

Judges Respond to New Judicial College

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Six Missouri judges have been through the New Judicial College at the Ranch, five from the Kansas City area and one from St. Louis. We decided to talk to the judges in the Kansas City area, to find out how they felt about their experiences at the New Judicial College. The judges here who have been through the New Judicial College program attended either in 1999 or 2000. As you might imagine, each of the judges attending the college has a deep sense of justice and a desire to make fair and just decisions in all cases. The counties in which Kansas City, Missouri is a part are Jackson, Clay and Platte Counties. Four of the eighteen circuit court judges in Jackson County and one of the seven judges in Clay County have attended the New Judicial College. We were able to talk with each of them: William Kramer, Charles Atwell, J. D. Williamson, Rex Gabbert, and Stephen Nixon. Judge Kramer is serving his two year term as the Presiding Judge in Jackson County, while Judge Nixon currently sits in Juvenile Court, a two year rotation, following Judge Williamson. Judge Atwell sits in Kansas City and Judge Gabbert is on the bench in Liberty, Clay County, Missouri. Judges Gabbert, Nixon and Atwell attended the college in 1999, while Judges Kramer and Williamson attended the 2000 session. Judge Gabbert returned to the college in 2000 as part of the staff.

Responses to questions posed to them follow.

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Why did you decide to attend the New Judicial College?

J. Gabbert: I was interested due to feedback I had gotten from graduates of TLC, including Pat Reynolds who nominated me for the Judicial College. I thought it would also be a good way to meet like-minded judges. When I got the invitation in the mail, I almost threw it away as I mistook it for an advertisement for a book. I also went due to the encouragement of my wife.

J. Atwell: I was already aware of Gerry Spence and of the Trial Lawyers College and had some sense of what they did there. I had spoken with Pat Berrigan (class of 1994) and he had said he thought I would have a good experience. I was also a friend of Bob Fogelnest, who had given me a pretty good idea about what to expect with psychodrama.

J. Nixon: I always wanted to go to TLC as a lawyer. When I was nominated, I had an opportunity to do something I wanted to do. I had admired Gerry Spence since the 1970's when he spoke at a function of

the Eastern Jackson County Bar Association.

J. Williamson: I had heard about the Trial Lawyers College when I was still in practice, but I never got to go before I was on the bench. I heard then about the Judicial College from two other local judges, Steve Nixon and Charles Atwell. They had good things to say, so I decided to go, too.

J. Kramer: Judge Steve Nixon convinced me. Since I was the incoming presiding judge, I thought the introspective exercises would be useful. I also knew of Gerry Spence's reputation and thought this would be an opportunity to meet him. I had never been to Wyoming and was intrigued by a chance to go there.

What was the reaction of other judges concerning you going to the Judicial College?

J. Gabbert: Most raised their eyebrows and were suspicious. I heard things such as, "Why would Gerry Spence want judges there? He doesn't like judges."

J. Atwell: I did not tell many judges. A few asked, "Why?", but most thought it was an interesting idea.

J. Nixon: Everyone who went when I did was thrilled. A group of judges thought it was a total waste of time and you must be nuts to go. Others were positive and asked questions. Some were very interested.

J. Williamson: Most were just curious. I got comments such as, "What the hell are you going to do up there?" I told them I wasn't sure, but I was going to find out. Many did not even know where I was going.

J. Kramer: I either got a neutral or quizzical reaction when a judge knew I was going to go. There were no strong reactions. There was more of a reaction to Gerry Spence being there.

What was the reaction of attorneys concerning you going to the Judicial College?

J. Gabbert: Some were pleased and others reacted like the judges, with suspicion.



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J. Atwell: I only spoke about it with a few attorneys who I thought had a common interest in it. They were very favorable.

J. Williamson: I really didn't talk to any attorneys about it.

Was it what you expected?

J. Gabbert: No. All of us were apprehensive the first night and there was some obvious hostility from some of the lawyers on staff that first night. I seriously wondered if this had been a mistake. But we developed a great camaraderie in the group. At the end of the five days, we were all hugging each other and sad to leave.

J. Atwell: Generally, yes. Fogelnest had already told me about the somewhat Spartan quarters, as well as the general concepts involved in psychodrama. The main difference was that it was much more intense than I had anticipated and much harder work. We had very little down time.

J. Nixon: I went with an open mind and didn't have a clue as what to expect. I wanted to sit down with Gerry with no interruptions. I got to do that twice.

J. Williamson: I had no specific expectations about the program. But the facilities and the food were actually much better than I had expected. The rooms were adequate, and we ate like kings and queens. The camaraderie was higher than I had expected, certainly higher than many other judicial functions I had attended in the past. Everyone was very outgoing and friendly. We had good times in the evenings sharing around the campfire, particularly since we had both a guitar player and a harmonica player with us.

J. Kramer: The program was not really what I had expected. I had no idea about what psychodrama was before I went. My personality is not the kind that really responds to psychodrama.

What was the best part of the experience?

J. Gabbert: It was great to meet the other judges and staff and develop new friendships. But the best part was the feeling I took back from the College—the opportunity to look into myself and others, to see things differently, from a different standpoint. This was reinforced the second year.

J. Atwell: It was the insight gained into how to appreciate the way others think, what makes them tick, and the importance of that. I also gained some skills in order to do that more effectively.

J. Nixon: I liked getting to know other judges who felt the same way that I do, it made me realize that I am not alone. Not everybody who is a judge came from a silver spoon background. Judges who went to the College fought and scrapped to get where they are. There were others there who were not a part of the mainstream. It was helpful for me to explore my core values as a new judge. I was in a setting where I could think about the impact on society and not just cases.

J. Williamson: The best part has to be on two levels. First, the camaraderie and the friendships that I made while there. Secondly, the psychodrama and the introspection which it engendered during the sessions. It was a chance to look within that you don't usually have. It was an awesome experience each day—something I don't normally experience. On a personal level, there was also the first time I finally made it to the top of the mountain with Spence on our daily morning

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“walk.” That was very satisfying. For those of you who have also accompanied Gerry on that venture, you will understand. For those of you who have not, try it sometime.

J. Kramer: I liked the free expression of painting. I contemplated why I put certain lines on the page. It was a useful tool. Now, after going to the College, I consider what is really going on. One evening the evening activities were cancelled and we had a campfire. We talked and it was unstructured. It came at the right time, the fourth day of the program. The staff came up with the idea. I also liked the general discussions. The judges discussed their frustrations. Psychodrama maybe helped people open up. We weren't out there by ourselves.

What was the worst part of the experience?

J. Gabbert: Being gone from my family was the only real downside—it seemed even longer than five days.

J. Atwell: I think we just needed more breaks and time to socialize and relax. The entire experience was very intense and draining at times.

J. Nixon: There was a degree of disrespect and irreverence for what happens with the

judges. I was a demonstrator against Vietnam and am a little more vocal. I thought the staff had a lot of good points, probably some of the critiques of judges was to specific courts and were unfair generalizations.

J. Williamson: There was really nothing I would call bad, except that the day after I made it to the top of the mountain, I strained an old injury and could not go that next day.



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J. Kramer: I felt the program relied too heavily on psychodrama.

If you could, how would you change the College?

J. Gabbert: It would be interesting to have some of the nationally known attorneys there on staff like TLC has had in the past, but the attorneys on staff who were there were great.

J. Atwell: Other than adding in some more time to socialize and just relax, I think it would be easier to promote the Judicial College if the advertising materials were a little more concrete and included enough structure to get CLE credit and therefore funding to attend. You could still do exactly the same things that are done now once everyone is there, but just include something in the promotional materials such as “exploring ethical considerations as a judge through the use of psychodramatic techniques.” This would get the state funding so judges could more easily attend.

J. Williamson: The only suggestion I have is to involve returning judges to find a way to structure the program a bit more toward the specific duties of a judge (addressing issues of docketing, trial mechanics, and interactions with attor-

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neys). This could make it more attractive to judges and make them more likely to sign up.

Has the Judicial College had an effect on your life?

J. Gabbert: Both personally and as a judge, this experience taught me how to better look at how others perceive things, why others take the positions that they do because of things in their own backgrounds and pasts, how to look beyond what is on a piece of paper, and why people end up in the positions they are in. For example, when I have cases such as young women charged with writing bad checks, I now look to see if they are singles moms who wrote the check at the grocery store for food for their families. Many receive no child support. They are in difficult positions that they are unable to climb out of, and I take this into account. It does not make writing a bad check right, but it does much to explain where they are coming from.

J. Atwell: It was very therapeutic and helped me deal with some issues involving my own children. It reinforced my attitudes as a judge that compassion and patience are of prime importance. It also helped me attempt to put myself in the souls of others. I think about my experiences at the college often during jury selection, sentencing, interactions with other judges, and in bureaucratic meetings.

J. Nixon: I want to contribute back to the College. I try to recruit people. I live it.

J. Williamson: Going to the College made me more aware of personal relationships with family and friends. It reinforced and confirmed some things that I was already trying to do as a judge. It brought those things to the forefront and gave me time to think about how to handle certain things. As an example, when I handled juvenile matters such as certifications and termination of parental rights, I learned that I could now project more into the circumstances of the individuals that I was dealing with. It think this added insight enables me to handle these matters in a more fair and just manner.

J. Kramer: I now consider what is really going on with people. I have a renewed appreciation of the deeper story and the importance of not necessarily taking things at face value. I see that most of communication is non-verbal.

If you had a magic wand and could change the judicial system, what would you do?

J. Gabbert: I would try to make the courts less scary and feared by people, to make it more friendly and accepted. I would like to open the court's time up to those who have problems that can be solved no other way and better allow both sides an opportunity to truly be heard. I would like to see an expansion and broadening of justice.

J. Atwell: I would dispense with all the time that is spent fighting over things that don't matter and find a way to give the poor in society better access to the judicial system.

J. Nixon: I would change it so that all lawyers would deal with each other with honesty and integrity. And I include judges, because judges are lawyers. I would eliminate the concept of "frivolous lawsuit." Some cases are brought for the wrong reasons, but are not "frivolous." We can deal with all cases through the judicial system. Everyone has a right to access to courts and to say what they want

to say. Today, people are trying to restrict access to courts and that is dangerous. The federal executive and legislative branches are trying to legislate away individual rights.

J. Williamson: I would like to see all lawyers and all judges be able to put aside their personal hostilities and do their jobs as advocates and judges in a more congenial manner.

J. Kramer: As the presiding judge in this county, I would like to make sure that the employees are compensated appropriately. For example, a woman recently retired here after 43 years of service making very little pay. The judicial system expects employees like her to do a lot for the public, but doesn't appreciate what they do.

Would you recommend colleagues to attend and what would you say to other judges interested in attending the Judicial College?

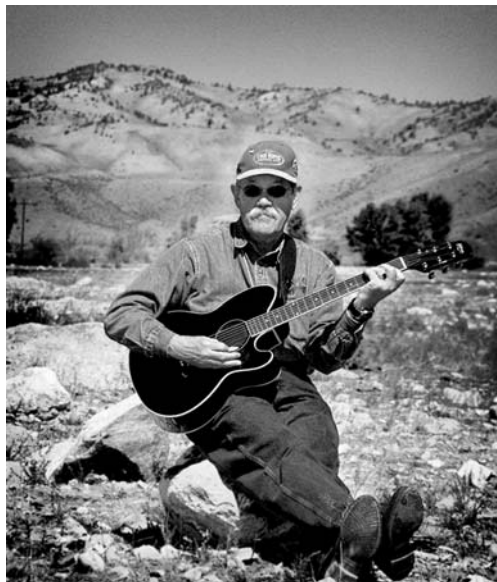
J. Gabbert: I definitely would and have recommended the Judicial College. I would tell judges that it is a great opportunity to attend something other than a rigid lecture style seminar. It will enrich their lives, re-energize them, and give them a better perspective. It is more personal than any seminar I have ever attended.

J. Atwell: I would absolutely recommend the College to the right persons. I certainly hope that the Judicial College will continue and that it will grow. I would simply tell those who seem truly interested in the program that it is well worth the time to attend and to learn.

J. Nixon: I would recommend the College. I would tell judges that they will find out who they are.

J. Williamson: I would recommend the College. I would tell judges that it is a good thing to do, as long as you go with the right attitude of wanting to open your mind and give it a chance to work for you.

J. Kramer: I would recommend the College to colleagues. I would give them insight and tell them about psychodrama so that they would have some idea of what to expect. 36



Judge Sam Soule, Rock Springs, Wyoming, enjoys a break during the 2002 Judges Seminar.

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