

The Rundown Volume 7

Hello,

This is the seventh release of the Rundown, a series of broadcasts aimed at explaining some of what the American Judges Association (AJA), and I as your president, do on behalf of the members of the Association.

Early in July, I had occasion to represent the American Judges Association at the annual conference of the National Association for Court Management (NACM) held in Louisville, Kentucky. Over the course of the conference, a cooperative agreement was reached to issue a joint AJA/NACM position paper tentatively entitled "The Procedurally Fair Court" in 2016. We are going to need courts who wish to be a part of the research for the paper, so if you are interested in having your court be a part of the study please let me know.

As we were discussing this agreement, it occurred to me that the idea of cooperation is not something we judges discuss very much and yet it is something we need every day. Each judge must develop their own way of working with prosecutors, defense attorneys, police, defendants, witnesses and community members. However, not every judge knows how to develop effective ways of gaining that cooperation.

Yet, Judges require the active participation and cooperation of almost every person who enters the courtroom. Most people generalize their personal experience with the court to develop a sense of whether they were treated fairly, which in turn impacts on their willingness to cooperate with a court's order. And that cooperation is essential. Judges simply do not have the resources to individually enforce every order that they issue.

Whether it is a civil judgment for millions of dollars, or two neighbors arguing over the boundary of their property, an individual's sense of justice comes not so much from the outcome of the case, as from their perception of how they were treated. The perception that the judge was "fair" is critical to their acceptance of the judgment.



The keys to gaining the cooperation of those individuals who come into the courtroom are the four principles of procedural fairness. If you want more information about these principles you can go to the AJA's website and click on this link: <http://aja.ncsc.dni.us/publications/>. There you will find the AJA's white paper on procedural fairness. Spending the time it takes to read that paper can make you a better judge.

I mentioned at the beginning of this edition of The Rundown that the NACM conference was held in Louisville, Kentucky. Those of you who are baseball fans know that the Louisville slugger factory is located there. As the picture on the right demonstrates you can get almost any bat size you need if you wander into to their store. The factory is located in what is known as the museum district, which has a number of other interesting museums and sites. For example near the

factory is a hotel that contains both a good restaurant and a modern art museum. There, after looking at the art, and if you gain the cooperation of one of their wait staff, you can have a really wonderful meal.

That is it for now. I hope to write again soon. Thanks and be well. Brian