

## **Judicial Temperament/Demeanor**

**Rule 1, Fed. R. Civ. P.:** “These rules . . . should be construed and administered to secure the just, speedy, and inexpensive determination of every action and proceeding.”

**Canon 3A(5):** “A judge should dispose promptly of the business of the court.”

**Commentary to Canon 3A(5):** “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.

Prompt disposition of the court’s business requires a judge to devote adequate time to judicial duties, to be punctual in attending court and expeditious in determining matters under submission, and to take reasonable measures to ensure that court personnel, litigants, and their lawyers cooperate with the judge to that end.”

**Canon 3A(3):** “A judge should be patient, dignified, respectful, and courteous to litigants, jurors, witnesses, lawyers, and others with whom the judge deals in an official capacity. A judge should require similar conduct of those subject to the judge’s control, including lawyers to the extent consistent with their role in the adversary process.”

**Commentary to Canon 3A(3): “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 under Canon 2 to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary applies to all the judge’s activities, including the discharge of the judge’s adjudicative and administrative responsibilities. The duty to be respectful includes the responsibility to avoid comment or behavior that could reasonably be interpreted as harassment, prejudice or bias.”**

**Commentary to Canon 2A: “An appearance of impropriety occurs when reasonable minds, with knowledge of all the relevant circumstances disclosed by a reasonable inquiry, would conclude that the judge’s honesty, integrity, impartiality, temperament, or fitness to serve as a judge is impaired. 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. . . .”**

**Canon 3B(4) A judge with supervisory authority over other judges should take reasonable measures to ensure that they perform their duties timely and effectively.**

**Canon 3B(5): “A judge should take appropriate action upon learning of reliable evidence indicating the likelihood that a judge’s conduct contravened this Code . . . .”**

**Commentary to Canon 3B(5): “Appropriate action may include direct communication with the judge . . . , other direct action if available, reporting the conduct to the appropriate authorities, or, when the judge believes that a judge’s . . . conduct is caused by drugs, alcohol, or a medical condition, making a confidential referral to an assistance program. . . .”**

