

National Drug Court Institute Drug Court Training

Standard III: Role of the Judge

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BJA
Bureau of Justice Assistance
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Adult Drug Court Best Practice Standards

- Professional Training
- Length of Term
- Consistent Docket
- Participation in Pre-Court Staff Meetings
- Frequency of Status Hearings
- Length of Court Interactions
- Judicial Demeanor
- Judicial Decision Making

Length of Term

- Judge as leader of the team.
- Continuity of relationship between judge and participant
- Relationship from acceptance in program throughout treatment and commencement and aftercare
- The message is “Someone in authority cares”

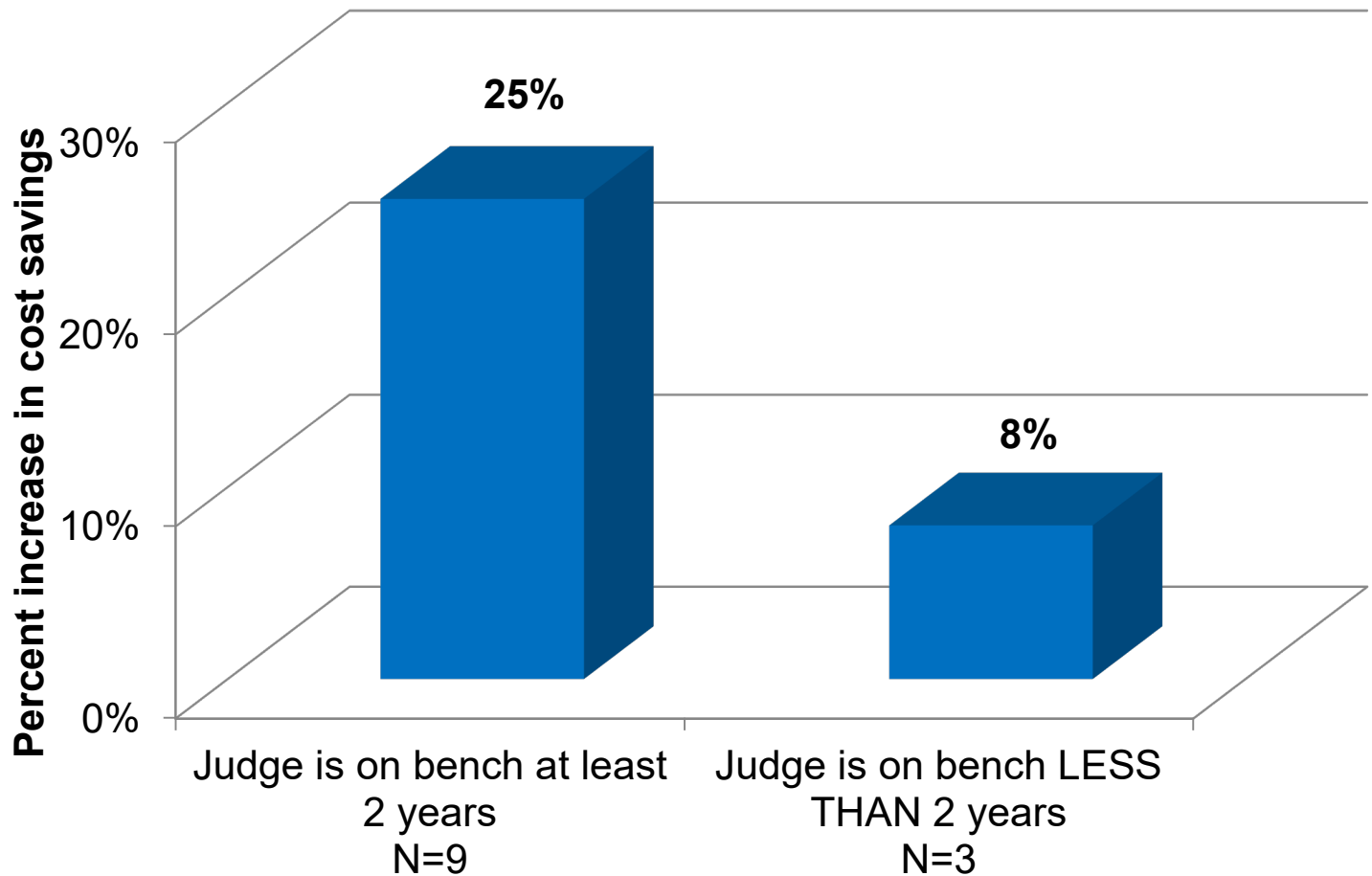


Length of Term

- Maintain continuity of the program
- Judge is knowledgeable about policies and procedures
- Consistency is important too



Drug Courts That Have Judges Stay Longer Than Two Years Had 3 Times Greater Cost Savings



Note: Difference is significant at $p < .05$

Consistent Docket

- Same Judge throughout participants enrollment
- Back-up Judge versus Stand-in Judge



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Length of Court Interactions

Drug Courts Where the Judge Spends an Average of 3 Minutes or Greater per Participant During Court Hearings had 153% greater reductions in recidivism



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How?

- What did you do this week to stay sober?
- Describe one of the most important reasons for you to stop being dishonest?
- What does responsibility mean to you?



How?

- What past hobbies or activities are you looking forward to getting re-involved in?
- What are some things in your work or school that are getting in the way of your change efforts?



Judicial Demeanor

- Offers supportive comments
- Stresses importance of clients commitment to treatment and other program requirements
- Express optimism



Procedural Fairness

- Knowledgeable of client's case
- Know them by name
- Encourage them to succeed
- Emphasize treatment
- Not intimidating
- Approachable
- Let them tell their story
- Treat them fairly and with respect
- Impartial – do not prejudge



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DRUG COURT ENVIRONMENT

What environmental elements are necessary to create and operate an effective drug court?



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Variables in Courtroom Environment

- Ambient noise, distraction
- Participant miked
- Closeness to bench



Variables in Courtroom Environment

- Participant next to lawyer
- Who is first addressed by judge
- Level of eye contact
- Physical contact
- Arranged seating



Variables in Courtroom Environment

- Order of cases
- Time spent with participant
- Frequency of courtroom sessions
- Judge addresses gallery
- Participant addresses gallery



Relationships in the Drug Court Environment

- Relationship between
 - Judge and
 - Participants
 - Audience
 - Staff / Team



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JUDICIAL STYLES



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Judicial Styles

- Talks or Listens
- Formal or Informal



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Judicial Styles

- Be Supportive
- Use Motivational Enhancements
- Avoid Confrontation



Relationships between Judge and Participants

- Positive Authority Figure
- Consistent
- Knowledgeable
- Empathy



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Relationship Between Judge and Audience

DIRECTING COURTROOM THEATRE

- The judge has the ability to shape and reinforce individual accountability.
- By engaging the drug court audience and setting examples, the judge can communicate important principles.



Role of the Judge

The Role of the Judge in drug court is quite complex.

It takes a strong commitment to be a good drug court judge.

Drug court days will be long and exhausting.

Witnessing the transformation of your participants take place before your eyes makes it all worth it.

