



# The Power of Civility, Decency and Humility in Leading Courts

December 17, 2020

*NAPCO Webinar Series*



## Presenters



Gordon Griller  
Executive Director, NAPCO  
Scottsdale, AZ



Hon. Paula Carey  
Chief Justice  
Trial Court  
Judicial Branch, MA



Jackie Bryant  
Court Administrator  
District Court  
Washoe County NV

Hon. Martha Walters  
Chief Justice  
Oregon Judicial Department  
Salem, OR



David Yamasaki  
Court Executive Officer  
Superior Court  
Orange County CA



Hon. Julio Mendez  
Assignment Judge  
Superior Court  
Cape May/Atlantic NJ



Theme = Wellbeing

People = Trust

Process = Understanding

Place = Respect





## Workplace Incivility

- ✓ Most people (96%) have experienced rude, bad, disrespectful behavior at work.
- ✓ Employees subject to uncivil behavior tend to intentionally reduce their work efforts.\*
- ✓ Often, callousness about people's time causes unsuspected harm.
- ✓ E-mail and ZOOM incivility has been on the rise with remote work\*\*

\* Journal of Organizational Behavior Vol. 37, S57-S88 (2016)

\*\* World Economic Forum, Sep. 14, 2020



### Incivility increases with...

- Organizational change;
- Perceived job insecurity;
- Low social support at work;
- New or increased job demands
- Work / life balance disruptions

## Civility



**“Is that a cell phone I hear?”**

More than politeness, it's...

- Disagreeing with respect; seeking common ground; teaching others the same.
- Sometimes an outward, external shell masking feelings of hostility with polite words
- Subject to an attachment to politeness above all else risking conforming to unjust social arrangements to be nice.
- Procedural fairness in court processes and services.

# PROCEDURAL FAIRNESS<sup>1</sup>

## Respect + Voice + Neutrality + Trust

Procedural Fairness (PF) = court users feeling decisions are made through court processes that are fair. Their case was handled fairly and they received quality treatment. Perceptions of PF are the strongest predictor of public satisfaction, approval, and confidence in the courts irrespective of whether they won or lost, their ethnicity, race, and economic status. Perceptions of PF lead to greater public support for the courts and people are more likely to see the court's authority as legitimate, and in turn are more likely to comply with court orders.

### 2. VOICE

Give people an opportunity to tell their side of the story, explain their situation/ views, or have their stories told to an authority who listens carefully.

### 1. RESPECT

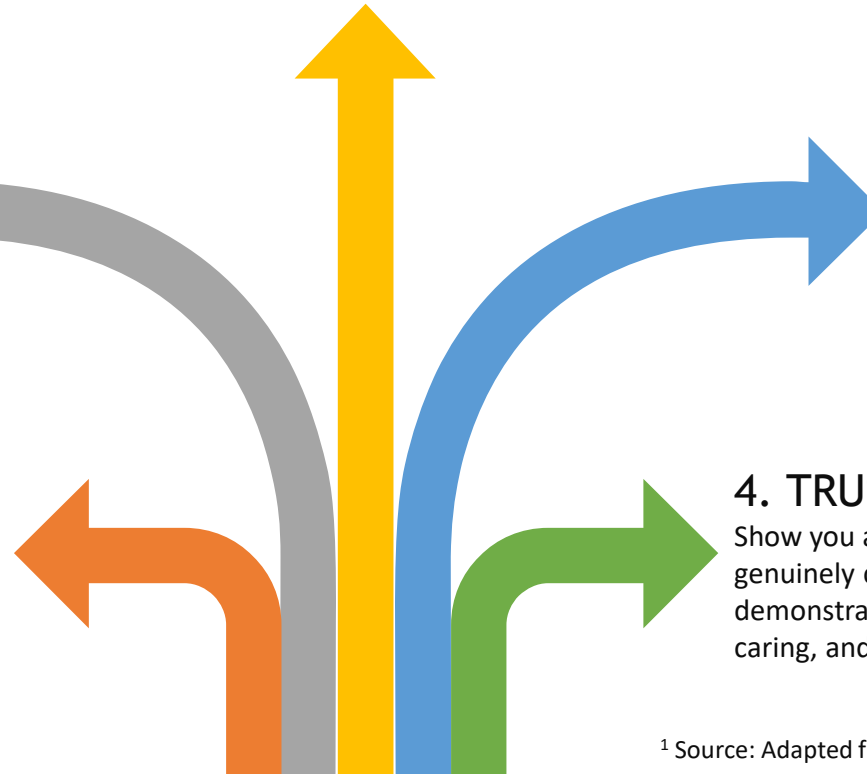
Treat people with politeness, dignity, and respect, and respect their rights. Help people understand how things work and what they must do.

### 3. NEUTRALITY

Do things that both are, and perceived as, fair and neutral. Clearly emphasize the facts and explain the reasons for decision.

### 4. TRUST

Show you are trustworthy, sincere, and genuinely concerned with their needs; demonstrate you are benevolent, caring, and seeking to do the right thing.



# Poll

## Question 1

Does your court have a formal workplace CIVILITY POLICY specifying behavior expectations of employees? (Select one).

1. Yes
2. No
3. Don't Know/Not sure



## Decency

- Goes deeper into morals and character than just manners or process.
- It gauges the inherent rightness and wrongness of a thought or action and gives license to principled behavior in protesting, exposing wrongdoing, and criticizing failures in the interest of higher ideals rooted in such things as the Rule of Law, the Constitution, the purposes of courts.

**Morals are private. Decency is public.**



# What is Decency?



Decency, in contrast to civility, is not about how you interact with others in society



It can be better described as doing the right thing when no one is watching – it is a guiding principle in how to behave



Decency is about being fair even and especially when, there is no competition at play, no power to be accumulated, and no greatness to be achieved



# Decency in the Courts

- Decency is about not standing on the sidelines, but being a Good Samaritan at all times
- Decency in the courts enhances trust in the system by the people
- Decency in the courts is about using the platform of the courts to improve the lives of the people they serve
- Decency during the pandemic means being proactive to ensure the safety of all while still ensuring that the wheels of justice continue forward



Using the platform  
of the Courts in a  
nontraditional way  
to enhance decency

- Courts in a nontraditional way can enhance decency in the justice system by becoming involved in improving the lives of the people they serve
- Programs initiated through the Court to provide community members with the resources and assistance they need are the best examples of judicial leadership
- Community outreach programs
- Problem solving courts

How do  
Presiding Judges and Court Executive Officers  
model and nurture decency?



# Poll

## Question 2

Of the presiding judges and court executives you know or worked with, what percent would you classify as decent-driven leaders?  
(select a percentage under each category).

### Presiding Judge

1. 50% or less
2. 50 – 75%
3. 75 – 100%
4. Don't know/Not sure

### Court Executive

1. 50% or less
2. 50-75%
3. 75-100%
4. Don't Know/Not sure



# Humility

## What is the power of humility?

- Humble & modest leaders are willing to admit their mistakes, put aside their ego and empower others.

## Why is humility key to success?

- Humility is beneficial to self-improvement; failures don't knock a person out of balance.

## Why are humble leaders important?

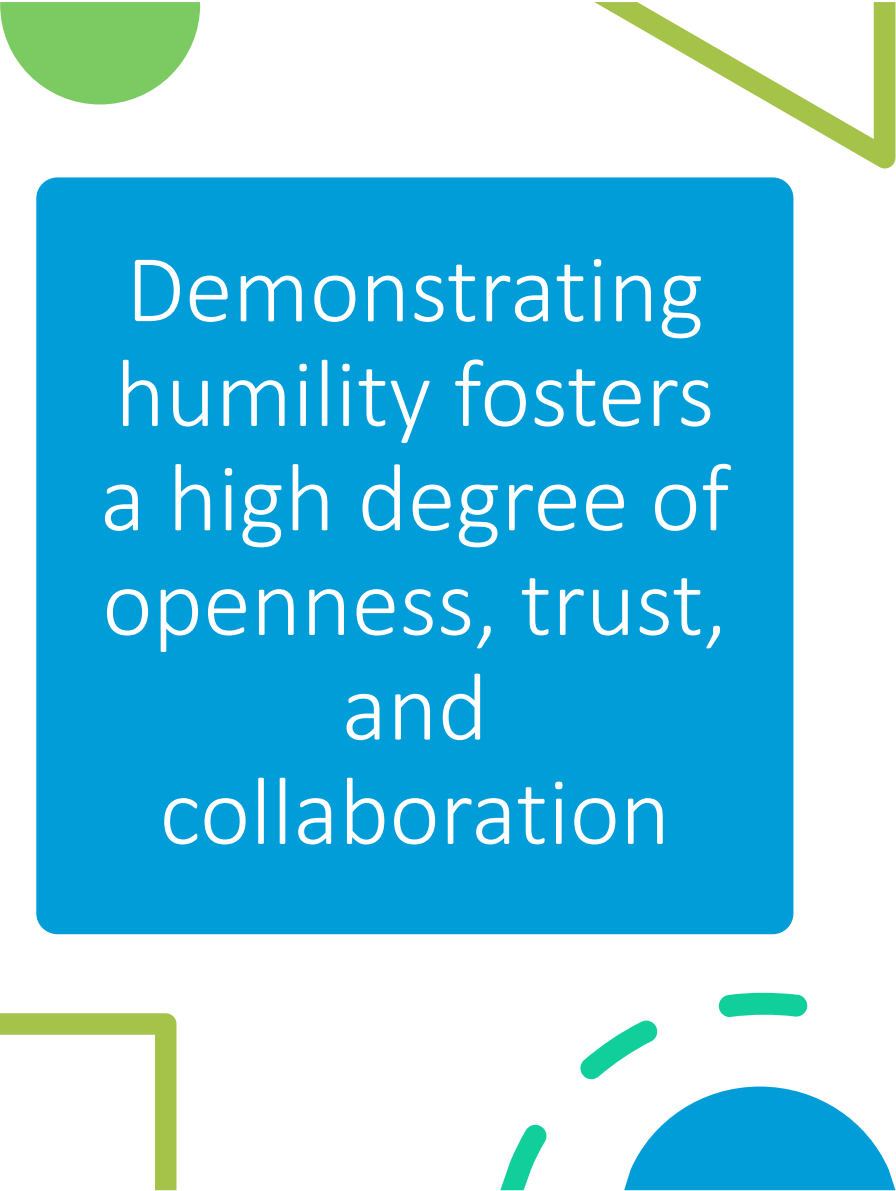
- It means listening to others, accepting criticism and above all knowing how to delegate well



Humility is not  
thinking less of  
yourself, it's  
thinking of  
yourself less.

## Court Leadership and Humility

- “Leaders must be judged within the context of the circumstances they encounter” — *Lee Kuan Yew, the first Prime Minister of Singapore*
- Covid-19 has presented unprecedented challenges for court leaders and judges have been charged with the duty of ensuring that the wheels of justice continue forward
- The pandemic has called on court leaders to demonstrate more than just civility and decency, but also humility.

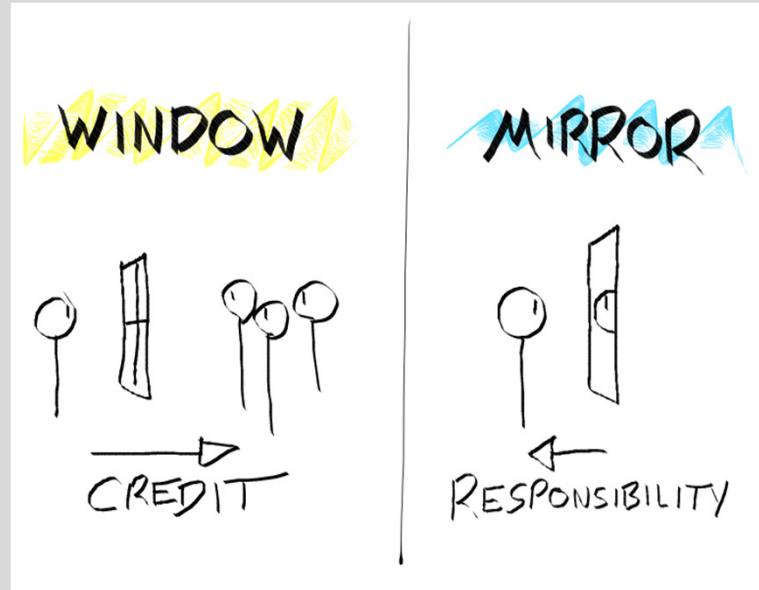


Demonstrating  
humility fosters  
a high degree of  
openness, trust,  
and  
collaboration

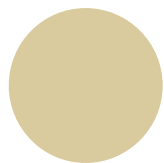
- Promoting transparency in the operation of the courts
- Treating all court users with respect and kindness
- Valuing all court employees, regardless of their position
- Court leaders relating to the challenges of navigating the court system by court users
- Having a workforce and a bench that reflects the community
- Fostering an Open Door to Justice

## Window and Mirror Humble Leader Analogy

*Good to Great* author Jim Collins talks about **Exceptional leaders** as being humble. He says they look out the “window” to give credit for their successes to others, and they look in the “mirror” to cast blame when things go poorly. They are *window-first leaders*.



**Poor leaders** do just the opposite. When things go right, they look in the “mirror” and point their finger at themselves to ensure all the credit goes to them. When things go wrong, they look out the “window” for others to blame, or they fault conditions beyond their control, or attribute difficulties to bad luck. They are *mirror-first leaders* who don’t develop or team-up with others because they see it as a loss of power.



Next NAPCO Webinar:  
Thursday, January 21, 2021 – 3 p.m. EST

*Covid-caused Criminal Court Backlogs?  
New Research and Best Practices can Help*

<https://napco4courtleaders.org/>







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Thank you for  
attending!

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