



INSPIRASIANAL!

Supreme Court
Justices and
Leadership

| **KAREN KOREMATSU**

**Founder and Executive
Director**

**The Fred T. Korematsu
Institute**

BENES ALDANA

President, The National Judicial College

JUSTICE SABRINA SHIZUE MCKENNA

HAWAII SUPREME COURT

JUSTICE LYNN NAKAMOTO

OREGON SUPREME COURT

CHIEF JUSTICE JUDITH K. NAKAMURA

SUPREME COURT OF NEW MEXICO

JUSTICE MARY I. YU

WASHINGTON SUPREME COURT



SOURCES OF ADMINISTRATIVE AUTHORITY

Statutes

Supreme Court Rules

Local Rules

Decisional Authorities

Advisory Opinions

CODE OF JUDICIAL CONDUCT

Broader Ethical Obligations



LEADERS SHOW US HOW TO LEAD

Model the Way

Inspire a Shared Vision

Challenge the Process

Enable Others to Act

Encourage the Heart



WHAT IS YOUR LEADERSHIP STYLE?

WHAT PEOPLE VALUE IN THEIR LEADERS

SOURCE: JAMES M. KOUZES & BARRY Z. POSNER, THE LEADERSHIP CHALLENGE

88% Honest

71% Forward-looking

66% Competent

65% Inspiring

47% Intelligent

42% Fair-minded

40% Broad-minded

35% Supportive

34% Straightforward

33% Dependable

28% Cooperative

24% Determined

23% Imaginative

21% Ambitious

20% Courageous

20% Caring

17% Mature

14% Loyal

8% Self-controlled

6% Independent

WHO IS YOUR SHERO OR HERO?

THE PATH TO THE SUPREME COURT

HAVE YOU HAD ANY FAILURES?



CRISIS OF LEGITIMACY FOR TOP STATE COURTS

LEADERSHIP TOOLS AND TIPS

LEADERSHIP CHARACTERISTICS: THE LEADER DEMONSTRATES . . .

- Openness: Open to new experiences
- Conscientiousness: Disciplined and responsible
- Extroversion: Sociable, outgoing and affectionate.
- Agreeableness: Cooperative, trusting & helpful
- Neuroticism/Emotional Stability: Stable and secure.

JUDICIAL COLLEAGUES

No role in selection

Must interact in manner that promotes public confidence in the independence and integrity of judiciary

But what about conduct that harms the judiciary or affects justice?

PROCEDURAL FAIRNESS: LITIGANTS . . .

Voice: Have the opportunity to participate in the process and offer their perspective.

Neutrality: Believe the judge is neutral & makes decisions based on rules rather than opinions, and applies rules consistently.

Respectful Treatment: Are treated with dignity and feel their problems are taken seriously.

Trust: Perceive the judge is sincere and caring

THE FUTURE



THANK YOU!

SELECTED READINGS

Diversity and Non-Discrimination

1. Should State Supreme Courts Reflect the Diversity of their Communities?

Platoff, Emma, “*With a new vacancy on the Texas Supreme Court, attention turns to diversity concerns*”, Texas Tribune, August 5, 2019.
www.texastribune.org/2019/08/05/texas-supreme-court-diversity-vacancy-abbott-appoint

Robbins, Laila and Bannon, Alicia, “*State Supreme Court Diversity*”, Brennan Center for Justice at the New York University School of Law, (July 23, 2019) www.brennancenter.org See also, Bannon, Alicia and Robbins, Laila, “*The Nation’s Top State Courts Face a Crisis of Legitimacy*”, The New York Times, July 23, 2019,

Schwarz, Frederick A. O. (“Fritz”), Jr., “*Saving the Supreme Court*”, Brennan Center for Justice, September 13, 2019.
www.brennancenter.org/blog/saving-supreme-court

2. Rule 8.4 Misconduct

“Should the ABA put an anti-bias mandate into a Black Letter Model Rule?” www.americanbar.org April 15, 2019.

3. Selected provisions of the Model Rules of Professional Conduct and the Model Code of Judicial Conduct (attached).

Leadership

1. Burke, Kevin & Leben, Steve, “*Procedural Fairness: A key Ingredient in Public Satisfaction*”, 44 Ct. Rev. 4 (2007).
2. Hardy, David, “*Judicial Ethics: Conscious Reflection*”, The Writ, June 2013 at 10.
3. Maroney, Terry A., “*The Emotionally Intelligent Judge: A New (and Realistic) Ideal*”, 49 Ct. Rev. 100 (2013)

