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## What Makes a Good Judge?

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## WHAT MAKES A GOOD JUDGE?

Jane W. Nelson <sup>1/</sup>

I would suggest that the following are the qualities that distinguish a judge as outstanding:

**Commitment to impartiality:** The most important quality, and the most difficult task, of a good judge is the ability to set his or her own point of view aside and carry out the law in a fair and impartial manner. What distinguishes the best judge is a dedication to incorporating his or her experience of life into an expanding vision of the human condition, rather than a narrowing one.

**Commitment to the judicial profession:** The best of the judges who come to The National Judicial College share a dedication to judging as the highest calling, and the deepest responsibility, which a democracy can bestow. They seek to advance their training, not just in the law, but in the art of judging. They are eager to share their learning and experiences with other judges, for the improvement of the judicial system.

**Commitment to justice:** Though all judges are bound to apply the law, the best of them do so with an eye to the ultimate purpose of the judicial system--to serve justice. Such judges look beyond current practices to the potential for improvement, so that the ends of justice are better served.

The best judges also share certain personal qualities.

They are both comfortable with judicial authority and able to recognize its limitations. Judges who are comfortable with their responsibilities proceed promptly on rulings and explain their decisions clearly to the parties. On the other hand, they defer, when appropriate, to the legislative and executive branches.

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They are also efficient managers. The role of a judge as manager is crucial to the effective operation of the judicial system, but one that is not often recognized. A judge must effectively manage his or her own time, a heavy caseload, and a clerical and legal staff.

The best judges are also sensitive to people. It is often difficult for a judge to get important feedback regarding the way the system is operating. It is important that he or she have enough sensitivity to imagine how delays in the system may affect witnesses and victims, for example, or the effect which the courtesy (or lack of courtesy) displayed to litigants may have on their sense of fair treatment in the court.

Finally, the best judges have in their character a liberal dose of "common sense." By this I mean a sound understanding of people, a good understanding of the community, and a sense of its shared perceptions. Sometimes the limits of the law, or justice, may require him or her to go beyond (or not as far as) the current shared perceptions of the community. Nevertheless, the judge who has such understanding will recognize when he or she is taking such a step and will take the care that is needed to explain such an action.

The characteristics of a good judge are not esoteric, nor have they significantly changed in 2,500 years. They are still the same as they were when described by Socrates: "To hear courteously, to answer wisely, to consider soberly, and to decide impartially."