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## ARTICLES

### **Measuring Legal Actor Contributions in Court: Judges' Roles, Therapeutic Alliance and Therapeutic Change – Rhondda Waterworth**

The court can be conceptualised as a point of intervention in the lives of offenders as well as their families, social networks and communities. It therefore seems reasonable to investigate what a judge (or other legal actors) can contribute to this interaction and to find ways it can be effectively measured. This article articulates a behaviourally anchored description of a judge's contribution in a courtroom interaction between a judge and a defendant that would have the best chance of facilitating therapeutic change for a court participant. The description is based on a review of the therapeutic jurisprudence literature, procedural justice and legitimacy of justice literature, a brief review of types of therapy that could be effective in a courtroom setting, and research into the common effective denominators in therapy outcomes, most notably the literature on therapeutic alliance and therapeutic change. The article concludes with a brief rating scale designed to quantitatively measure the desired judicial behaviours in open court. .... 207

### **Judicial Conduct Guidance and Emotion – Sharyn Roach Anleu, Jennifer Elek and Kathy Mack**

Expectations of judicial conduct are changing. Judicial officers must pay more attention to emotions, exercise different judicial emotional capacities and engage in more emotion work, including management of the judicial officer's own emotions or those of others. Judicial conduct guides emphasise interactional qualities such as patience, courtesy, temperament or detachment, and so implicitly acknowledge the presence of emotion and anticipate emotion work on the part of the judicial officer. However, the place of emotion in judicial work is rarely directly addressed, nor is the language of emotion or feeling used. In contrast, judicial officers themselves express considerable awareness of emotion and describe intentional strategies to manage emotion. Available conduct guidance, in Australia and the United States of America (US), does not adequately address the actual emotional experiences faced by judicial officers in their everyday work. The Elements of Judicial Excellence, an innovative project from the National Center for State Courts (US), integrates research findings from judges themselves to generate concrete strategies for individual judicial officers and for wider cultural change within the courts and judiciary. .... 226

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