

## **PRINCIPLES OF JUDICIAL PROFESSIONALISM**

The New Jersey Commission on Professionalism in the Law, a consortium of the State and Federal Judiciaries, the New Jersey State Bar Association, Rutgers Law School and Seton Hall Law School, whose members include attorneys, judges and academics, seeks to identify the better practices of professionalism for attorneys and judges alike. For this purpose, the commission has formulated these recommendations for maintaining the professionalism of judges.

As the guardians of our legal system, judges are expected to establish and maintain the highest level of professionalism, to uphold the integrity and independence of the judiciary and to abide in all respects by the Code of Judicial Conduct.

A judge should diligently discharge the administrative responsibility of the office without bias or prejudice, maintain judicial competence in judicial administration and facilitate the performance of administrative responsibility. The manner in which judges manage their dockets, interact with counsel and preside over their courtrooms sets a standard of professionalism for the attorneys who appear before them.

At all times, a judge should act and speak in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

Just as significantly, the words and actions of judges also shape the public's perception of the justice system. Being a judge requires diligence, personal integrity and a dedication to the attainment of justice.

With these principles in mind, the New Jersey Commission on Professionalism in the Law has prepared this list of "Principles" to guide judges in carrying out their responsibilities. In creating this list, the Commission does not intend to regulate or to provide additional bases for discipline, but rather to maintain the high level of professionalism among New Jersey's judges.

The Commission respectfully encourages all judges to continue the implementation of these practices in their daily routines and, in so doing, make lawyers and litigants feel welcome in their courtrooms and assured that disputes will be resolved in an efficient, timely and just manner.

## **JUDGES' RESPONSIBILITIES TO LITIGANTS, LAWYERS AND THE PUBLIC**

- We will establish and maintain the highest level of professionalism, uphold the integrity and independence of the judiciary and abide in all respects by the Code of Judicial Conduct.
- We will avoid impropriety and the appearance of impropriety in all of our public and private activities.
- We will be courteous, respectful and civil to lawyers, parties and witnesses. We will maintain control of the proceedings, recognizing that we have both the obligation and the authority to ensure that all proceedings are conducted in a civil manner.
- We will treat parties, litigants, court staff and others with respect and dignity, without regard to race, religion, national origin, sexual orientation, or economic status. We will create an environment where all persons are treated fairly, without prejudice or bias. We will instruct court staff to treat all court visitors with the same respect that they themselves would expect.
- We will not take an overly familiar tone with any lawyer, litigant, or witness while in court, and we will address all participants formally and consistently in court by using an appropriate title, such as Ms., Mr., Mrs., Counsel, Dr., Rev., etc.
- We will encourage attorneys to follow the Principles of Professionalism adopted by the New Jersey Commission on Professionalism in the Law.
- If we observe a lawyer being uncivil to another lawyer or others, we will tactfully call it to the attention of the offending lawyer on our own initiative.
- We will encourage continued dialogue between the bench and bar to promote a strong legal community.
- We will encourage lawyers to engage in pro bono service and participate in responsible social action efforts.
- We will consider providing law students the opportunity to intern or extern in our court, as well as participating in mentoring programs that guide new lawyers in their transition into practice.
- We will not employ hostile, demeaning or humiliating words in opinions or in written or oral communications with lawyers, parties or witnesses.
- We will be punctual in convening all hearings, meetings and conferences; if delayed or experiencing a scheduling conflict, we will notify counsel, if possible.
- In scheduling all hearings, meetings and conferences, we will be considerate of time schedules and prior commitments of lawyers, parties and witnesses. We will weigh the consequences, costs and additional expenditure of time that are likely to result from canceling or rescheduling a proceeding.
- In advance of a hearing, we will read all briefs and related documents, and give the issues in controversy deliberate, impartial and studied analysis and consideration.
- We will provide parties an adequate opportunity to present argument to the Court, and we will make a reasonable effort to decide promptly all matters presented to us for decision.

- While endeavoring to resolve disputes efficiently, we will be considerate of the time constraints and pressures imposed on lawyers by the exigencies of litigation practice.
- We will refrain from *ex parte* communications regarding the merits of a case unless authorized by law or consent of the parties.
- We recognize that a lawyer has a right and a duty to present a cause fully and properly, and that a party has a right to a fair and impartial hearing. Within the practical limits of time, we will allow lawyers to present proper arguments and to make a complete and accurate record.
- We will not hold attorneys or litigants accountable for events beyond their control.
- We will not chastise, correct, or question attorneys in a demeaning manner, especially in front of their clients or the jury. We will not demean or use inappropriate language when addressing counsel, parties or witnesses in any court proceeding or written opinion.
- We will not permit attorneys, parties or court participants to demean or use inappropriate language in any court proceeding or written submission.
- We will make reasonable accommodations for self-represented litigants and, where appropriate, refer them to available resources that may provide additional assistance. As part of the Judiciary, we will support reasonable accommodations to individuals with physical or mental disabilities consistent with the Americans with Disabilities Act.

### **JUDGES' RESPONSIBILITIES TO EACH OTHER**

- In all opinions and other written and oral communications, we will refrain from disparaging personal remarks, criticisms, or sarcastic or demeaning comments about a judicial colleague.
- We will endeavor to work with other judges in an effort to foster a spirit of cooperation in furtherance of our mutual goal of promoting and nurturing the administration of justice.