

The National Judicial Orientation Program has been presented every year since 1994. The program has been developed by a steering committee of experienced judges, drawn from courts throughout Australia.

#### Purpose of the program?

The primary objective of the program is to assist newly appointed judicial officers with their transition to judicial office by facilitating the development and refinement of the skills, knowledge and attitudes necessary for effective judging. The program is designed to offer insights into the role and responsibilities of a member of the judiciary, provide the opportunity for new appointees to benefit from the knowledge and experience of senior judges who attend the program as speakers, and to provide an opportunity for the exchange of ideas and experiences among participants.

#### What previous participants said

Judges who participated in recent programs have commented:

“I am very privileged to attend this most practical and useful programme.”

“I found the week very interesting and useful. The quality of presenters made an important contribution.”

“Most useful program I have attended since becoming a judge.”

“An excellent course which I will not hesitate to recommend.”

“Very reassuring to know that almost all other participants had similar experiences, no matter what level of court.”

“All of the speakers well chosen. I found the topics and the balance very good but it was also easy going, friendly and feels like a holiday.”

#### What style of program?

The Program is a residential program starting Sunday evening with a familiarisation session and ending on Friday. Prior to the program participants are asked to read some pre-reading material. Many of the sessions are interactive, relying on discussion by participants of practical case scenarios.

#### Registration

The program is open to any judge appointed in the 18 months preceding the Program.

Preliminary Registration by Phone Fax Email or Mail

Phone: 02 6125 6655

Fax: 02 6125 6651

Email: ea@njca.anu.edu.au

Mail: The Director, National Judicial College of Australia  
PO Box 8102, ANU, ACT 2601

Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_

Title: \_\_\_\_\_

Court: \_\_\_\_\_

Postal Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: (work): \_\_\_\_\_

Email: \_\_\_\_\_

# National Judicial Orientation Program

**8 to 13 November 2009**

**South Australia**

The program is a joint presentation of the National Judicial College of Australia, the Judicial Commission of New South Wales and the Australian Institute of Judicial Administration (and with the support of the Judicial College of Victoria).



# Program

## Sunday 8 November 2009

### Official Welcome

#### Session 1 Familiarisation

## Monday 9 November 2009

#### Session 2 Judicial conduct in and out of court

This session is intended to identify ethical issues which confront judges and the related question of disqualification and to provide guidance in dealing with them. It is convenient also to look at the issues of contempt in the face of the court and dealing with the media. There are no specific answers to many of the questions which arise in this session; rather the session is intended to look at options for dealing with the problems raised.

#### Session 3 Maintaining psychological and physical health

Judges are confronted with numerous demands on a daily basis - through the hearing of cases, administrative duties and the giving of judgments. The psychological and physical health of any person will impact upon their work and their productivity. This session is designed to reinforce ideas which may assist them to maintain physical and psychological well-being in a busy schedule.

## Tuesday 10 November 2009

#### Session 4 Assessing the Credibility of Witnesses

When should a judge believe a witness? Credibility can be the decisive question in many trials. Dr Shea has specialised in the assessment of the credibility of witnesses. Justice Byrne will provide a commentary on his presentation. This session is designed to provide participants with assistance in relation to forming judgments on the credibility of witnesses.

#### Session 5 Court room control and communication

The aim of this session is to provide Judges with the skills required to maximise their effectiveness in communicating with those who come into their courtroom. These skills are based on the 'theatrical' techniques and behavioural studies performers use when engaging strongly with their audiences.

#### Session 6 Court Craft – The trial from hell

Every judge will at some stage experience the "trial from hell". This session is concerned with trial management. It is designed to identify the problems which can arise in a trial and to suggest ways in which they may be dealt with. Judicial control of proceedings will be emphasized and contempt in the face of the court will be considered.

## Wednesday 11 November 2009

#### Session 7 Judgment Writing

This session is designed to introduce judges to the skill of good judgment writing. There will be a brief introduction to basic pointers on judgment writing and it is then intended that the participants will work in smaller groups on the analysis of specific judgments and matters of particular concern to them. It is not intended that the session will take the form of a formal lecture

## Thursday 12 November 2009

#### Session 8 Interpreters

This session will focus on the work of interpreters in the court room. It will firstly describe the intricacies of language and its importance in the adversarial courtroom. It will then describe the complexities of the interpreting process and the difficulties encountered by interpreters in achieving accuracy of interpretation. It will conclude by providing tips on how to help interpreters perform their work to the best of their skill and ability.

#### Session 9 Cultural barriers in the court room

The public has come to expect that judges will be sensitive to diversity within the community and many litigants confront cultural difficulties in accessing the justice system. In this session an experienced facilitator leads to discussion by participants on cultural, racial and gender differences in the community.

#### Session 10 Unconscious judicial prejudice

This session will explore the impact of unconscious prejudice upon judicial decision-making in law and fact.

#### Session 11 Litigants in Person

This session is intended to identify legal and practical issues which commonly confront judicial officers in dealing with litigants in person and to suggest strategies for dealing with them. The session will also consider abnormal and querulous litigants from a psychiatric perspective.

## Friday 13 November 2009

#### Session 12 Expert Evidence

Expert evidence is often crucial in litigation and expensive to obtain. This session will look at moves to use single experts in civil proceedings, assessing expert evidence and the role and duties of experts.

#### Session 13a Sentencing

Judges often state that the most difficult question they confront is that of sentencing. Whilst the principles of sentencing are reasonably well understood, their application in each case is a fine one. The presenters endeavour to provide guidance on general principles of sentencing and the exercise of judicial discretion.

#### Session 13b Case management

This session will look at the role of judges dealing with of busy application lists, the identification of cases requiring management and the referral of cases for alternative dispute resolution.