

Coaching Judges Resources

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Coaching

Carroll, D. (2008). Coaching for Lawyers. *North Carolina State Bar Journal*, 13(1), 48-49.

<https://heinonline.org/HOL/P?h=hein.barjournals/ncarbj0013&i=48>

Ginsburg, R. S. (2004). Coaching for Lawyers. *Bench & Bar of Minnesota*, 61(6), 28-29.

<https://heinonline.org/HOL/P?h=hein.barjournals/benchnbar0061&i=686>

Holtzman, E. (2017). Professional Coaching is Your Secret Weapon. *GP Solo*, 34(4), 16-19.

<https://heinonline.org/HOL/P?h=hein.journals/gpsolo34&i=270>

Koltin, A. (2013). Coaching to Effect Change and Develop Talent. *CPA Practice Management*

Forum, 9(1), 19-20. <https://heinonline.org/HOL/P?h=hein.journals/cpamanf9&i=19>

LeBlanc, B. (2021). Erving Goffman's Frame Analysis as Life Coaching Theoretical Orientation

as Implemented through Frame Coaching. *Technium Social Sciences Journal*, 16, 314-

330. <https://heinonline.org/HOL/P?h=hein.journals/techssj16&i=314>

Levine-Finley, S. (2014). Stretching the Coaching Model. *Conflict Resolution Quarterly*, 31(4),

435-446. <https://heinonline.org/HOL/P?h=hein.journals/cfltrq31&i=434>

Mackay, H. (2022, January 23). Mackay: Are You Coachable? *Coeur d'Alene Press*.

<https://cdapress.com/news/2022/jan/23/mackay-are-you-coachable/>

Montgomery, B. J. (2005). Professional Coaching for Attorneys: Primer. *Women Lawyers*

Journal, 90(4), 8-10. <https://heinonline.org/HOL/P?h=hein.journals/wolj90&i=152>

Prinz, K. D. (2005). Unlocking the Secrets to Executive Coaching. *Women Lawyers Journal*,

90(4), 11-17. <https://heinonline.org/HOL/P?h=hein.journals/wolj90&i=155>

Rouse, B. J., & Bouch, J. C. (2020, April 16). *Coaching Better Justice*. The National Judicial

College. <https://www.judges.org/news-and-info/coaching-better-justice/>

Silverman, S. B. (2021). Coaching: Helping Unlock Your Own Potential. *CBA Record*, 35(3),

27-28. <https://heinonline.org/HOL/P?h=hein.barjournals/cbarc0035&i=115>

Ward, P. (2021). The Power of Coaching. *Arizona Attorney*, 58(4), 42-47.

<https://heinonline.org/HOL/P?h=hein.barjournals/azatt0058&i=316>

Collegiality

Benton, D. (2006). Mike Wolff: Chief of Collegiality. *Saint Louis University Law Journal* 50(2).

289-290.

<https://scholarship.law.slu.edu/cgi/viewcontent.cgi?article=1700&context=lj>
<https://scholarship.law.slu.edu/cgi/viewcontent.cgi?article=1700&context=lj>

Biskupic, J. (2018, October 17). *John Roberts Touts Collegiality, but Supreme Court's Record*

Suggests Otherwise. CNN Politics. <https://www.cnn.com/2018/10/17/politics/john-roberts-division>

Burke, K.S. (2011). *It's All About the People Who Work in the Courthouse*. National Center for

State Courts. <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/1845/>

Burke, K.S. (2015) *Innovative Courts Encourage Dissent*. National Center for State Courts.

https://www.law.berkeley.edu/wp-content/uploads/2021/04/Innovative_courts_encourage_dissent.pdf

Coffin, F.M. (1985, May 1). *The Anatomy of Judicial Collegiality*. Federal Judicial Center.

http://files.maine.gov/mainelaw/maine.edu/Coffin/Public_Speeches/pdf/II-TheAnatomyofJudicialCollegiality.pdf

Collier, H.V. (1992). *Collegiality Among Judges: No More High Noons*. Bettmann Archives.

<https://heinonline.org/HOL/LandingPage?handle=hein.journals/judgej31&div=21&id=&page=>

Coyle, M. (2021, March 11). *When Rulings, Respectfully, Offer Peek Curtains at Court*

Collegiality. The National Law Journal.

<https://www.law.com/nationallawjournal/2021/03/11/when-rulings-respectfully-offer-peek-behind-curtains-at-court-collegiality/>

Cross, F.B. and Emerson, T.H. (2008). Understanding Collegiality on the Court. *University of Pennsylvania Journal of Constitutional Law* 10(2). 257-271.

<https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1201&context=jcl>

Edwards, H.T. (2004). A Conversation with Judge Harry T. Edwards. *Washington University*

Journal of Law and Policy 16(61). 61-80.

https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1392&context=law_journal_law_policy

Edwards, H.T. (2003). The Effects of Collegiality on Judicial Decision Making. *University of Pennsylvania Law Review* 151(5), 1639-1690.

https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=3222&context=penn_law_review

Espinosa, M. and Lihotz, M. (2020, November 6). *Collegial Deliberations are the Heart of*

Appellate Decision Making. New Jersey Law Journal.

<https://www.law.com/njlawjournal/2020/11/06/collegial-deliberations-are-the-heart-of-appellate-decision-making/?sreturn=20210226013235>

- Fernandez de Gurmendi, S. (2018). Judges: Selection, Competence, Collegiality. *AJIL Unbound* 112, 163-167. <https://www.cambridge.org/core/journals/american-journal-of-international-law/article/judges-selection-competence-collegiality/B14E18C8EDBF59DD34DD679A711D55E0>
- Gaughan, A. (2018, November 28). *Collegiality on the Supreme Court*. The Faculty Lounge. <https://www.thefacultyounge.org/2018/11/collegiality-on-the-supreme-court.html>
- Gorman, Anna. (2004, April 2). Collegiality is a Causality of U.S. Legal Wars.” *Los Angeles Times*. <https://www.latimes.com/archives/la-xpm-2004-apr-02-me-onthelaw2-story.html>
- Hanson, R.A. and Ostrom, B.J. (2009). *Understanding and Diagnosing Court Culture*. National Center for State Courts. <https://www.law.berkeley.edu/wp-content/uploads/2021/04/Understanding-and-Diagnosing-Court-Culture.pdf>
- Hazelton, M. L.W., Hinkle, R.K., and Nelson, M.J. (2017) *The Elevator Effect: How Collegiality Impacts Dissent*. <http://mjnelson.org/papers/HHN.Elevator.Effect.pdf>
- Hooper, L.L. and Leary, M. (2019). *Resource Guide for Chief Circuit Judges’ Deskbooks*. Federal Judicial Center. <https://www.fjc.gov/content/341465/resource-guide-chief-circuit-judges-deskbooks>
- Kornhauser, L.A., and Sager, L.G. (1993). The One and Many: Adjudication in Collegial Courts. *California Law Review* 91(1), 1-59. <https://lawcat.berkeley.edu/record/1114609/files/fulltext.pdf>
- Landa, D. and Lax. J.R. (2009). Legal Doctrine on Collegial Courts. *The Journal of Politics* 71(3), 946-963. http://www.columbia.edu/~jrl2124/Landa_Lax_Rules.pdf
- Levine, M. (2016, May 19). *Inside the Fourth Circuit Court of Appeals: How Collegiality Works*. The University of Chicago Law School.

<https://www.law.uchicago.edu/news/inside-fourth-circuit-court-appeals-how-collegiality-works>

Liptak, A. (2016, June 1) For a Collegial Court, Justices Lunch Together, and Forbid Talk of Cases. *New York Times*. <https://www.nytimes.com/2016/06/02/us/politics/for-a-collegial-court-justices-lunch-together-and-forbid-talk-of-cases.html>

Murphy, L.A. and Siegel, M.E. (Hosts). (2019, January 23). Mastering Civility in the Workplace (5) [Audio Podcast Audio] In: *In Session: Leading the Judiciary*. Federal Judicial Center. <https://www.fjc.gov/publications/in-session-leading-judiciary—episode-5-mastering-civility-inworkplace>

Murphy, M.R. (200) Collegiality and Technology. *The Journal of Appellate Practice and Process* 2(2), 455-461. <https://lawrepository.ualr.edu/cgi/viewcontent.cgi?article=1145&context=appellatepracticeprocess>

Shepard, R.T. (2014). Judicial Professionalism and the Relations between Judges and Lawyers. *Notre Dame Journal of Law, Ethics, and Public Policy* 14(1), 223-244. <https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1333&context=ndjlepp>

Tacha, D.R. (1995). The “C” Word: On Collegiality. *Ohio State Law Journal* 56(2), 585-592. <https://core.ac.uk/download/pdf/159590032.pdf>

Taha, A.E. (2004). *Judicial Collegiality, Court Structure, and the Decision to Sit En Banc: Evidence from U.S. District Courts*. Wake Forest University. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=527722

The Court and its Traditions. Supreme Court of the United States. <https://www.supremecourt.gov/about/traditions.aspx>

Walsh, M. (2019, June 1). *Tension in the Court: Public Collegiality Belies Behind-the-Scenes Debates*. American Bar Association Journal.

<https://www.abajournal.com/magazine/article/tension-in-the-court-public-collegiality-belies-behind-the-scenes-debates>

Zekri, I. (2020). Respectfully Dissenting: How Dissenting Opinions Shape the Law and Impact Collegiality Among Judges. *Florida Bar Journal* 94(5). <https://www.floridabar.org/the-florida-bar-journal/respectfully-dissenting-how-dissenting-opinions-shape-the-law-and-impact-collegiality-among-judges/>

Zimmerman, I.M. (2000). *Isolation in the Judicial Career*. Civility Center for Law.

<https://www.civilitycenterforlaw.org/resources/category/Pillars+of+Civility>

Getting Feedback

Bremer, C. F. (2020, February). *Help the Judge Get a Clue*. <https://www.law.berkeley.edu/wp-content/uploads/2021/04/Help-the-Judge-Get-a-Clue-2020.pdf>

Heavin, H., & Keet, M. (2021). Client-Centered Communication: How Effective Lawyering Requires Emotional Intelligence, Active Listening, and Client Choice. *Cardozo Journal of Conflict Resolution*, 22(2), 199-220.

<https://heinonline.org/HOL/P?h=hein.journals/cardcore22&i=213>

Kessler, D.K. (2011). The More You Know: How 360-Degree Feedback Could Help Federal District Judges. *Rutgers Law Review* 62(3), 687-723.

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1348777

Kourlis, R. L., & Singer, J. M. (2007).). Using Judicial Performance Evaluations to Promote Judicial Accountability. *Judicature* 90(5), 200-207.

https://iaals.du.edu/sites/default/files/documents/publications/using_jpe_to_promote_judicial_accountability2007.pdf

Listening

(2012). Importance of Listening, *The Minority Trial Lawyer*, 11(1), 20-21.

<https://heinonline.org/HOL/P?h=hein.aba/mitril0011&i=20>

Abrahams, R., & Broysberg, B. (2021, December 21). How to Become a Better Listener.

Harvard Business Review. <https://hbr.org/2021/12/how-to-become-a-better-listener>

Barkai, J. L. (1984). How to Develop the Skill of Active Listening. *Practical Lawyer*, 30(4), 73-86.

https://heinonline.org/HOL/Page?collection=ali&handle=hein.ali/praclaw0030&id=361&men_tab=srchresults

Barney, E. (2017, November 17). *Legal Skills Workshop: Effective Listening*. IIT Chicago-Kent Law Library Blog.

<http://blogs.kentlaw.iit.edu/library/2017/11/legal-skills-workshop-effective-listening/>

Cohen, J. R. (2014). Open-Minded Listening. *Charlotte Law Review*, 5(1), 139-164.

<https://heinonline.org/HOL/P?h=hein.journals/charlolwr5&i=143>

Greater Good Science Center. (2021, July 20). *Six Ways to Be a Better Listener* [Video].

YouTube. <https://youtu.be/2qA7P8PzG5I>

Hamilton, N. (2012). Effectiveness Requires Listening: How to Assess and Improve Listening Skills. *Florida Coastal Law Review*, 13(2), 145-180.

<https://heinonline.org/HOL/P?h=hein.journals/fclj13&i=149>

Haskins, W. A. (1984). The Art of Listening. *Litigation* 10(4), 46-48.

<https://heinonline.org/HOL/P?h=hein.aba/mitril0011&i=20>

Horowitz, S. (2012, November 9). The Science and Art of Listening. *New York Times*.
<https://www.nytimes.com/2012/11/11/opinion/sunday/why-listening-is-so-much-more-than-hearing.html>

Keltner, D. (Host). (2018, July 26). Listen Like It's Your First Date (18) [Audio podcast episode]. In *The Science of Happiness*. Greater Good Science Center and Public Radio Exchange.

https://greatergood.berkeley.edu/podcasts/item/listen_like_your_first_date

Keltner, D. (Host). (2020, January 30). What Does It Take to Really Listen to Someone? (58) [Audio podcast episode]. In *The Science of Happiness*. Greater Good Science Center and Public Radio Exchange.

https://greatergood.berkeley.edu/podcasts/item/what_does_it_take_to_really_listen_to_someone_active_listening

Lustbader, P. (2015). Listening from the Bench Fosters Civility and Promotes Justice. *Seattle Journal for Social Justice*, 13(3), 903-934.

<https://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=1780&context=sjsj>

Malone, B. (2015). Actual Lawyer Listening. *TYL*, 19(2), 20-[ii].

<https://heinonline.org/HOL/P?h=hein.journals/yglwyr19&i=46>

McNaughton, V. (1999). Active Listening: Applying Mediation Skills in the Courtroom. *Judges' Journal*, 38(2), 23-48. <https://heinonline.org/HOL/P?h=hein.journals/judgej38&i=71>

Munoz, G. M. (2006). Five Rs of Listening, *The Practical Lawyer*, 52(2), 11-18.

<https://heinonline.org/HOL/P?h=hein.ali/praclaw0052&i=75>

Nichols, R. G., & Stevens, L. A. (1978). Listening to People. *Reporter*, 4, 8-17.

<https://heinonline.org/HOL/P?h=hein.journals/report4&i=12>

- Phillips, B. (1999). Reformulating dispute narratives through active listening. *Mediation Quarterly*, 17(2), 161-180. <https://heinonline.org/HOL/P?h=hein.journals/cfltrq17&i=163>
- Ritter, R., & Wilson, P. A. (2001). Developing the fine art of listening. *New Jersey Lawyer*, 2001(4), 32-34. <https://heinonline.org/HOL/P?h=hein.barjournals/nwjrylr0045&i=218>
- Schurke, E. (2021). Build Client Satisfaction through Active Listening. *Legal Management*, 40(4), 27-28. <https://heinonline.org/HOL/P?h=hein.barjournals/legman0040&i=123>
- Sorkin, D. E. (1993). Now hear this: Listening to clients. *Illinois Bar Journal*, 81(10), 549-550. <https://heinonline.org/HOL/P?h=hein.barjournals/ilbj0082&i=549>
- TEDx Talks. (2015, January 7). *The Power of Listening* [Video]. YouTube. <https://www.youtube.com/watch?v=saXfavo1OQo>
- The School of Life. (2016, May 2). *Being A Good Listener* [Video]. YouTube. <https://www.youtube.com/watch?v=-BdbiZcNBXg>
- Weisberg, M., & Peters, J. (2007). Experiments in Listening. *Journal of Legal Education*, 57(3), 427-447. <https://heinonline.org/HOL/P?h=hein.journals/jled57&i=435>
- Wright, R. (2010). Mediator Listening Skills for All Attorneys. *Michigan Bar Journal*, 89(6), 32-35. <https://heinonline.org/HOL/P?h=hein.barjournals/micbj0089&i=1102>
- Wyzga, D. F. (2008). What Do You Hear When You Listen: Five Principles with Tips for Developing Critical Listening Skills. *Trial Excellence*, 20(1), 32-36. <https://heinonline.org/HOL/P?h=hein.journals/jurexp20&i=32>

Managing Time

Dierdorff, E.C. (2020, January 29). Time Management is About More than Life Hacks. *Harvard Business Review*. <https://hbr.org/2020/01/time-management-is-about-more-than-life-hacks>

Grant, Adam. (2019, March 28). Productivity Isn't About Time Management. It's About Attention Management. *New York Times*. <https://www.nytimes.com/2019/03/28/smarter-living/productivity-isnt-about-time-management-its-about-attention-management.html>

Wade, L. (2022, February 24). *The Importance of Time Management*. About Leaders. <https://aboutleaders.com/time-management-workplace/>

Managing People

Brooks, A. W., & John, L. K. (2021, December 21). How to Ask Great Questions. *Harvard Business Review*. <https://hbr.org/2018/05/the-surprising-power-of-questions>

Westfall, C. (2019, May 20). Why Managing People is Impossible: What Expert Leaders Do Instead. *Forbes*. <https://www.forbes.com/sites/chriswestfall/2019/05/17/why-managing-people-is-impossible-what-expert-leaders-do-instead/?sh=211421055fe7>

Managing Stress

Bibelhausen, J., Buchanan, B., Shaheed, D., Swenson, D. and Yetter, K. (2020). *Stress and Resiliency in the U.S. Judiciary*. *Journal of the Professional Lawyer*. https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/journal-of-the-professional-lawyer-2020.pdf

Bornstein, B. H., Miller, M. K., Reichert, J., and Shulman, G. (2018). Judicial Stress: The Roles of Gender and Social Support. *Psychiatry, Psychology, and Law* 25(4), 602–618. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6818323/>

Maroney, T.A. (2012). Emotional Regulation and Judicial Behavior. *California Law Review* 99, 1481-1552. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1785616#

Marotta, P.V., Myatt, K.A., and Resnik, A. (2011). Surviving Bench Stress. *Family Court Review* 49(3), 610-617. <https://judicialstudies.duke.edu/wp-content/uploads/2019/02/Panel-4-Resnick-Myatt-Marotta-Surviving-Bench-Stress.pdf>

Writing

(2013). *Judicial Writing Manual: A Pocket Guide for Judges*. Federal Judicial Center.

<https://www.aila.org/File/Related/18082203k.pdf>

Guberman, R. (2014, March 9). *The Seven Writing Strategies of Highly Effective Trial Judges*. Legal Writing Pro. <https://www.legalwritingpro.com/blog/the-seven-writing-strategies-of-highly-effective-trial-judges/>

Liptak, A. (2020, November 17). Judges Are Long on Words but Short on Guidance. *New York Times*.

<https://www.nytimes.com/2010/11/18/us/18rulings.html#:~:text=WASHINGTON%20%E2%80%94%20In%20June%2C%20the%20Supreme,out%20what%20the%20decision%20means>

Posner, R.A. (1995). Judges' Writing Styles (And Do They Matter?). *University of Chicago Law Review* 62, 1420-1451.

https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=2887&context=journal_articles

Wilson, M. (2015, April 23). *5 Ways Judges Can Improve Judicial Opinions*. Find Law.

<https://www.findlaw.com/legalblogs/greedy-associates/5-ways-judges-can-improve-judicial-opinions/>