

The Impact of Judicial Behavior in Juvenile Court Proceedings

By Judge Leonard P. Edwards (ret.)

The way a juvenile court judge treats the families who appear before him is as important as the legal proceedings. Indeed, chances are good the family will remember whether the judge was courteous and respectful or abrupt and distant long after the decisions he reached fade from memory. The demeanor, language, and behavior of juvenile court judges are critical to the effectiveness of judging.

As a lawyer, I recall many juvenile court hearings when I left the courtroom with my young client, only to have him ask me, “What happened?” At first I was so surprised by the question, I did not know what to think or do. After all, I had talked to the youth before the case was called, he had been standing next to me throughout the hearing and must have understood what the result was. But, time after time I would get the same question: “What happened?” When I was appointed judge, I decided that I would try to make extra efforts to be understood when I was speaking to clients in court.

If a court appearance is to have impact where it is intended—on a youthful offender whose future is at the crossroads—judges must take the time to ensure that the youth understands what he is saying, what the judicial orders are, and, most crucial of all, the judge must spell out the reasons for his rulings. Judges must be like actors on stage, saying the same lines over and over, but making sure they come across every time. Good judges do this day after day, even when they are facing overwhelming calendars, making order after order.

We pride ourselves on being a nation of laws. A court appearance is the moment when citizens face the majesty of the law in the form of a robed judicial officer. Our everyday speech reveals that a judge is someone who is both respected and feared. “Tell it to the judge”; “You’ll have your day in court.” One of the few sure things in television are programs that feature real disputes that a judge resolves. Additionally, hundreds of movies and many successful television series are built around the drama in a courtroom. People who watch these shows are fascinated by how the legal system works and how judges reach their decisions.

Appearing in court is a citizen’s most direct and intimate contact with the law. Family members may express opinions about the person’s conduct; neighbors may talk about what happened, and others impacted by the

conduct may also have something to say. But the official consequences will come from the judge.

That is what makes a court appearance such a high-stakes societal event. The state is speaking to one of its citizens in the form of a judge. So for the law to have its full impact, the youth and his family must comprehend what the judge says. The youth may not agree with the ruling, but he is certain to feel better about it if the judge gives him an opportunity to be heard.

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The judge will have maximum impact if he looks the youth in the eye and greets him by name. And the court hearing will be meaningful if he carefully explains the proceeding, asks questions, listens to the responses, and most importantly when rendering a decision, explains what the youth must now do to fulfill his responsibility. The court experience is diminished when the judge delivers the court orders without looking at the client; if the judge speaks hurriedly, uses legal jargon instead of plain language, or delivers his orders abruptly

and with no explanation. Such behaviors breed disrespect for the law, especially among the young.

A few carefully chosen words delivered with eye contact may resonate with a youth for a lifetime. Sadly, an impersonal, aloof judge can have an impact that is just as lasting.

My 26 years on the bench have convinced me that the overall demeanor within a courtroom is more important than the orders the court makes. Survey after survey indicates that the quality of the court experience makes all the difference. This impact is particularly crucial in juvenile court. Respect for the law will be maximized when a youth is treated with respect and comes out of court understanding what happened. He won’t have to ask his attorney, “What happened?” He may even say, “I’m glad the judge took time to make sure I understood what was happening.”

ABOUT THE AUTHOR:

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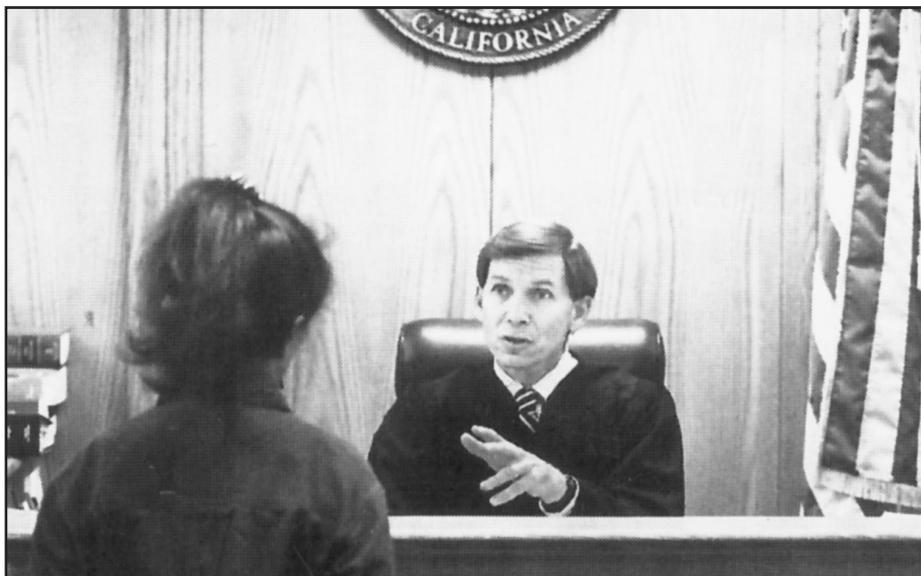


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