

Chapter 1 : Suzanne Hayden For Judge District Court 1 " Responsible Justice Transforms Lives & Com

Beyond the judges themselves, our audience is the array of lawyers and officials and legislators and journalists, who in one way or another keep judges responsible. To perform their work they should have a sense of what judicial responsibility entails.

Comments [1] To ensure that judges are available to fulfill their judicial duties, judges must conduct their personal and extrajudicial activities to minimize the risk of conflicts that would result in frequent disqualification. Errors of this kind do not violate this Rule. C A judge shall require lawyers in proceedings before the court to refrain from manifesting bias or prejudice, or engaging in harassment, against parties, witnesses, lawyers, or others. D The restrictions of paragraphs B and C do not preclude judges or lawyers from making reference to factors that are relevant to an issue in a proceeding. Comments [1] A judge who manifests bias or prejudice in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute. Even facial expressions and body language can convey to parties and lawyers in the proceeding, jurors, the media, and others an appearance of bias or prejudice. A judge must avoid conduct that may reasonably be perceived as prejudiced or biased. C A judge shall not convey or authorize others to convey the impression that any person or organization is in a position to influence the judge. B A judge shall cooperate with other judges and court officials in the administration of court business. A judge should monitor and supervise cases in ways that reduce or eliminate dilatory practices, avoidable delays, and unnecessary costs. Comments [1] The right to be heard is an essential component of a fair and impartial system of justice. Substantive rights of litigants can be protected only if procedures protecting the right to be heard are observed. Among the factors that a judge should consider when deciding upon an appropriate settlement practice for a case are 1 whether the parties have requested or voluntarily consented to a certain level of participation by the judge in settlement discussions, 2 whether the parties and their counsel are relatively sophisticated in legal matters, 3 whether the case will be tried by the judge or a jury, 4 whether the parties participate with their counsel in settlement discussions, 5 whether any parties are unrepresented by counsel, and 6 whether the matter is civil or criminal. Although there are times when disqualification is necessary to protect the rights of litigants and preserve public confidence in the independence, integrity, and impartiality of the judiciary, judges must be available to decide matters that come before the courts. Unwarranted disqualification may bring public disfavor to the court and to the judge personally. C A judge shall not commend or criticize jurors for their verdict other than in a court order or opinion in a proceeding. Comments [1] The duty to hear all proceedings with patience and courtesy is not inconsistent with the duty imposed in Rule 2. Judges can be efficient and businesslike while being patient and deliberate. B If a judge inadvertently receives an unauthorized ex parte communication bearing upon the substance of a matter, the judge shall make provision promptly to notify the parties of the substance of the communication and provide the parties with an opportunity to respond. C A judge shall not investigate facts in a matter pending or impending before that judge, and shall consider only the evidence presented and any facts that may properly be judicially noticed, unless expressly authorized by law. Comments [1] To the extent reasonably possible, all parties or their lawyers shall be included in communications with a judge. In this capacity, judges may assume a more interactive role with parties, treatment providers, probation officers, social workers, and others. Such consultations must avoid ex parte discussions of a case with judges who have previously been disqualified from hearing the matter, and with judges or retired judges who have appellate jurisdiction over the matter. Such consultations are not subject to the restrictions of paragraph A 2. D Notwithstanding the restrictions in paragraph A , a judge may make public statements in the course of official duties, may explain court procedures, and may comment on any proceeding in which the judge is a litigant in a personal capacity. In cases in which the judge is a litigant in an official capacity, such as a writ of mandamus, the judge must not comment publicly. C A judge disqualified by the terms of Rule 2. In making this determination the judge should consider: In many jurisdictions in Washington, the term "recusal" is used interchangeably with the term "disqualification. For example, a judge might be required to participate in judicial review of a judicial salary statute, or might be the only judge available in a

matter requiring immediate judicial action, such as a hearing on probable cause or a temporary restraining order. In matters that require immediate action, the judge must disclose on the record the basis for possible disqualification and make reasonable efforts to transfer the matter to another judge as soon as practicable. Except for situations in which a judge participates in the management of such a legal or equitable interest, or the interest could be substantially affected by the outcome of a proceeding before a judge, it does not include:

B A judge with supervisory authority for the performance of other judges shall take reasonable measures to ensure that those judges properly discharge their judicial responsibilities, including the prompt disposition of matters before them. To promote the efficient administration of justice, a judge with supervisory authority must take the steps needed to ensure that judges under his or her supervision administer their workloads promptly. B A judge shall not appoint a lawyer to a position under circumstances where it would be reasonable to be interpreted to be quid pro quo for campaign contributions or other favors, unless:

C A judge shall not approve compensation of appointees beyond the fair value of services rendered. Comments [1] Appointees of a judge include assigned counsel, officials such as referees, commissioners, special masters, receivers, and guardians, and personnel such as clerks, secretaries, and bailiffs. Consent by the parties to an appointment or an award of compensation does not relieve the judge of the obligation prescribed by paragraph A. Comments [1] "Appropriate action" means action intended and reasonably likely to help the judge or lawyer in question address the problem and prevent harm to the justice system. Depending upon the circumstances, appropriate action may include but is not limited to speaking directly to the impaired person, notifying an individual with supervisory responsibility over the impaired person, or making a referral to an assistance program. Assistance programs have many approaches for offering help to impaired judges and lawyers, such as intervention, counseling, or referral to appropriate health care professionals. C A judge who receives credible information indicating a substantial likelihood that another judge has committed a violation of this Code should take appropriate action. D A judge who receives credible information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct should take appropriate action. Comments [1] Judges are not required to report the misconduct of other judges or lawyers. Self-regulation of the legal and judicial professions, however, creates an aspiration that judicial officers report misconduct to the appropriate disciplinary authority when they know of a serious violation of the Code of Judicial Conduct or the Rules of Professional Conduct. An apparently isolated violation may indicate a pattern of misconduct that only a disciplinary violation can uncover. Reporting a violation is especially important where the victim is unlikely to discover the offense. A measure of judgment is, therefore, required in deciding whether to report a violation. The term "substantial" refers to the seriousness of the possible offense and not the quantum of evidence of which the judge is aware.

Chapter 2 : Administrative Duties – Judicial Education Center

*The Responsible Judge: Readings in Judicial Ethics () [John T. Noonan Jr., Kenneth I. Winston] on blog.quintoapp.com *FREE* shipping on qualifying offers. Society and individual members thereof who approach the court in conscience desire justice.*

Procedural questions may be addressed to: A Judge Should Uphold the Integrity and Independence of the Judiciary An independent and honorable judiciary is indispensable to justice in our society. A judge should maintain and enforce high standards of conduct and should personally observe those standards, so that the integrity and independence of the judiciary may be preserved. The provisions of this Code should be construed and applied to further that objective. The integrity and independence of judges depend in turn on their acting without fear or favor. Although judges should be independent, they must comply with the law and should comply with this Code. Adherence to this responsibility helps to maintain public confidence in the impartiality of the judiciary. Conversely, violation of this Code diminishes public confidence in the judiciary and injures our system of government under law. The Canons are rules of reason. They should be applied consistently with constitutional requirements, statutes, other court rules and decisional law, and in the context of all relevant circumstances. The Code is to be construed so it does not impinge on the essential independence of judges in making judicial decisions. The Code is designed to provide guidance to judges and nominees for judicial office. It may also provide standards of conduct for application in proceedings under the Judicial Councils Reform and Judicial Conduct and Disability Act of 28 U. Not every violation of the Code should lead to disciplinary action. Whether disciplinary action is appropriate, and the degree of discipline, should be determined through a reasonable application of the text and should depend on such factors as the seriousness of the improper activity, the intent of the judge, whether there is a pattern of improper activity, and the effect of the improper activity on others or on the judicial system. Many of the restrictions in the Code are necessarily cast in general terms, and judges may reasonably differ in their interpretation. Furthermore, the Code is not designed or intended as a basis for civil liability or criminal prosecution. Finally, the Code is not intended to be used for tactical advantage. A judge should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. A judge should not allow family, social, political, financial, or other relationships to influence judicial conduct or judgment. A judge should neither lend the prestige of the judicial office to advance the private interests of the judge or others nor convey or permit others to convey the impression that they are in a special position to influence the judge. A judge should not testify voluntarily as a character witness. A judge should not hold membership in any organization that practices invidious discrimination on the basis of race, sex, religion, or national origin. Public confidence in the judiciary is eroded by irresponsible or improper conduct by judges. A judge must avoid all impropriety and appearance of impropriety. This prohibition applies to both professional and personal conduct. A judge must expect to be the subject of constant public scrutiny and accept freely and willingly restrictions that might be viewed as burdensome by the ordinary citizen. Because it is not practicable to list all prohibited acts, the prohibition is necessarily cast in general terms that extend to conduct by judges that is harmful although not specifically mentioned in the Code. Actual improprieties under this standard include violations of law, court rules, or other specific provisions of this Code. Testimony as a character witness injects the prestige of the judicial office into the proceeding in which the judge testifies and may be perceived as an official testimonial. A judge should discourage a party from requiring the judge to testify as a character witness except in unusual circumstances when the demands of justice require. This Canon does not create a privilege against testifying in response to an official summons. A judge should avoid lending the prestige of judicial office to advance the private interests of the judge or others. A judge should be sensitive to possible abuse of the prestige of office. A judge should not initiate communications to a sentencing judge or a probation or corrections officer but may provide information to such persons in response to a formal request. Judges may participate in the process of judicial selection by cooperating with appointing authorities and screening committees seeking names for consideration and by responding to official inquiries concerning a

person being considered for a judgeship. Canon 2C refers to the current practices of the organization. Whether an organization practices invidious discrimination is often a complex question to which judges should be sensitive. *City of New York, U. Rotary Club of Duarte, U. United States Jaycees, U.* Other relevant factors include the size and nature of the organization and the diversity of persons in the locale who might reasonably be considered potential members. Thus the mere absence of diverse membership does not by itself demonstrate a violation unless reasonable persons with knowledge of all the relevant circumstances would expect that the membership would be diverse in the absence of invidious discrimination. Absent such factors, an organization is generally said to discriminate invidiously if it arbitrarily excludes from membership on the basis of race, religion, sex, or national origin persons who would otherwise be admitted to membership. In addition, it would be a violation of Canons 2 and 2A for a judge to arrange a meeting at a club that the judge knows practices invidious discrimination on the basis of race, sex, religion, or national origin in its membership or other policies, or for the judge to use such a club regularly. When a judge determines that an organization to which the judge belongs engages in invidious discrimination that would preclude membership under Canon 2C or under Canons 2 and 2A, the judge is permitted, in lieu of resigning, to make immediate and continuous efforts to have the organization discontinue its invidiously discriminatory practices. In performing the duties prescribed by law, the judge should adhere to the following standards: Except as set out below, a judge should not initiate, permit, or consider *ex parte* communications or consider other communications concerning a pending or impending matter that are made outside the presence of the parties or their lawyers. If a judge receives an unauthorized *ex parte* communication bearing on the substance of a matter, the judge should promptly notify the parties of the subject matter of the communication and allow the parties an opportunity to respond, if requested. A judge should not approve compensation of appointees beyond the fair value of services rendered. Instead of withdrawing from the proceeding, a judge disqualified by Canon 3C 1 may, except in the circumstances specifically set out in subsections a through e, disclose on the record the basis of disqualification. The judge may participate in the proceeding if, after that disclosure, the parties and their lawyers have an opportunity to confer outside the presence of the judge, all agree in writing or on the record that the judge should not be disqualified, and the judge is then willing to participate. The agreement should be incorporated in the record of the proceeding. The duty to hear all proceedings fairly and with patience is not inconsistent with the duty to dispose promptly of the business of the court. Courts can be efficient and businesslike while being patient and deliberate. The duty to be respectful includes the responsibility to avoid comment or behavior that could reasonably be interpreted as harassment, prejudice or bias. The restriction on *ex parte* communications concerning a proceeding includes communications from lawyers, law teachers, and others who are not participants in the proceeding. A judge may consult with other judges or with court personnel whose function is to aid the judge in carrying out adjudicative responsibilities. A judge should make reasonable efforts to ensure that law clerks and other court personnel comply with this provision. A judge may encourage and seek to facilitate settlement but should not act in a manner that coerces any party into surrendering the right to have the controversy resolved by the courts. In disposing of matters promptly, efficiently, and fairly, a judge must demonstrate due regard for the rights of the parties to be heard and to have issues resolved without unnecessary cost or delay. A judge should monitor and supervise cases to reduce or eliminate dilatory practices, avoidable delays, and unnecessary costs. The admonition against public comment about the merits of a pending or impending matter continues until the appellate process is complete. A judge may comment publicly on proceedings in which the judge is a litigant in a personal capacity, but not on mandamus proceedings when the judge is a litigant in an official capacity but the judge may respond in accordance with Fed. Consent by the parties to an appointment or an award of compensation does not relieve the judge of the obligation prescribed by this subsection. Appropriate action may also include responding to a subpoena to testify or otherwise participating in judicial or lawyer disciplinary proceedings; a judge should be candid and honest with disciplinary authorities. Canon 3C 1 c. In a criminal proceeding, a victim entitled to restitution is not, within the meaning of this Canon, a party to the proceeding or the subject matter in controversy. Canon 3C 1 d ii. The fact that a lawyer in a proceeding is affiliated with a law firm with which a relative of the judge is affiliated does not of itself disqualify the judge. A Judge May Engage in Extrajudicial

Activities that are Consistent with the Obligations of Judicial Office A judge may engage in extrajudicial activities, including law-related pursuits and civic, charitable, educational, religious, social, financial, fiduciary, and governmental activities, and may speak, write, lecture, and teach on both law-related and nonlegal subjects. A judge may consult with or appear at a public hearing before an executive or legislative body or official: A judge may participate in and serve as a member, officer, director, trustee, or nonlegal advisor of a nonprofit organization devoted to the law, the legal system, or the administration of justice and may assist such an organization in the management and investment of funds. A judge may make recommendations to public and private fund-granting agencies about projects and programs concerning the law, the legal system, and the administration of justice. A judge may participate in and serve as an officer, director, trustee, or nonlegal advisor of a nonprofit civic, charitable, educational, religious, or social organization, subject to the following limitations: A judge may assist nonprofit law-related, civic, charitable, educational, religious, or social organizations in planning fund-raising activities and may be listed as an officer, director, or trustee. Otherwise, a judge should not personally participate in fund-raising activities, solicit funds for any organization, or use or permit the use of the prestige of judicial office for that purpose. A judge should not personally participate in membership solicitation if the solicitation might reasonably be perceived as coercive or is essentially a fund-raising mechanism. As a family fiduciary a judge is subject to the following restrictions: A judge may accept appointment to a governmental committee, commission, or other position only if it is one that concerns the law, the legal system, or the administration of justice, or if appointment of a judge is required by federal statute. A judge should not to any substantial degree use judicial chambers, resources, or staff to engage in extrajudicial activities permitted by this Canon. Any additional payment is compensation. Complete separation of a judge from extrajudicial activities is neither possible nor wise; a judge should not become isolated from the society in which the judge lives. As a judicial officer and a person specially learned in the law, a judge is in a unique position to contribute to the law, the legal system, and the administration of justice, including revising substantive and procedural law and improving criminal and juvenile justice. Subject to the same limitations, judges may also engage in a wide range of non-law-related activities. Within the boundaries of applicable law see, e. Teaching and serving on the board of a law school are permissible, but in the case of a for-profit law school, board service is limited to a nongoverning advisory board. Consistent with this Canon, a judge may encourage lawyers to provide pro bono legal services. This Canon generally prohibits a judge from mediating a state court matter, except in unusual circumstances e. A judge may act pro se in all legal matters, including matters involving litigation and matters involving appearances before or other dealings with governmental bodies. For example, in many jurisdictions, charitable hospitals are in court more often now than in the past. A judge may attend fund-raising events of law-related and other organizations although the judge may not be a speaker, a guest of honor, or featured on the program of such an event. Canon 3 requires disqualification of a judge in any proceeding in which the judge has a financial interest, however small. Canon 4H requires a judge to report compensation received for activities outside the judicial office. The Applicable Date of Compliance provision of this Code addresses continued service as a fiduciary. For example, a judge should resign as a trustee if it would result in detriment to the trust to divest holdings whose retention would require frequent disqualification of the judge in violation of Canon 4D 3. The appropriateness of accepting extrajudicial assignments must be assessed in light of the demands on judicial resources and the need to protect the courts from involvement in matters that may prove to be controversial. A judge is not required by this Code to disclose income, debts, or investments, except as provided in this Canon. That Act and those regulations should be consulted before a judge enters into any arrangement involving the receipt of compensation.

Chapter 3 : The Responsible judge (edition) | Open Library

A judge is a person who presides over court proceedings, either alone or as a part of a panel of judges. Powers, functions, method of appointment, discipline, and training of judges vary widely across different jurisdictions.

During the pretrial phase, the defense attorney may ask the judge to suppress evidence that was collected without a valid search warrant. When giving instructions to the jury before they deliberate, the judge may need to define for them the standards of negligence in a personal injury case. History of The Jury The U. Constitution provides for trial by jury in most situations. Therefore, even though the judge presides over the activities in the courtroom and rules on issues of law, the decisions about facts are made by ordinary, average citizens. The jury system is not an American invention. Trial by jury and the grand jury existed elsewhere before our states were even colonies. Read more Juries were sometimes used to settle disputes in the Roman Republic. Trial by jury was guaranteed to English citizens by the Magna Carta in 1215, and again by the English Bill of Rights in 1689. The colonists brought the idea of jury trials with them to the new world. Being deprived of trial by jury was one of the complaints against England made in the Declaration of Independence. The 5th Amendment states that no one can be indicted for serious crimes without first having a group of citizens, a grand jury, agree there is enough evidence to formally bring charges. The grand jury is used to ensure prosecuting attorneys do not make reckless decisions when charging someone with a serious crime. Read more All across the country, groups of citizens meet as grand juries in each of the federal districts. They meet in private, seeing evidence and hearing testimony that has not yet been made part of the public record. Grand jurors make the decision on a case-by-case basis as to whether or not there is sufficient evidence, or probable cause, to proceed to formal charges. Like trial by jury, the grand jury was not invented by the United States. It also appeared in the Magna Carta. Petit Jury Trial jurors are sometimes called petit jurors. Petit jurors are also average citizens who are called upon to participate in the trial process. Before someone accused of a crime can be put in prison, they need to be found guilty by a group of people from the community who, despite their varied background and experiences, can come to agreement on the facts in the case. Though trial by jury is an important right in America, a criminal defendant can waive this right and have the case decided by a Judge alone. If that happens, it is called a bench trial. In the 7th Amendment, the Bill of Rights also guarantees you the right to jury trial for civil matters. The district court will send out a jury summons to eligible citizens, requiring them to report to the courthouse for jury duty. Potential jurors are selected at random, to ensure there is a fair mix of all types of citizens in the courtroom. When citizens are called for jury duty, they report to the federal courthouse in the district in which they live. For a federal criminal trial, the final jury will have 12 members, plus one or more alternates. After the trial concludes, only 12 jurors get to participate in the decision making. The judge and attorneys are given limited information about each potential juror. Then, the judge, and possibly the attorneys, ask questions of the jurors. The purpose of this process is to determine who will be most fair and impartial, by eliminating jurors who might have the potential to be biased to one side or the other. When the questioning is complete, the attorneys for both sides meet with the judge to pick the jury for the trial. Some of the jurors are removed for cause. Challenging jurors for cause means they have something in their past experience that may not allow them to be fair and impartial to both parties. For example, jurors could be removed for cause because they know the plaintiff, defendant, one of the attorneys, or the judge. Jurors may also be removed because they have been a victim of a similar crime or injury in the past. There is no limit to the number of jurors who can be removed from the jury pool for cause. Other potential jurors are removed by peremptory strike. Each side is allowed to remove a certain number of jurors from the pool without giving a reason. This process contributes to the overall goal of selecting a fair and unbiased group of citizens to hear the case. While no reason has to be stated for peremptory strikes, jurors cannot be eliminated based on race or gender. Attorneys may have to state a reason for removing a potential juror if there is reason to believe the strike is based upon one of these factors. At the federal level, each side in a civil trial is allowed 3 peremptory strikes. In a federal criminal trial, the prosecuting attorney for the government gets 6, and the defense attorney is allowed 10 strikes. In the rare occurrence of a capital case, meaning the death penalty is

being considered, both sides are allowed 20 peremptory strikes. If the crime in question is only a federal misdemeanor, which is a minor crime punishable by a fine or less than a year in prison, each side gets 3 strikes. Once all potential jurors have been removed in this manner, the jury is then selected and empaneled. The courtroom deputy clerk will swear them in as the jury, the judge gives the jury some initial instructions, and the trial can begin. Those who are not empaneled are usually free to go, though some courts may ask them to stay for other cases that day or week. The first set of instructions usually gives the jurors an idea of the case is about. For example, jurors are not allowed to do any outside research about the case such as visiting the scene of the crime or accident. Therefore, the jurors should only make their decision based on what is seen and heard in the courtroom, and nothing else. Courts have other standard rules, to make sure the entire process is fair and impartial. These rules are in place to prevent any juror from being influenced by anything other than the evidence in the case. Violating one of these rules could cause charges to be brought against the juror. As the trial proceeds, the judge may give additional instructions to the jurors as issues of law arise. At the end of the trial, the judge will give the jury detailed instructions as they retire to the jury room to deliberate and come to their verdict. One of the most important parts of these final instructions include the specific listing of all of the things that must be true in order to reach a guilty verdict in a criminal case, or to find the defendant liable or at fault in a civil case. The final jury instructions will also include an explanation of the burden of proof to be used. In federal criminal cases, the jury must believe the defendant is guilty beyond a reasonable doubt in order to return a guilty verdict. This means that no reasonable person would doubt that the defendant had committed the crime. The burden of proof in civil cases is different; it is by the greater weight of the evidence sometimes called preponderance of the evidence. This is a less difficult burden of proof than beyond a reasonable doubt. In federal court, all jury verdicts must be unanimous. Why is the burden of proof higher in a criminal case? Criminal cases have harsher penalties; you might be fined, jailed, or even put to death after being found guilty. But in a civil case, you can only lose money. So the courts want to the jury to be sure beyond any reasonable doubt that the defendant did in fact commit the crime as charged. The Judge and The Jury Directions: Question 1 Decides the verdict by deciding the facts.

Chapter 4 : 6 Kinds Of Bad Judging | The Responsible Puppet

I believe responsible justice transforms lives and communities. My legal career reflects my commitment to that belief. My successful argument before the Washington State Court of Appeals to overturn a juvenile case that was first charged as a probation violation, then later also as a new crime, refined how and when a new violation is.

Helen is the new Zanzibar Association of Tourism Investors director. She has a long history of working in Zanzibar, more recently as manager of Chumbe Island Coral Park eco-lodge for five years, and eight years as the academic director of the School for International Training, World Learning inc. Her other projects include the development of the Zanzibar Butterfly Centre; supporting the Emerson Zanzibar Foundation working with youth in the arts sector and also on the board of the Zanzibar Association of Employers. Helen has three degrees in social and environmental issues, anthropology and development respectively. Kai Partale, International Tourism Advisor. Kai is an international tourism advisor and associated with the benchmark: With more than 18 years of professional work experience in leading positions and providing technical assistance to the tourism and hospitality sector, governmental and non-governmental institutions, he gained worldwide experience in a number of sustainable destination development programmes and responsible tourism projects. Kai received his M. His core competencies are in the fields of destination development and marketing, vocational education and training, sustainable development and investment promotion. Marc Baker, Director of Carbon Tanzania. Marc is the founding director of Carbon Tanzania, a Tanzanian company that develops forest conservation and climate mitigation projects. Marc has worked in conservation and ecotourism in Tanzania since He has worked as an environmental planner and wildlife specialist for Danida, Care International, the Wildlife Division of Tanzania and Nor-consult, and has a broad understanding of a range of environmental practices leading to business management for sound ecological practice. Marc advises companies and organizations wishing to reduce their carbon dioxide emissions by measuring the impact and linking it to community-based carbon forest projects in Tanzania through verified emission reductions. Utilizing over two decades of executive marketing and business development expertise in corporate America, combined with extensive global travel experience; she provides a unique perspective on tourism development. Most recently as a marketing consultant to local tour operators, lodges and the largest safari vehicle manufacturing company in Africa, she has established international networks and is actively promoting the development of social and environmental sustainability certifications into the African tourism industry as the Founding Director of All About Africa Consulting based in Cape Town. Kokel Melubo, Senior Lecturer Mweka. He served as the Head of Department of Wildlife Tourism. He received his Doctoral Degree Ph. His research interests fall under the broad theme of sustainable tourism, but with a focus on corporate social responsibility, community tourism, best practices, tour guiding and mountaineering. He has several publications in reputable journal papers and books. Nura Lisa is a young dynamic Tanzanian woman and a lawyer by profession. She has worked in the tourism industry since working in various positions from sales and marketing to managing accommodation facilities in Tanzania whilst also pursuing her law degree which she attained cum laude in from the Nelson Mandela Metropolitan University in Port Elizabeth, South Africa. In this capacity, she represents the hospitality sector on all strategic partnerships, advocacy and public relations matters with the government of the United Republic of Tanzania and other tourism stakeholders. She spent several years working with Fairtrade “ both on the auditing side and on the development of the hired labor standard and, through her passion for sustainability assessments, was instrumental in setting up the RTTZ standards and criteria and also in the training of the auditors.

Chapter 5 : Understanding the Judge and the Jury | The Judicial Learning Center

The number of kids Harris County sent to state juvenile lock-ups doubled between and The number of kids Harris County sent to state juvenile lock-ups doubled between and The.

Senior Judge The U. Justices are appointed by the president and are subject to confirmation by the Senate. They serve a life term. The Chief Justice is appointed by the president and confirmed by the Senate. He or she serves a life term just like the other Justices of the Supreme Court. The Chief Justice also serves as the head of the judicial branch of the federal government, and acts as the judge in impeachment cases involving the president and vice president. Judges are appointed by the president and subject to confirmation by the Senate. This position is based on seniority among the other judges on that court. The chief judge is the judge in regular active service with the highest seniority, who is under age 65, and has been in active service on the court for at least one year, and has not already served as chief judge. The term of the chief judge is seven years. Each District has a Chief Judge. The chief judge is the judge in regular active service with the highest seniority, who is under age 65, and has been in active service on the court for at least one year, and who has not already been chief judge. Federal judges with life tenure U. Supreme Court, Courts of Appeals, and District Courts may retire or take senior status after performing 15 more years of service as an Article III judge, and after reaching age Magistrate and bankruptcy judges have different retirement options. These judges serve a term of 8 years, and are given duties by the district court judges. Magistrate judges issue search warrants, set bail, and do other preliminary things in criminal cases. They may also be designated to help with several of the steps in the judicial process that occur before the actual trial is held in both civil and criminal cases. They can also preside over civil trials if all the parties consent. These judges are also officers of the district courts and preside over the bankruptcy cases that are filed in their respective districts. Bankruptcy judges are appointed by a majority of judges on the U. Court of Appeals for each circuit. They serve a 14 year term. To find how judges are chosen, we must look to Article II. Most presidents have a chance to appoint at least one Supreme Court Justice during their time in office, in addition to making many appointments to the lower federal courts. Most of the work in the Senate today is done in committees. The Senate Judiciary Committee is one of many permanent standing committees in the Senate. It has the job of investigating judicial nominations, and making recommendations to the full Senate about whether to confirm these nominees or not. When asked to provide suggestions for district court appointments, the president generally looks to the senators from the state where those nominees will preside, though anyone can make a recommendation to the president. The senators of these states may look to their state bar association for recommendations, as well as talking to friends, lawyers, and other state officials, to get ideas about who to recommend. After some research, senators recommend their nominee to the president. Choosing a nominee is only the first part of the process for a president. After his choice his made, the nomination moves on to the Senate, where the Judiciary Committee will begin the confirmation process. The Confirmation Process Once the president has chosen a nominee, his or her name will be sent to the Justice Department and Federal Bureau of Investigation. They do a formal background check on the nominee to make sure that person is suitable to be a federal judge. If the nominee makes it through this first step, the nominee will then go before the Senate Judiciary Committee. The Judiciary Committee asks nominees to fill out a questionnaire asking for information on their background. It also looks into the nominees decisions on past cases if they are already a judge , and any books or journal articles they may have written. These writings give the committee a sense of who the judge is, what they believe, and if they can be fair and unbiased in their interpretation of the Constitution. Members of the Judiciary Committee often meet with the nominee face to face as well, and eventually hold hearings in which they try to determine if the nominee will be a good judge. Senate Judiciary Committee hearings are public, and often involve the testimony of the nominee as well as those who know them, or who have worked with them in the past. When the hearings are finished, the committee sends the nomination to the floor of the Senate for debate and a vote. If a majority of senators vote to confirm 51 or more , the nominee will get the judicial seat. If the nominee does not get a majority of votes, they will not be confirmed, and will not get the seat. It is also a possibility

that the minority party of the Senate will try to use the filibuster to stall the confirmation of a judge especially if the president is of the opposing party. If this happens, only the rule of cloture which requires a 60 vote majority can end the debate. Filibuster is sometimes used by the minority party to stop judicial nominees from being confirmed. Choosing Judges in Missouri Choosing judges is not the same in the state system as it is in the federal system. The original Missouri Constitution, written in 1820, allowed the governor of the state to appoint judges, who were then subject to confirmation by the state senate. This system mirrored the federal system, but was changed in the 1840s and 1850s as the people began to seek popular election of judges. The state constitution was amended in 1845, with the first judicial elections being held in 1846. In the remaining judicial circuits primarily in the St. Louis area. The Missouri Non-Partisan Court Plan was adopted after problems began to emerge in partisan elections for judges in the major cities. To curb corruption, citizens, business and civic leaders, and Missouri lawyers began to lobby for a change. The Missouri Plan created a judicial commission made up of citizens, lawyers, and a judge. It is the job of this commission to select judicial nominees from those who have applied for the open positions. These nominees must meet certain constitutional requirements in the state for example a Missouri Supreme Court nominee must be at least 30 years old, licensed to practice law in Missouri, have been a U.S. citizen for at least 14 years, and have been a resident of Missouri for at least 7 years. Once the nominating commission has made its choices, it forwards the names of three proposed nominees to the governor, who then chooses the judge to fill the judicial vacancy. The judge will serve on the court for at least a year, after which the people get to vote to either retain them, or remove them. This is called retention, rather than election. Visit the Missouri Courts webpage to learn more about how judges are chosen in Missouri. About Federal Judges Directions: Start Congratulations - you have completed About Federal Judges. Question 1 Federal judges are appointed by the President and are subject to confirmation by the House of Representatives.

Chapter 6 : Federal judiciary of the United States - Wikipedia

The Responsible judge by , Praeger edition, in English.

Northern Ireland[edit] The judicial system of Northern Ireland is very similar to that of England and Wales, and superior court judges are addressed the same way as those in England and Wales. However, there are a few differences at the lower levels. A district judge sitting in the County Court is addressed as "Your Honour". A Lay Magistrate, in cases where they are present, is also addressed as "Your Worship", and may use the post nominals "LM", e. Judges in some superior courts are addressed as "My Lord" or "My Lady". Both the titles "judge" and "justice" are translated juge. Generally, it is only appropriate to use the term "judge" when speaking of an anonymous or general position, such as "the trial judge," or when referring to a member of an inferior or provincial court such as the Ontario Court of Justice. Like other members of the Commonwealth, a justice of the peace is addressed as "Your Worship," and a Master of a Superior Court is both addressed and referred to as "Master. Please help improve this article by adding citations to reliable sources. Unsourced material may be challenged and removed. In many states throughout the United States , a judge is addressed as "Your Honor" or "Judge" when presiding over the court. The judges of the Supreme Court of the United States , and the judges of the supreme courts of several US states and other countries are called "justices". Chief Justice" but also may be identified and addressed as "Chief Justice name ". The justices of the supreme courts usually hold higher offices than any other judges in a jurisdiction, including a justice of the peace , a judge who holds police court in some jurisdictions and who may also try small claims and misdemeanors. However, the state of New York inverts this usual order. The initial trial court in this state is called the Supreme Court of New York, and its judges are called "justices". The next highest appellate court is the Supreme Court, Appellate Division, whose judges are also called "justices". Judges in certain jurisdictions, such as New York and New Jersey, who deal with guardianships, trusts and estates are known as " surrogates. Subordinate or inferior jurisdiction judges in US legal practice are sometimes called magistrates , although in the federal court of the United States, they are called magistrate judges. Subordinate judges in US legal practice who are appointed on a case-by-case basis, particularly in cases where a great deal of detailed and tedious evidence must be reviewed, are often called "masters" or "special masters" and have authority in a particular case often determined on a case by case basis. Judges of courts of specialized jurisdiction such as bankruptcy courts or juvenile courts were sometimes known officially as " referees ," but the use of this title is in decline. Judges sitting in courts of equity in common law systems such as judges in the equity courts of Delaware are called " chancellors. They were previously known as hearing examiners. Judges who derive their authority from a contractual agreement of the parties to a dispute, rather than a governmental body, are called arbitrators. They typically do not receive the honorific forms of address nor do they bear the symbolic trappings of a publicly appointed judge. However, it is now common for many retired judges to serve as arbitrators, and they will often write their names as if they were still judges, with the parenthetical " Ret. Most but not all US judges have professional credentials as lawyers. Non-lawyer judges in the United States are often elected, and are typically either justices of the peace or part-time judges in rural limited jurisdiction courts. A non-lawyer judge typically has the same rights and responsibilities as a lawyer who is a judge holding the same office and is addressed in the same manner.

Chapter 7 : The Responsible Judge : Kenneth I. Winston :

The Responsible Judge by Kenneth I. Winston, , available at Book Depository with free delivery worldwide.

United States federal judge Federal judges, like Supreme Court Justices, are appointed by the President with the consent of the Senate to serve until they resign, are impeached and convicted, retire, or die. Parts of this article those related to vacancy numbers need to be updated. Please update this article to reflect recent events or newly available information. January In April , about 10 percent of federal seats were vacant, with 85 of positions unfilled and 4 vacancies on the prestigious Court of Appeals for the District of Columbia Circuit. Judges who staff them normally serve terms of fixed duration, as do magistrate judges who assist Article III judges. Judges in Article I tribunals attached to executive branch agencies are referred to as administrative law judges ALJs and are generally considered to be part of the executive branch even though they exercise quasi-judicial powers. With limited exceptions, they cannot render final judgments in cases involving life, liberty, and private property rights, but may make preliminary rulings subject to review by an Article III judge. The conference is responsible for creating and revising federal procedural rules pursuant to the Rules Enabling Act. It is directly responsible to the Judicial Conference. The judicial councils are panels within each circuit charged with making "necessary and appropriate orders for the effective and expeditious administration of justice". The Federal Judicial Center is the primary research and education agency for the U. The Judicial Panel on Multidistrict Litigation transfers and consolidates cases in multiple judicial districts that share common factual issues. The United States Marshals Service is an Executive Branch agency that is responsible for providing protection for the federal judiciary and transporting federal prisoners. Legal procedure[edit] The Supreme Court has interpreted the Constitution as placing some additional restrictions on the federal courts. For example, the doctrines of mootness , ripeness , and standing prohibit district courts from issuing advisory opinions. Other doctrines, such as the abstention doctrine and the Rooker-Feldman doctrine limit the power of lower federal courts to disturb rulings made by state courts. The Erie doctrine requires federal courts to apply substantive state law to claims arising from state law which may be heard in federal courts under supplemental or diversity jurisdiction. In difficult cases, the federal courts must either guess as to how a court of that state would decide the issue or, if that state accepts certified questions from federal courts when state law is unclear or uncertain, ask an appellate court of that state to decide the issue. Notably, the only federal court that can issue proclamations of federal law that bind state courts is the Supreme Court itself. Decisions of the lower federal courts, whether on issues of federal law or state law i. The IRS "will recognize these principles and generally concede issues accordingly during administrative proceedings. This authority, enumerated by Article IX, allowed for the establishment of United States jurisdiction in the trial of piracies and felonies committed on the high seas, final appeals from state court decisions in all cases of captures of enemy ships, last resort for resolution of disputes between two or more states including disputes over borders and jurisdiction , and final determination of controversies between private parties arising from conflicting land grants issued by two or more states prior to settlement of which state actually has jurisdiction over the territory. Additional United States courts were established to adjudicate border disputes between the states of Connecticut and Pennsylvania , New York and Massachusetts , Georgia and South Carolina. Lastly, a United States court was established for the Northwest Territory. When the Constitution came into force in , Congress gained the authority to establish the federal judicial system as a whole. Only the Supreme Court was established by the Constitution itself. The Judiciary Act of created the first inferior i.

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