

# Bench and Bar Should Appreciate Each Others' Challenges

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*Editor's Note: This is the first in a series of columns by the judges and lawyers of the Virginia State Bar Special Committee on Bench-Bar Relations.*

As members of the bench and bar, we are jointly committed to the pursuit of justice. We do important work in which we help people, face exciting intellectual challenges, and have a major role in dealing with critical issues confronting individuals and businesses in our society.

Why, then, do lawyers and judges often encounter problems in dealing with one another in our professional roles? My best answer is that these difficulties often result from the isolation of judges within the legal profession and from the lack of understanding that many lawyers and judges show toward one another.

When I became a judge, I was confident that I would not become isolated but would remain connected to my fellow lawyers without many changes in our relationships. After all, I would still be a lawyer — just one serving the public in a different role.

Nevertheless, during my first months as a general district judge in Fairfax, I experienced big changes in my contacts with fellow lawyers. To begin with, I no longer had a first name. All my jokes were funny. Lawyers thought I wanted to hear about all their former cases. Overnight, I had become a different person to everyone but a few close friends.

I felt somewhat isolated in my new professional role. I had to guard myself against showing emotion, even in the face of hearing difficult testimony. I had to suppress my personality and present a neutral “public face,” irrespective of the events that were occurring before me.

This sense of isolation that judges face is compounded further by the phys-

ical design of our newer courthouses, in which judges move through separate hallways from the lawyers and the public. As a result, judges lose the opportunity to experience the sense of community enjoyed by others in a courthouse environment.

In addition, judges and lawyers often appear not to appreciate the particular burdens of their differing roles. Lawyers face tremendous pressures from clients and from the organizational and financial realities of conducting a busy law practice. Judges, on the other hand, have to deal daily with all different kinds of cases, problems, and personalities under the watchful scrutiny of the bar and the public.

What, then, can we do to improve the relationships between the bench and the bar? I think that the answer is simple. We need to have more contact with one other outside the courtroom setting. This contact will emphasize our common bonds and increase our genuine regard for one other.

I have had a lot of fun over the years playing on various sports teams sponsored by the bar. In these kinds of casual settings, we all can abandon our professional titles and simply enjoy each other's company. Other informal social events can accomplish the same result in ways that a formal bench-bar dinner cannot.

On a more substantive level, judges and lawyers can increase their joint participation in bar and community projects. We can work together teaching elementary and secondary school students about the importance of the rule of law in our society.

Lawyers and judges also can benefit from participating together in mentoring efforts for newer lawyers. With the increasing specialization of law practices, many lawyers have little contact with those who practice in different subject areas. By joining with judges in small, informal group settings, such as lunches or workshops, lawyers and judges can enjoy one another's company and advance the professional skills of our newer lawyers. One by one, these personal relationships that are established will add to the collective strength of our profession.

I am sure that every judge can relate stories about how, when they were lawyers, they received help and encouragement from various judges. To this day, I remember with appreciation the special advice and informal mentoring that Fairfax Judges Arthur Sinclair and Lewis Hall Griffith gave me. If I was in one of their offices getting an order entered, I would be told, “Have a seat, and tell me how things are going.” I would then receive gentle suggestions such as, “You make a strong closing argument, but you don't need to repeat your best points several times.” Judges today need to make sure that this great mentoring tradition is not lost.

In these and other ways, we need to promote and protect the special character of the work that defines us as a profession, rather than as a mere occupation. In doing so, we will not only enjoy ourselves, but will contribute a proud legacy for future generations.