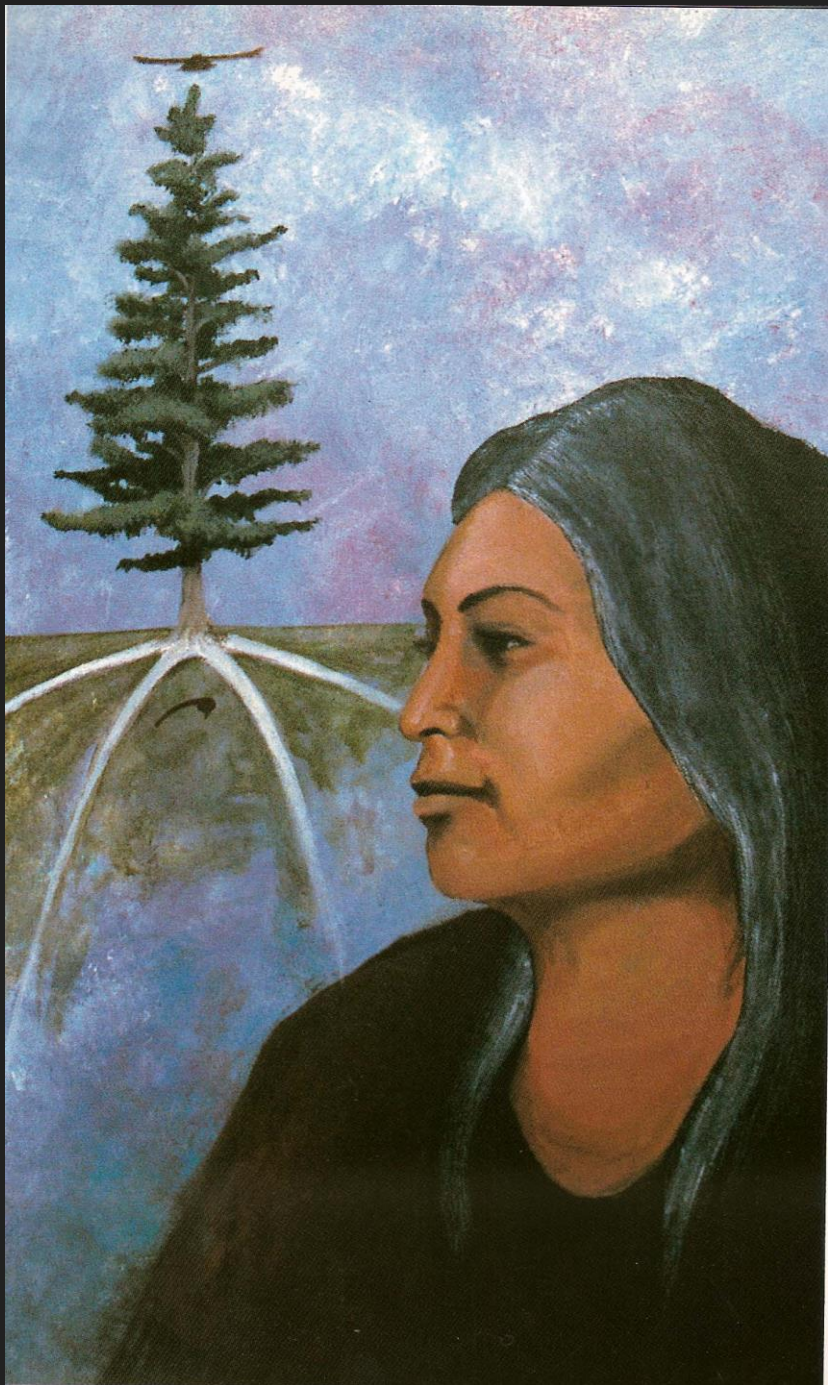


Judicial Leadership in Healing to Wellness Courts

Carrie E. Garrow, Chief Judge
Saint Regis Mohawk Tribal Court

2019 NADCP



Jikonsahseh, Mother of Nations

Skywoman, *Legends of the Iroquois* by Joanne Shenandoah and Douglas M. George, Illustrated by John Fadden & David Fadden

Mother of Nations' Leadership Traits

- Powerful
- Feared
- Respect
- Smart/strategic
- Active
- Listened
- Learned something new
- Shared new thinking
- Consistent
- Informed

Important Judicial Skills – Best Practices

Professional Training – Learns new skills



What kind of training?

What ever you need – but especially evidence-based practices in substance abuse, mental health treatment, and community supervision



Set the example for your team

Length of Term – Consistent

At least two consecutive years

- Greater cost savings and significantly lower recidivism
- Evidence suggests that Drug Court judges are significantly less effective at reducing crime during their first year than during ensuing years

Know your policies and procedures

Consistent Docket



Participants benefit from having the same judge



Courts that rotate judicial assignments or require participants to appear before alternative judges had the poorest outcomes



Structure is important to change participants maladaptive behaviors

Participation in Pre-Court Staff Meetings - Active

Outcomes significantly better - regularly attend pre-court staff meetings

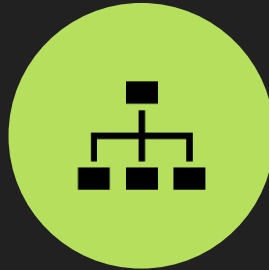
Judge ensures that each team member's perspective is taken into consideration

Studies suggest that when judges do not attend – less likely to be adequately informed or prepared when interact with participants

Frequency of Status Hearings – Active/Listens



NO LESS THAN EVERY TWO
WEEKS DURING FIRST PHASE
– SIGNIFICANTLY BETTER
OUTCOMES



STRUCTURE



ACCOUNTABILITY



OPPORTUNITY FOR PRAISE –
SANDWICH APPROACH

Length of Court Interactions- Active/Listens



At least three minutes
and as much as seven
minutes



Gauge participant's
performance in
program



Discuss importance of
compliance with
treatment



Communicate
participant's efforts are
recognized and valued

Judicial Demeanor

Influential Factor for Success

- Better outcomes for judges who were perceived to be

- Respectful vs feared

- Fair

- Attentive

- Enthusiastic

- Consistent

- Caring

- Supportive comments

- Outcomes poorer for judges who were perceived to be

- Arbitrary

- Jumping to conclusion

- Did not give participants an opportunity to explain their side

- Comments were stigmatizing, hostile, or shaming

Judicial Decision Making – Listen/learn/active



DUE PROCESS AND JUDICIAL ETHICS REQUIRE
INDEPENDENT DISCRETION – BUT JUDGES ARE
ALLOWED TO CONSIDER PROBATIVE EVIDENCE
OR RELEVANT INFORMATION

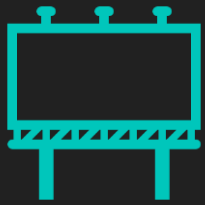


NEED YOUR TEAM OF EXPERTS



MAKE AN INFORMED DECISION

Top Down Leadership – It Ain't All That



Cynicism about 'new program'



Difference between compliance and commitment

A value is only a value if it is voluntarily chosen

You want new behaviors for the right reasons

Top down leadership evokes compliance, not commitment



It can backfire and move you backwards

Increasing fear and distrust

Three Essential Types of Leaders

Local line leaders – actually do the experimenting or change

Executive leaders – provide support for line leaders, develop learning infrastructures, and lead by example

Internal networkers or community builders – Seed carriers who move freely to find those predisposed to change, help out with change, aid in spreading the word

Local Line Leaders



TEAM MEMBERS



PLAY A KEY ROLE
IN DESIGN AND
IMPLEMENTATION



BECOME TEACHERS



KNOWLEDGE AND
PRACTICAL
EXPERIENCE GIVES
THEM UNIQUE
CREDIBILITY



THEY ARE ROLE
MODELS WITH
WHICH OTHER
FRONT-LINE PEOPLE
IDENTIFY



NO BETTER WAY TO
LEARN THAN
TEACH – DEEPENS
THEIR OWN
UNDERSTANDING
AND CREDIBILITY



SKEPTICISM CAN BE
A GOOD THING

Executive/Admin Leaders



PROTECTORS/MENTORS/THINKING PARTNERS



CONNECTS TEAM MEMBERS WITH LIKE-MINDED PEOPLE



MENTORS TEAM MEMBERS TO UNDERSTAND POLITICAL CROSSCURRENTS AND TO COMMUNICATE IDEAS



UNDERSTANDS LEARNING AND CHANGE IS NOT BASED ON A SINGULAR DECISION



LEAD AS TEACHERS, STEWARDS, AND DESIGNERS AND FULFILL MORE SUBTLE AND LONG TERM ROLES

Internal Networkers/Community Builders

- No formal delegation of power
- Internal networkers free to move about unnoticed, receives honest responses
- Authority comes because of their convictions and clarity of ideas
- Able to move around freely, understand informal networks
- Work on different levels

Homework

Use your stories to define leadership – work on those skills

Identify your local line leaders, other executive leaders and internal networkers – make sure they are part of your Healing to Wellness Court strategy