmental Positions
- RULE 3.5 Use of *Nonpublic Information*
- RULE 3.6 Affiliation with Discriminatory Organizations

Tennessee Judicial Canons: 3

- RULE 3.7 Participation in Educational, Religious, Charitable, Fraternal, or Civic Organizations and Activities
- RULE 3.8 Appointments to *Fiduciary* Positions
- RULE 3.9 Service as Arbitrator or Mediator

Tennessee Judicial Canons: 3

- RULE 3.10 Practice of *Law*
- RULE 3.11 Financial, Business, or Remunerative Activities
- 3.12 Compensation for Extrajudicial Activities

Tennessee Judicial Canons: 3

- **RULE 3.13 Acceptance and Reporting of Gifts, Loans, Bequests, Benefits, or Other Things of Value**
- **RULE 3.14 Reimbursement of Expenses and Waivers of Fees or Charges**



Tennessee Judicial Canons: 4

- Canon 4 - A Judge or Candidate for Judicial Office Shall Not Engage in Political or Campaign Activity That Is Inconsistent with the Independence, Integrity, or Impartiality of the Judiciary

Tennessee Judicial Canons: 4

- **RULE 4.1 Political and Campaign Activities of Judges and Judicial Candidates in General**
- **RULE 4.2 Political and Campaign Activities of Judicial Candidates in Public Elections**

Tennessee Judicial Canons: 4

- **RULE 4.3 Activities of Candidates for Appointment to Judicial Office**
- **RULE 4.4 Campaign Committees**
- **RULE 4.5 Activities of Judges Who Become Candidates for Nonjudicial Office**

Tennessee Judicial Canons

<https://www.tncourts.gov/rules/supreme-court/10>



Why Should We Care?



Goals of the Justice System

- Deliver fair and impartial justice.
- Be effective.
- Have the confidence of the American people.
- To be trusted and view as legitimate.



Perception of Fairness

- Court users evaluated fairness based on whether they felt that:
 - They were treated with respect,
 - They had an opportunity to tell their story,
 - They understood what was going on,
 - The judge was trying to be fair.

- What is Procedural Fairness/Procedural Justice?
 - Evidence-based practices that lead to:
 - Better acceptance of court decisions
 - More positive view courts and the justice system
 - Greater compliance with court orders



■ **Tom R. Tyler**
Professor of law and psychology at
Yale Law School



Procedural Fairness/Procedural Justice

- Voice
- Neutrality
- Respect
- Trust
- Understanding
- Helpfulness



Voice

- The ability of litigants to participate in the case by expressing their own viewpoints.
- Allowing them to be heard.
- Allowing them to speak.
- Important to establish “ground rules”.
- How can we ensure that the litigant has been allowed to participate...use their voice?

Neutrality

- The consistent application of legal principles by unbiased decision makers who are transparent about how decisions are made.
- How can we ensure that we have been neutral? How can we show neutrality?



Respect

- Litigant's feel they were treated with courtesy and respect, which includes respect for people's rights.
- How can we ensure that the litigant has been respected?



Trust

- You, as the judge, are perceived as sincere and caring, trying to do the right thing.
- How can we ensure that trust has been established and follow through with it?



Understanding

- That court participants are able to understand court procedures, court decisions, and how decisions are made.
- How can we establish understanding?

Helpfulness

- That litigants perceive court actors as interested in their personal situation to the extent that the law allows.
- How can we be perceived to have been helpful?

A close-up portrait of George Bernard Shaw, an elderly man with a white beard and hair, looking directly at the camera. The image is overlaid with a dark blue semi-transparent filter. In the top left corner, there is a small yellow icon of a speech bubble with three horizontal lines inside.

George Bernard Shaw

“The single greatest problem in communication is the illusion that it has been accomplished.”

https://www.judges.org/wp-content/uploads/2020/03/Procedural_Fairness_Bench_Card.pdf

PROCEDURAL FAIRNESS/PROCEDURAL JUSTICE A BENCH CARD FOR TRIAL JUDGES

WHAT IS PROCEDURAL FAIRNESS OR PROCEDURAL JUSTICE?

When we speak of **Procedural Fairness** or **Procedural Justice** (two terms for the same concept), we refer to the perceived fairness of court proceedings. Those who come in contact with the court form perceptions of fairness from the proceedings, from the surroundings, and from the treatment people get.

Research has shown that higher perceptions of procedural fairness lead to better acceptance of court decisions, a more positive view of individual courts and the justice system, and greater compliance with court orders.

Researchers sometimes identify the elements of procedural fairness differently, but these are the ones most commonly noted:

VOICE: the ability of litigants to participate in the case by expressing their own viewpoints.

NEUTRALITY: the consistent application of legal principles by unbiased decision makers who are transparent about how decisions are made.

RESPECT: that individuals were treated with courtesy and respect, which includes respect for people's rights.

TRUST: that decision makers are perceived as sincere and caring, trying to do the right thing.

UNDERSTANDING: that court participants are able to understand court procedures, court decisions, and how decisions are made.

HELPFULNESS: that litigants perceive court actors as interested in their personal situation to the extent that the law allows.

MEASURING FAIRNESS

"Measurements . . . define what we mean by performance."
—Peter Drucker

There are tools to help you measure fairness in your court. You can then see if you can improve over time.

The Center for Court Innovation has *Measuring Perceptions of Fairness: An Evaluation Toolkit*, available at <http://goo.gl/TVu42A>.

The National Center for State Courts has its *CourTools*, which includes an Access and Fairness survey in both English and Spanish, available at www.courttools.org.

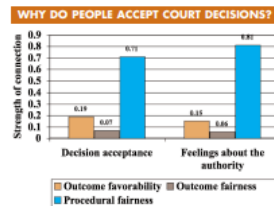
The Utah Judicial Performance Evaluation Commission has a Courtroom Observation Report, which can be used by courtroom observers to give qualitative feedback, available at <http://goo.gl/1bWAVk>.

KEEP IN MIND:

- This may be the most important contact with the court system the parties will ever have.
- Filling out forms on the bench may be important, but eye contact and engagement with the parties are critical.
- Trust is not a given. But it can be gained in each hearing through adherence to procedural-fairness principles.
- People make assumptions when they lack knowledge. Explain things.
- Listening is a key skill. Decision acceptance is greater if it's clear you listened—note their key points when ruling.
- Like others, judges can be affected by perceptions, assumptions, and stereotypes—in other words, implicit biases. Be aware.

WHY IS IT IMPORTANT?

Several rigorous evaluations have shown that both acceptance of court decisions and overall approval of the court system are much more closely connected to perceptions of procedural fairness than to outcome favorability (Did I win?) or outcome fairness (Did the right party win?). Studies also show increased compliance with court orders when participants experience procedural fairness.



FOR MORE INFORMATION

ProceduralFairness.org
ProceduralFairnessGuide.org
Center for Court Innovation (www.courtinnovation.org)
National Center for State Courts (www.ncsc.org)



This bench card is jointly produced by the American Judges Association, the Center for Court Innovation, the National Center for State Courts, and the National Judicial College.

BENCH CARD ON PROCEDURAL FAIRNESS PRACTICAL TIPS FOR COURTROOM PROCEEDINGS

INTRODUCE YOURSELF. Introduce yourself at the beginning of proceedings, making eye contact with litigants and other audience members. Court staff can recite the basic rules and format of the court proceedings at the beginning of each court session. Written procedures can be posted in the courtroom to reinforce understanding.

GREET ALL PARTIES NEUTRALLY. Address litigants and attorneys by name and make eye contact. Show neutrality by treating all lawyers respectfully and without favoritism. This includes minimizing the use of jokes or other communication that could be misinterpreted by court users.

ADDRESS ANY TIMING CONCERNS. If you will be particularly busy, acknowledge this and outline strategies for making things run smoothly. This can help relax the audience and make the process seem more transparent and respectful.

Example: "I apologize if I seem rushed. Each case is important to me, and we will work together to get through today's calendar as quickly as possible, while giving each case the time it needs."

EXPLAIN EXTRANEOUS FACTORS. If there are factors that will affect your conduct or mood, consider adjusting your behavior accordingly. When appropriate, explain the issue to the audience. This can humanize the experience and avoid court users' making an incorrect assumption.

Example: "I am getting over the flu. I'm not contagious, but please excuse me if I look sleepy or uncomfortable."

EXPLAIN THE COURT PROCESS AND HOW DECISIONS ARE MADE. The purpose of each appearance should be explained in plain language. Tell the defendant if and when she will have an opportunity to speak and ask questions. Judges and attorneys should demonstrate neutrality by explaining in plain language what factors will be considered before a decision is made.

Example: "Ms. Smith: I'm going to ask the prosecutor some questions first, then I'll ask your lawyer some questions. After that, you'll have a chance to ask questions of me or your attorney before I make my decision."

USE PLAIN LANGUAGE. Minimize legal jargon or acronyms so that defendants can follow the conversation. If necessary, explain legal jargon

in plain language. Ask litigants to describe in their own words what they understood so any necessary clarifications can be made.

MAKE EYE CONTACT. Eye contact from an authority figure is perceived as a sign of respect. Try to make eye contact when speaking and listening. Consider other body language that might demonstrate that you are listening and engaged. Be conscious of court users' body language too, looking for signs of nervousness or frustration. Be aware that court users who avoid making eye contact with you may be from a culture where eye contact with authority figures is perceived to be disrespectful.

ASK OPEN-ENDED QUESTIONS. Find opportunities to invite the defendant to tell his/her side of the story, whether directly or via defense counsel. Use open-ended questions to invite more than a simple "yes" or "no" response. Warn litigants that you may need to interrupt them to keep the court proceeding moving forward.

Example: "Mr. Smith: I've explained what is expected of you, but it's important to me that you understand. What questions do you have?"

EXPLAIN SIDEBARS. Sidebars are an example of a court procedure that can seem alienating to litigants. Before lawyers approach the bench, explain that sidebars are brief discussions that do not go on the record and encourage lawyers to summarize the conversation for their clients afterward.

STAY ON TASK. Avoid reading or completing paperwork while a case is being heard. If you do need to divert your attention briefly, pause and explain this to the audience. Take breaks as needed to stay focused.

Example: "I am going to take notes on my computer while you're talking. I will be listening to you as I type."

PERSONALIZE SCRIPTED LANGUAGE. Scripts can be helpful to outline key points and help convey required information efficiently. Wherever possible, scripts should be personalized—reading verbatim can minimize the intended importance of the message. Consider asking defendants to paraphrase what they understood the scripted language to mean to ensure the proper meaning was conveyed.

Adapted from EMILY GOLD LAGHATTA, PROCEDURAL JUSTICE: PRACTICAL TIPS FOR COURTS (2015).

FOR ADDITIONAL READING

EMILY GOLD LAGHATTA, *PROCEDURAL JUSTICE: PRACTICAL TIPS FOR COURTS* (2015), available at <https://goo.gl/YbuC3K>.

Kevin Burke & Steve Leben, *Procedural Fairness: A Key Ingredient in Public Satisfaction*, 44 Ct. Rev. 4 (2007-2008) (an AJA White Paper), available at <http://goo.gl/vaCYT>.

Pamela Casey, Kevin Burke & Steve Leben, *Minding the Court: Enhancing the Decision-Making Process*, 49 Ct. Rev. 76 (2013) (an AJA White Paper), available at <http://goo.gl/RrFw8Y>.

Brian MacKenzie, *The Judge is the Key Component: The Importance of Procedural Fairness in Drug-Treatment Court*, 52 Ct. Rev. 8 (2016) (an AJA White Paper), available at <http://goo.gl/XA75N3>.

David B. Rottman, *Procedural Fairness as a Court Reform Agenda*, 44 Ct. Rev. 32 (2007-2008), available at <https://goo.gl/xRTW7r>.

Tom R. Tyler, *Procedural Justice and the Courts*, 44 Ct. Rev. 26 (2007-2008), available at <https://goo.gl/UHPlotY>.

This bench card is jointly produced by the American Judges Association, the Center for Court Innovation, the National Center for State Courts, and the National Judicial College.

Judge Don Bourne



Audio Record of Judge Bourne



White Castle Judges Fight



Cell Phone Fit Costs Judge His Job



- Phone rang during court.
- Demanded to know who owned the phone.
- 46 people summarily jailed for over 2 hours

Judge Keith Blackman



In re Singletary



JUDGE JOSEPH BOECKMANN

COURTESY: ARKANSAS TIMES



STATE BOARD FILES FORMAL
COMPLAINT AGAINST ARKANSAS JUDGE

**BREAKING
NEWS
UPDATE**



Thank You

**ANY
QUESTIONS?**

