



JUDICIAL WELLNESS FOR JUDICIAL OFFICERS: ACHIEVING WORK-LIFE BALANCE: CHALLENGES, IMPACTS, SOLUTIONS

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The Papua New Guinea Centre for Judicial Excellence

The Papua New Guinea Centre for Judicial Excellence (PngCJE) was established in 2010 under a Memorandum of Understanding (MoU) entered into between the Chief Justice, Chief Magistrate and the Secretary for the Department of Justice and Attorney General. Its aim is for PngCJE to deliver structured training programs for Judges, Magistrates, Court officers and other officers of the Law and Justice Sector (LJS) agencies that play a part in the Court process.

Judicial Wellness for Judicial Officers: Achieving Work-Life Balance: Challenges, Impacts, Solutions

‘Acknowledging the problem of stress and burnout among judicial officers is an important starting point. The well-being of judicial officers is a high priority since it affects them and the public.’¹

Placement

This placement narrative contextualises what I have experienced and seen in other judicial officers and Judiciaries as the cyclical deleterious impacts of judicial stress as well as the origins of my research and reflections on causes, effects, and potential solutions. In particular, I share some information on research in the Caribbean, because the experiences of judicial officers in Caribbean States may in some ways be similar to small Pacific Island States, and there may be special value in sharing our experiences. I will also review some international research and insights, as well as some specific research and insights from Australia. My hope is that from this paper, the Judiciary as an institution, chief judges as leaders, and individual judicial officers, will all find some benefit that can improve their judicial wellness-well-being, and in doing so, improve our service to our communities.

I have been a judge for over 27 years, sitting in the high court, appellate court,² and now in an apex court.³ When I joined the Judiciary of Trinidad of Tobago in 1997, I did so in the context of an endemic backlog in the civil jurisdiction and a newly installed chief justice who was committed, among other things, to clearing it and reforming the entire civil justice system. I was one of a cadre of newly appointed judges collectively on-boarded and tasked with these objectives. In hindsight, the appointment, at about the same time, of a group of judicial officers with a common purpose and operating in a common context, was invaluable for the rudimentary research that I would undertake, some 10 years after I joined the Bench, on the effects of stress on the judicial function.

¹ Dr Joseph Sadek. Dr Sadek is a Professor in the Department of Psychiatry, Faculty of Medicine, Dalhousie University, Canada. Joseph Sadek, ‘Well-being of Judges Should Be a Priority for Every Judiciary’ (United Nations Office on Drugs and Crime (UNODC), 2021) <<https://www.unodc.org/dohadeclaration/en/news/2021/11/well-being-of-judges-should-be-a-priority-for-every-judiciary.html>>accessed 29 June 2024.

² The Supreme Court of Trinidad and Tobago.

³ The Caribbean Court of Justice.

What I observed about myself as a judge, was that after about 5-7 years ‘in the trenches’ working twenty-four-seven to clear a seemingly bottomless pit of backlog cases and trying to cope with new filings and with life in general, was a felt sense of professional diminution and diminished performance. Yet no one was speaking about it and the institution was running as if this did not exist. Judicial stress seemed to be a taboo topic!

Forays into Research

Chatting with the judicial officers who were similarly circumstanced, I realised, at least anecdotally, that we were all experiencing comparable things but to different degrees and across a variety of symptoms. That prompted me to undertake some research into the matter, and as a member of the Board of the Judicial Education Institute of Trinidad and Tobago (‘JEITT’), I was able to also harness the Institute’s support and some resources to do so. This research was undertaken in 2007 and the results referenced in the West Indian Law Journal (‘WILJ’), in its May & October 2008 Issue, in a paper I had produced advocating sabbatical leave for judicial officers.⁴

The research survey was administered to the judges and masters of the (‘JRTT’). At the time, there were 23 first-instance judges and 3 masters (collectively, ‘judicial officers’), and 16 judicial officers responded to the survey (62%). A summary of the research findings was explained in the 2008 WILJ as follows:⁵

An informal survey of the current judges and masters reveals that a common experience, after a period of about 5-7 years, is that there is a real feeling of ‘burnout’ and ‘inertia’. The consequence, recognized and accepted but not addressed institutionally, is that these judicial offices enter a phase of reduced enthusiasm and performance after 5-7 years, which it seems may persist for several months and may never be completely resolved, or if resolved, re-occur cyclically.

One of the questions in the survey was: Have you had an increase in one or more of the following since becoming a judicial officer?

⁴ Peter Jamadar, ‘Sabbatical Leave for Judicial Officers: The Case For, in Trinidad and Tobago’ (2008) 33(1) WILJ 31. (The Journal is a publication of the Council of Legal Education, West Indies, and it administers three professional Anglo-Caribbean law schools, Norman Manley in Jamaica, Hugh Wooding in Trinidad and Tobago, and Eugene Dupuch in the Bahamas.)

⁵ *ibid* 33.

- a. Fatigue not relieved by rest
- b. Irritability and/or impatience
- c. Blaming others
- d. Denial of problems
- e. Emotional distance and/or isolation
- f. Excessive consumption and/or craving for food, drink, narcotics
- g. Medication
- h. Social withdrawal
- i. Loss of priorities
- j. Lack of hygiene and self-care
- k. Depression and/or apathy
- l. Inability to function
- m. Radical changes in behaviour
- n. Dramatic shifts in life patterns
- o. Feelings of hopelessness and/or despair
- p. Cynicism
- q. Anger and/or rage and/or resentment
- r. Fear and/or anxiety
- s. Deterioration of personal relationships

42% indicated an increase in three or more of the conditions. 34% indicated an increase in six or more of the conditions. And 16% indicated an increase in ten or more of the conditions. For the majority, the worsening effects were experienced between five to six years of assuming office, and almost all who reported an increase in three or more factors indicated that they were job-related. Many experienced them as being cyclical.⁶

My research at the time, indicated that if persons are experiencing three or more of the following: irritability, loss of a sense of humour, worry, excessiveness (in what one eats, drinks, or uses), forgetfulness, aches and pains, nervousness, fatigue, and/or illness, they are

⁶ ibid 50-51.

‘experiencing some degree of chronic stress’.⁷ The research at the JRTT was therefore cause for concern.⁸

As I opined in 2008, the reality is that ‘the mere fact of the increasingly complex and multiple roles played by judicial officers, results in potentially harmful and destructive stress.’⁹ This truth has remained constant in the 17 years since that original research, intensifying during the Covid-19 pandemic.

What has changed since 2008, is the more widespread recognition and acceptance of the issue, and the general mainstreaming of responses by an increasing number of Judiciaries around the world. Now, finally, the issue of judicial wellness and well-being is being taken seriously within the institutional and administrative centres of Judiciaries and has broadened to include all judiciary staff, in recognition of the true nature of a Judiciary as a single, organic, human operating system.

Early Insights, and Frustrations

In the early years of my research and reflection, the preoccupation was with finding a concrete solution for judicial officers and the Judiciary of Trinidad and Tobago (JRTT). This was explored in the context of sabbatical leave, convinced as I was at that time that properly deployed it could make a meaningful impact in ameliorating the damaging effects of judicial stress. It was not an easy path to tread. Changing systems never is!

The concern with judicial stress is not by any means of recent vintage. For example, since at least 1987, Ira Robbins has been a leading advocate for sabbatical leave for judicial officers as a means to ameliorate the unavoidable stressors that come with judicial office.¹⁰ Indeed, Robbins has noted the benefits of sabbatical leave for judicial officers as including:¹¹

- a. Improved efficiency and productivity
- b. Enhanced creativity and reflective powers
- c. Opportunities for educational development, professional and personal growth

⁷ Doc Lew Childre and Deborah Rozman, *Transforming Stress: The HeartMath Solution for Relieving Worry, Fatigue, and Tension* (New Harbinger Publications 2005) 57-58.

⁸ Jamadar (n 4) 54.

⁹ *ibid* 45.

¹⁰ Ira P Robbins, ‘Sabbaticals for State and Federal Judges: Necessity in the Pursuit of Judicial Excellence’ *State – Federal Judicial Observer* (Washington DC, December 1994) 2 < https://digitalcommons.wcl.american.edu/facsch_lawrev/1023 > accessed 29 June 2024.

¹¹ Robbins (n 10) 73. See also Jamadar (n 4) 35-36.

- d. Reduced stress
- e. Improved morale
- f. Decreases in attrition (with its attendant costs)

Proposals for sabbatical leave for judges in Trinidad and Tobago were first made in 2009, based on the 2007 research that I had done, but it was not until 2013 that judges in Trinidad and Tobago were, in principle, granted an entitlement to sabbatical leave, as a part of their terms and conditions.¹² However, implementation in Trinidad and Tobago has had a tortured history, which has included court proceedings,¹³ and has featured more in its default than in any constructive deployment to address the issue of judicial stress.¹⁴ Alas, up to when I left the JRTT in 2019, no administrative arrangements had been put in place to facilitate sabbatical leave and no one had benefited from it.¹⁵

In those early explorations, my research and insights made clear that what may be considered as almost unavoidable judicial stress (stress that is part and parcel of the job), if unmanaged, could have deleterious effects on individual judicial officers' morale, health and wellness, interpersonal relationships, and court related performance.¹⁶ Addressing the issue and discovering and implementing solutions were imperative.

Judicial Isolation, a cross-jurisdictional experience, and some specific advice

My concern for addressing this issue and my position on the Board of the JEITT, led to the JEITT putting on several programmes on judicial stress and wellness during this pre-2008 period.¹⁷ One standout insight at the time, especially for me as a trial judge sitting as a single judge of fact and law, was the experience and effects of Judicial Isolation on health and performance. The impact of Judicial Isolation on judicial stress and performance was brought

¹² See Government of the Republic of Trinidad and Tobago, '98th Report of the Salaries Review Commission of Trinidad and Tobago' (November 2013) 19, para 63(v) <<https://www.ttparliament.org/98th-report-of-the-salaries-review-commission/>> accessed 29 June 2024: 'We agree in principle to the proposal for the introduction of Sabbatical Leave for Judges. We recommend that office holders be eligible for a maximum of six (6) months such leave after a minimum of seven (7) continuous years of service. Thereafter, such leave should accrue to an eligible office holder at the rate of 6/7 of a month's leave for every additional year of service completed. Sabbatical Leave should be provided with full pay.'

¹³ Triggered in 2017, when the Chief Justice of Trinidad and Tobago, Ivor Archie, received Presidential approval for a six-month leave of absence to participate in a programme at the United States Federal Judicial Institute, in Washington, DC. A controversy erupted. Court proceedings were commenced to determine whether judges were legally entitled to sabbatical leave. In 2019, Justice James Aboud ruled that 'members of the Higher Judiciary are eligible for the grant of sabbatical leave.' See *A-G of Trinidad and Tobago v Law Association of Trinidad and Tobago* (TT HC, 9 August 2018) at [60], [73] and [80].

¹⁴ As of 2018, one judge had applied, former President of the Republic of Trinidad and Tobago, and then appellate judge Paula Mae Weeks, who was refused.

¹⁵ My research revealed that some form of sabbatical leave was available for judicial officers in several jurisdictions, including, Australia, New Zealand, Canada, Prince Edward Island, Alaska, California, and Oregon. See Jamadar (n 4) 37- 41.

¹⁶ See Jamadar (n 4) 44 - 49.

¹⁷ Programmes included: 'Emotional Integrity and Optimal Performance', 'Impartiality and Mindfulness', 'Judicial Stress and Quality of Life' and 'Stress and Wellness'. See Jamadar (n 4) 48, fn 48.

home poignantly in our consultations with Dr Isaiah Zimmerman, a highly respected international consultant on judicial stress management and judicial productivity and faculty member of the National Judicial College, United States of America, who facilitated a programme for the JEITT entitled: ‘Judicial Stress and Quality of Life’.

In that session Dr Zimmerman made the point, based on his extensive research,¹⁸ that a common experience of judicial officers on assuming office is the feeling of isolation. This resonated deeply with us and with me, as the role of being a judicial officer itself contributes to the experience of isolation, having as it were to withdraw from and be more circumspect in the degree of involvement in society and community associations. Indeed, but for an attorney-friend who confronted me about, and with brutally honest feedback on, how my behaviour had changed since assuming judicial office, I may not have made the connections and been able to take restorative and healing steps.

Dr Zimmerman’s advice to us has served me in good stead, and I am happy to pass it on: (i) make time for the long-standing friends and friendships that you have, (ii) recognise the value of a supportive group and use it, (iii) find and cultivate a ‘judicial buddy’, someone, a colleague, whom you can trust and be open and frank with, and from whom you will receive honest feedback, and make time to share feelings, frustrations, concerns and celebrations with them, (iv) engage in activities unrelated to the judicial office, and include playfulness and levity in relationships, (v) learn about and practice stress management, and (vi) serve as a mentor to new judicial officers.

In relation specifically to our work as decision-makers, Dr Zimmerman said something that I have never forgotten – that we judicial officers, by and large, all aspire to be perfect and deliver perfect justice, but we are human and must learn to accept that, as sometimes we will not meet our own high expectations and we must forgive ourselves and move on. This was pragmatic advice grounded in human reality and has been a touchstone that I have returned to throughout my judicial career. The work of doing justice year after year, especially for first-tier judicial officers, is exceptionally demanding and stressful. Self-care is essential for sustainability and

¹⁸ See Isaiah M Zimmerman, ‘Isolation in the Judicial Career’ (2000) 36 CT REV 4.

excellence. We are all human and not always perfect. And the constitutional standard is not an entitlement to an infallible legal system, but to one that is fundamentally fair.¹⁹

CAJO, Covid-19, and Pandemic Explorations and Insights on Judicial Stress

About a decade later (in 2019), I had joined the Caribbean Court of Justice ('CCJ')²⁰ and assumed the chair of the Caribbean Association of Judicial Officers ('CAJO').²¹ The Covid-19 pandemic prompted further research into judicial wellness, this time in the wider Caribbean: 'Concerned with the well-being and performance of judicial officers across the Caribbean, the CAJO sought to explore the experiences of judicial officers in relation to various aspects of well-being. This was done by way of a regional electronic survey'²² ('The CAJO Survey').

The CAJO Survey received responses from 126 judicial officers across the Caribbean region. It was anonymous. Its findings were published ('The CAJO Survey Report'). The majority of respondents were from the high court (44%), with 33% from the magistrates and parish courts. 83% were under age 40.²³ Significant in the inquiry was an interrogation of experiences of happiness and fulfilment, as well as of deficits in wellness. Notably, and reporting at the time of the survey – March to May 2021, 26% shared they felt happy or fulfilled very often, 45% somewhat often, and only 4% felt happy or fulfilled extremely often. However, a quarter of the participants (25%) stated that they never felt or did not often feel happy or fulfilled. In relation to this persistently 'unhappy-unfulfilled' group, the CAJO Survey Report observed:²⁴

Unlike their peers who have had more experiences or feelings of happiness or fulfilment, these judicial officers have clearly identified a different reality. But it remains, that for almost all participants, that there have been experiences not defined by happiness and fulfilment, but in varying degrees.

¹⁹ *Maharaj v A-G of Trinidad and Tobago (No2)* (1978) 30 WIR 310 (TT PC) at 399-400 (Lord Diplock): '... no human right or fundamental freedom recognised by Chapter I of the (Trinidad and Tobago) Constitution is contravened by a judgment or order that is wrong and liable to be set aside on appeal for an error of fact or substantive law, even where the error has resulted in a person's serving a sentence of imprisonment. The remedy for errors of these kinds is to appeal to a higher court. Where there is no higher court to appeal to then none can say that there was error. *The fundamental human right is not to a legal system that is infallible but to one that is fair*' (emphasis added).

²⁰ The CCJ is a hybrid Caribbean regional judicial tribunal: a municipal (appellate) court of last resort and an international court vested with original, compulsory and exclusive jurisdiction in respect of the interpretation and application of the Revised Treaty of Chaguaramas.

²¹ The Caribbean Association of Judicial Officers (CAJO) brings together the region's Chancellors, Chief Justices, Judges, Masters, Registrars, Magistrates, Tribunal Members, Executive Court Administrators, and other judicial staff. The CAJO is a Non-Profit Organisation registered in Trinidad and Tobago. The CAJO is led by a Management Committee which comprises judicial officers elected at the Association's Business Meeting held biennially. The Management Committee comprises 16 members from almost all countries in the region. The CAJO provides a host of judicial education engagements for judicial officers across the region including its Biennial Conference, training programmes and workshops on various topics and areas of law and practice, and a biannual Newsletter, CAJO News.

²² Elron Elahie and Peter Jamadar, 'Exploring the Wellbeing of Caribbean Judicial Officers: Report on the CAJOs Judicial Wellness Survey' (CAJO, July 2021) 3 <<https://thecajo.org/newcajo/wp-content/uploads/2021/12/Exploring-the-Wellbeing-of-Caribbean-Judicial-Officers-Wellness-Survey-Report-July-2021.pdf>> accessed 29 June 2024.

²³ *ibid*. See The CAJO Survey Report.)

²⁴ *ibid* 7.

Judicial officers were also asked to rate on a scale of 0-5, with 5 being the highest, what brought them these positive experiences and feelings (of happiness and fulfilment). Judicial Work was among the lowest (15%), whilst Family and Personal Values/Belief were the highest (52% and 44% respectively).²⁵

The CAJO Survey also inquired about what activities judicial officers participate in for fun or relaxation. Physical exercise (71%) was the most popular, with reading/writing (69%) and looking at TV/film (65%) also being common activities which judicial officers deemed as relaxing. Cooking (43%), socialising (41%), and nature activities (40%) were the other most popular activities. The CAJO Report opines: ‘One can reasonably assume that these activities may have a mitigating effect on experiences of stress, melancholy, and anxiety.’²⁶

The CAJO Survey’s focus on stress revealed that ‘95% of judicial officers experience stress either sometimes (47%), frequently (38%), and often (10%).’²⁷ And, ‘85% of participants noted that their degree of stress is either medium (45%), a lot (32%), or overwhelming (8%).’²⁸ As the CAJO Report opines: ‘This fundamentally reveals that regardless of the source of their stress, judicial officers are quite stressed! It is also important to note that 40% experience a significant amount of stress, generally.’²⁹

Delving more into judicial stress, the work as a judicial officer was rated as the largest contributor to individual experiences of stress. On a scale of 0-5, with 5 being the highest, 72% of respondents rated work as 4 (33%) and 5 (39%).³⁰ Going even deeper to interrogate which work-related areas contributed to judicial stress:³¹

Just over a half of participants (54%) rated Availability of Resources either 4 or 5 as a contributor to stress. And just under 20% rated Institutional Systems (17%) and Structures, and Physical Work Environment (17%) a 5. Also of special note was the rating of 4 which was given to Execution of Duties by 36% of judicial

²⁵ *ibid* 7.

²⁶ *ibid* 9.

²⁷ *ibid* 10.

²⁸ *ibid*.

²⁹ *ibid*.

³⁰ *ibid* 12.

³¹ *ibid* 13.

officers, indicating for quite a large number, the work of being a judicial officer brings much stress.

The CAJO Report's analysis of the data collected on the experience of stress led to the following conclusions:³²

- a. Judicial officers are no doubt experiencing high levels of stress, and many feel inexplicably sad/melancholy as well as anxious/uneasy. What this means is that a large fraction of judicial officers are not at optimum wellness.
- b. These data-based insights highlight the urgency with which judicial officers' well-being ought to be addressed.

Specifically interrogating the effects of stress on a) how they manage cases, b) the hearing of cases, and c) the delivery of decisions, the responses of judicial officers were revealing:³³

- a. When it came to managing cases, just under 40% of judicial officers said that stress has had an impact rated at 3-5.
- b. When it came to hearing cases, the impact of stress rated at 3-5 was reported by about 25%.
- c. When it came to the delivery of decisions, stress seemed to have even more of an impact with 32% rating 3-5.

The CAJO Report's overall conclusions were as follows:³⁴

The public expects that each and every case will be dealt with optimally. That judicial officers will always turn up, and show up, performing at the highest levels of excellence. Indeed, the constitutional imperative to ensure a fair hearing demands nothing less. That, conservatively, between 15-30% of judicial officers have noted their core judicial work being impacted by stress, ... is a cause for real concern.

³² ibid 17.

³³ ibid 19-20.

³⁴ ibid 21,22.

If the above interrogations confirm that there is cause for concern, there is an imperative to act. Judiciaries must engage results-based remedial action. This will not only have a positive impact on delivery of justice, but will better court users' experiences ...

This matter of judicial wellness-wellbeing was considered so central to the judicial roles and functions, that the CAJO News, July 2021, Issue 13, was dedicated to it: 'Wellbeing in Caribbean Contexts'.³⁵ The message of the Management Committee to members stated:

This issue of the CAJO News focuses on judicial wellness and thus on judicial distress. Original research done by the CAJO indicates that the issue of judicial wellness is of immediate importance, personally and institutionally. Indeed, we all need to be concerned, if and when, degrees of judicial stress reach critical threshold levels, as this may potentially put individual wellness and institutional performance at risk. The consequences for democracy and the rule of law are obvious.

In a piece published in that Issue of the CAJO News, I shared some insights from the CAJO Survey's research and my own reflections and experiences.³⁶ These can be summarised as follows.

- a. Issues around judicial 'dis-ease' and stress are not matters that judicial officers usually talk about or explore ... They are almost 'taboo' topics.
- b. Ethically, and considering the values of integrity (which encompasses independence and impartiality) and competence, a question that arises is whether judicial officers, who may not be optimally well, can duly perform their judicial functions to the objective standards of excellence that are ethically expected of them.³⁷
- c. Judicial wellness is not a matter of concern for individual judicial officers only, it is also a responsibility of the institution of judiciary.

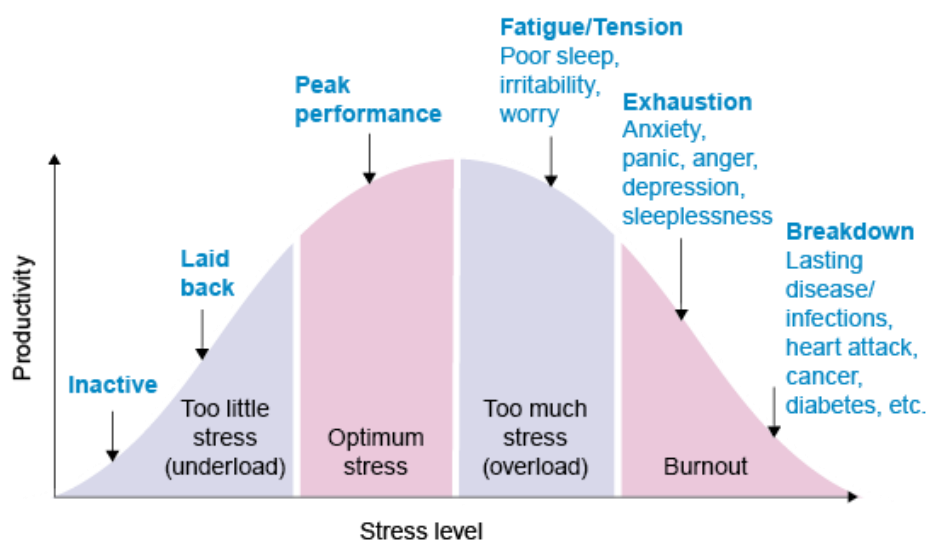
³⁵ See Caribbean Association of Judicial Officers (CAJO), 'CAJO News Issue 13: Wellbeing in Caribbean Judicial Contexts' (7 July 2021) <<https://thecajo.org/newcajo/wp-content/uploads/2023/10/Issue-13-PDF-Final.pdf>> accessed 29 June 2024.

³⁶ *ibid* 4-9.

³⁷ See United Nations Office on Drugs and Crime (UNODC), 'The Bangalore Principles of Judicial Conduct' (2018) <<https://www.unodc.org/documents/ji/training/bangaloreprinciples.pdf>> accessed 29 June 2024.

- d. It is important to take a humanist approach to judicial stress, seeing and treating judicial officers first and foremost as human beings, and prioritising their well-being.
- e. A healthy, happy, motivated, energised, and purposeful judicial officer will more likely act responsibly in their roles with greater integrity and competence.

In that piece I used the Yerkes-Dodson law³⁸ to illustrate how stress can impact judicial performance (the judicial function is properly considered a complex/difficult task). A freely accessible ‘Hebbian’ general application version of the graph is reproduced below (which is self-explanatory):



Global Interventions: UNODC-GJIN Survey, implications for efficiency, quality of decision making, and access to justice; as well as some solutions

In September–October 2021, and also prompted by the Covid-19 pandemic, the Global Judicial Integrity Network (‘GJIN’) conducted a global survey with the aim of, among other things, gaining insights into the experiences of judicial officers with respect to physical and mental well-being in connection to their judicial duties. I was privileged, together with key CAJO researchers, to offer support in the form of our experiences in conducting The CAJO Survey.

³⁸ Simply, the law dictates that performance increases with physiological or mental arousal, but only up to a point, after which there are diminishing returns when complex and difficult tasks are involved. (Developed by psychologists Robert Yerkes and John Dodson in 1908; ‘The Relation of Strength of Stimulus to Rapidity of Habit-Formation’ (1908) 18(5) J Comp Neurol Psychol 459-482.

That GJIN Wellness Survey generated a 2022 Global Report: ‘Exploring Linkages between Judicial Well-Being & Judicial Integrity’³⁹ (‘GJIN 2022 Report’). The GJIN 2022 Report notes that in terms of judicial ethics:

...this topic goes in line with the 2007 Commentary on the Bangalore Principles of Judicial Conduct which in paragraph 194 acknowledges the impact of judicial well-being on judicial performance and emphasizes that “a judge should have sufficient time to permit the maintenance of physical and mental well-being [...]. The stress of fulfilling judicial duties is increasingly being recognized. [...]”⁴⁰

In the GJIN 2022 Report, the key findings and takeaways are summarised as follows:⁴¹

- a. 76% of judges and members of the judiciary do not have sufficient time to maintain optimal physical and mental well-being.
- b. 92% indicate that judicial work brings them stress sometimes, frequently or always.

The most common contributing factor appears to be excessive workloads. Many survey participants explain that excessive workloads are a vicious circle, where judges and other members of the judiciary are under constant stress from excessive workloads, which in turn slows them down, causes them to take longer to process the cases, and creates further backlogs.

- c. 89% know of cases of judicial colleagues experiencing stress or anxiety.
- d. 69% feel that talking about mental health or stress is a taboo when it comes to judges and members of the judiciary.
- e. 83% say that the level of support available in their judiciary is not sufficient.
- f. 97% think that more prominence should be given to promoting judicial well-being.

Almost all survey participants believe that there is not enough awareness about the importance of judicial well-being and its impact on judicial integrity and on the perception of the judiciary. The concept of judicial well-being continues to be unheard of in many judiciaries. Moreover,

³⁹ See United Nations Office on Drugs and Crime (UNODC), ‘Exploring Linkages between Judicial Well-being and Judicial Integrity’ (2022) <https://www.unodc.org/ji/resdb/data/2022/exploring_linkages_between_judicial_well-being_and_judicial_integrity.html?lng=en&match=judicial%20well-being> accessed 29 June 2024.

⁴⁰ *ibid* 4.

⁴¹ *ibid* 6.

even in those judiciaries that have put in place some measures aimed at promoting well-being, many participants explained the inadequacy or insufficiency of the available support and the existing stigma and stereotyping around mental health issues.

- g. 46% have experienced deterioration of both mental and physical well-being as a result of the COVID-19 pandemic.

Of significance is how this Global Survey corroborates most, if not all, of the findings of the CAJO Survey Report. Indeed, the GJIN 2022 Report opines:⁴²

Judicial well-being is generally seen by the survey participants as a vital prerequisite for judges to carry out their judicial functions effectively. Optimal performance and competence on the part of judges and members of the judiciary depends not just on knowledge of the law and analytical skills, but also on their well-being (physical, mental, emotional and psychological). Many survey participants are of the view that stress, burnout, fatigue and anxiety undermine impartiality, independence, efficiency and effectiveness of the judge and of the judicial system as a whole.

Further, the GJIN 2022 Report identifies the areas of impact (consequences) of stress and a lack of well-being on judicial performance, as reported by judicial officers worldwide.⁴³ These are well worth listing:

- a. overall bad performance;
- b. procedural errors and errors in judgment;
- c. diminished cognitive abilities;
- d. lack of concentration;
- e. slowness;
- f. reduced reasoning skills and clarity of thought;
- g. decreased ability to stay open and be receptive to submissions;
- h. insufficient analysis of evidence;
- i. lack of empathy;

⁴² *ibid* 6-7.

⁴³ *ibid* 7.

- j. indifference to the rights of parties;
- k. tendency to be biased or resort to stereotyping; hastily written, copy-pasted and not fully researched judgments;
- l. miscommunication;
- m. impatience;
- n. irritability;
- o. interpersonal problems; and
- p. anger.

Of even greater salience, the GJIN 2022 Report reveals that for **80%** of respondents a lack of well-being creates **limitations on the efficiency of justice** and court administration, for **68%** of respondents it **negatively impacted the quality of decisions and judgments**, and for **40%** of respondents it **impeded access to justice**.⁴⁴

Some Solutions

In terms of general solutions, the GJIN 2022 Report consolidated the feedback received into three (3) main areas:⁴⁵

- a. Raise awareness about the issue of judicial well-being through promoting discussion and experience-sharing.
- b. Collect and disseminate good practices and information about existing measures and resources related to judicial well-being.
- c. Organize practical activities with a view to disseminating readily applicable tips on improving judicial well-being. In this regard, respondents expressed a desire for Judiciaries to:
 - (i) Support and promote effective training activities on judicial well-being.
 - (ii) Create and facilitate peer-support, mentorship or coaching opportunities.

In terms of concrete solutions, respondents suggested the following:⁴⁶

⁴⁴ ibid 7.

⁴⁵ ibid 41-42.

⁴⁶ ibid 35-40.

- a. The first step should be to acknowledge the problem and raise awareness about the negative impact of stress and mental health issues on carrying out judicial functions, with a view to increasing institutional awareness about the topic and removing existing stereotypes and stigmatisation.
- b. The importance of an enabling work environment and a positive working culture.
- c. The crucial role of judicial leadership in promoting judicial well-being.
- d. The judiciary should be proactive in identifying existing risks in the judiciary and should be ready to provide prompt responses ... with a view to guaranteeing the optimal physical, psychological and emotional well-being of all members of the judiciary.
- e. Peer support is of key value, including mentoring, coaching opportunities, informal discussions with colleagues and support networks to speak about the issues in a safe environment.
- f. Providing psychological support to maintain or improve mental well-being.
- g. Providing informative and continuing training on a variety of well-being-related subjects, led by experts who are aware of the specificities of judicial office, including stress-management, healthy nutrition, and physical fitness.
- h. More social events and team-building activities aimed at promoting a culture of sharing and removing feelings of isolation or embarrassment.
- i. Practical guidance materials providing concrete tips and recommendations that judges could implement to promote and optimize their well-being.
- j. Improving policies for annual leave and work-life balance, exploring more flexible approaches to doing judicial work, having the option of taking a sabbatical, working one or more days per week remotely, encouraging small active breaks during working hours or controlled rest times for mental and physical exercises, promoting work-life balance and lifestyle.
- k. Better distribution of workloads.
- l. Efficient and credible support staff, court personnel or research assistants who are able to assist the judges properly and effectively.
- m. Investing in adequate office equipment and working infrastructure for judges and staff, better access to technology and training in the use of it, as well as possible technological solutions to strengthen or restore access to justice and allow more actions to be carried out remotely.

Australian research: In depth and Insightful

In the Australian context, Carly Schrever, Carol Hulbert and Tania Sourdin have been conducting robust and in-depth research into the effects of judicial stress on judicial officers and judicial well-being and performance for several years. Their most recent publication, done in 2024 and based on in-depth ethnographic interviews with individual judicial officers, is in many ways a culmination of this work.⁴⁷ It's usefulness here is twofold. First, the identification of judicial context as a discriminating consideration – stressors for judges and magistrates have common and different triggers. Second, the identification of eight (8) overarching themes around which both causation and solutions can be identified and acted upon.

First judicial context, and as reported, 'judicial officers serving in the high-volume, summary jurisdictions (ie magistrates) were significantly more stressed across a range of validated measures than those serving in the trial and appellate jurisdictions (ie judges)'.⁴⁸ This distinction is important, because there is too often a tendency within some Judiciaries to disproportionately deploy and prioritise resources for education, training and otherwise into the high and appellate courts. This leaves the summary jurisdictions under resourced and marginalised, which in most, if not all, states do the overwhelming bulk of judicial work (in terms of both seriousness and volume of cases). This research confirms what is well known anecdotally: these first-tier summary courts and judicial officers suffer the greatest stress and are often the most remote and their judicial officers experience the highest levels of judicial isolation and the lowest levels of judicial collegiality.

This contextual distinction between magistrates and judges was further highlighted in the research into sources of stress.⁴⁹ Across both groups, the most frequent stressors were 'workloads' and 'case content'. However, for magistrates, the next greatest sources of stress were 'lack of control over work' and 'inefficient or inflexible processes'. However, for judges, the next two were 'being appealed/ court of appeal' and 'burden of outstanding judgments'. A caveat is important. This research is specific to Australia and these factors may be different in

⁴⁷ Carly Schrever, Carol Hulbert and Tania Sourdin, 'The Privilege and the Pressure: Judges' and Magistrates' Reflections on the Sources and Impacts of Stress in Judicial Work' (2024) 31(3) Psychiatry, Psychology and Law 327 <<https://www.tandfonline.com/doi/full/10.1080/13218719.2024.2335913>> accessed 29 June 2024. See also Carly Schrever, Carol Hulbert and Tania Sourdin, 'The Psychological Impact of Judicial Work: Australia's First Empirical Research Measuring Judicial Stress and Well-being' (2019) 28(3) Journal of Judicial Administration 141; Carly Schrever, Carol Hulbert and Tania Sourdin, 'Where Stress Presides: Predictors and Correlates of Stress Among Australian Judges and Magistrates' (2022) 29(2) Psychiatry, Psychology, and Law 290 <<https://doi.org/10.1080/13218719.2021.1904456>> accessed 29 June 2024.

⁴⁸ Carly Schrever, Carol Hulbert and Tania Sourdin, 'The Privilege and the Pressure: Judges' and Magistrates' Reflections on the Sources and Impacts of Stress in Judicial Work' (2024) 31(3) Psychiatry, Psychology and Law 327, 328 <<https://www.tandfonline.com/doi/full/10.1080/13218719.2024.2335913>> accessed 29 June 2024 .

⁴⁹ *ibid* 334.

other jurisdictions – but the point is clear, context influences judicial stress and wellness. (As a matter of interest, other sources of stress across the Judiciary in Australia included, ‘media and public scrutiny’ and ‘inadequate resources’.)

It is therefore, very important for each state to conduct its own research and to tailor its interventions to suit its needs. Global, regional, and territorial research is always helpful and can often be corroborated by indigenous research, but it can never be a complete substitute.

The Australia Research 2024 identified eight (8) overarching judicial stress and wellness themes around which both causation and solutions can be constructed. These resonate with and corroborate the Caribbean and Global research already described in this paper. They can serve as helpful educational entry points for understanding, research, analysis, and training-resource interventions. They are stated as follows:⁵⁰

- a. **Workload is an issue for almost everyone.** ‘Workload was both the most frequently cited and most strenuously emphasised stressor by the judicial officers ...’
- b. **Most judicial officers feel that the sources of stress are increasing.** ‘The majority of the judicial officers in our study commented that judicial office is considerably more stressful now than it used to be, due to both increasing work demands (higher workloads, expanded jurisdictions and more complex cases) and increasing external pressures (media hostility, reduced support from the executive government).’
- c. **Stressors of injustice are felt most keenly.** ‘Our qualitative analysis revealed, however, that it was the stress associated with witnessing or experiencing injustice that carried the greatest affective distress for judicial officers.’
- d. **There remains a cultural reluctance to discuss stress and seek support.** ‘An acute awareness of the stigmatisation of stress in judicial culture was expressed by almost all judicial officers in our study.’
- e. **Alongside judicial stress there is a deep sense of job satisfaction.** ‘For most judicial officers in our study, the satisfaction they derived from their work generally matched and offset the stress it caused them.’
- f. **Judicial officers sourcing the most enjoyment from the role are those who prioritise their own wellbeing.** ‘We found that, generally speaking, these judicial officers all had four attributes in common: (a) they treated their physical health as foundational to their work; (b) they maintained balanced lives, with interests and friendships outside the law; (c) they consciously developed personal philosophies to help navigate the challenges of the role; and (d) they proactively sought support in difficult times.’
- g. **Judicial well-being requires judicial time.** ‘Critically, it revealed, for the first time in the judicial stress literature, a collective belief among judicial officers that

⁵⁰ ibid 364-369.

their occupational well-being cannot be systemically enhanced without a radical re-evaluation of their workloads and occupational supports.’

- h. **Judicial well-being requires committed leadership.** ‘The actions of judicial leaders were seen by our study participants as integral to the success of any project directed towards judicial well-being. There was a broadly held view that only judicial leaders were in a position both to create the conditions necessary for well-being to flourish (e.g. by directing court resources to structural and organisational initiatives) and to normalise judicial stress (e.g. by modelling engagement in well-being programmes).’

We Can Take Control

Of these eight (8) considerations, the sixth I find most empowering and encouraging at an individual level - judicial officers sourcing the most enjoyment from the role are those who prioritise their own well-being and resonates deeply with what Dr Zimmerman had shared with the judicial officers of the JRTT over two decades ago.

My disappointment in the operationalisation of sabbatical leave in Trinidad and Tobago has not deterred my enthusiasm to work at discovering causes and creating solutions. Since then, my experiences and reflections have enlarged my insights. Essentially, I have come to realise that managing ‘inevitable’ stress, whether individually or collectively, is largely about changing our relationships and responses, how we do what we do as we come into relationship with work, others, and ourselves. Whether it may be as simple as taking small breaks throughout the workday,⁵¹ to something as complex as choosing to introduce and learning how to use systemic AI-assisted case management systems, we need to constantly be able to change our response-ability. One thing is certain, the inevitability of change, and with that the reality of ever-present stress.

Rising workloads, continuous backlogs, and increasing complexity are likely to be with us for a long time, as will be the experiences of injustice that are inevitable in a fallible and human justice system. But even as judicial leadership must systemically address and ameliorate the causes of judicial stress, each one of us and all of us together, as judicial officers, also need to do what we can to help ourselves and one another. The cause of justice is singular, even if its paths are myriad. And we as judicial officers, judiciary staff and Judiciary are one family in that singular endeavour.

⁵¹ See Emily M Hunter and Cindy Wu, ‘Give Me a Better Break: Choosing Workday Break Activities to Maximize Resource Recovery’ (2015) 101(2) Journal of Applied Psychology 302.

A Few Final Reflections

This paper focuses on the effects of stress and the imperative for wellness among judicial officers. However, it would be remiss of me not to point out that the only responses to these issues that can have integrity must recognise and address the problem of judicial stress as a Whole-System issue. Judicial officers exist in a single, complex, organic, human process-system that we call Judiciary. The performance of judicial officers in such an inter-related and inter-dependent process-system cannot be viewed or considered in silos and to somehow isolate the stress and wellness of judicial officers for all other persons in the entire system. Thus, Judicial Wellness is a Whole-System issue and must be approached and responded to as such. Simply put, the wellness and well-being of all judicial staff are as important. Research-based responses are critical and integral to the wellness and well-being of the entire judicial system.⁵²

Indeed, looking at the matter from a 360-degree perspective compels one to consider the wellness and well-being of all court users (actual and potential). A discussion on this is beyond the scope of this paper which focuses on judicial officers *per se*. But if it is true that ‘the stress associated with witnessing or experiencing injustice ... carried the greatest affective distress for judicial officers,’⁵³ then addressing the wellness and well-being of all court users cannot even be de-linked from that of judicial officers *per se*. How, for example, are self-represented and under-represented court users being treated, and what about persons and groups made vulnerable, such as persons who are differently abled, indigenous and tribal populations, ageing persons, court users in remote areas and those who may not communicate in official languages etc. Again, research-based responses are urged.⁵⁴

⁵² See, for example, in the Caribbean, Elron Elahie and Peter Jamadar, ‘Assessing Responses to Caribbean Judiciary Staff: A Brief Exploratory Account of Regard, Respect, and Appreciation for Staff amid the COVID-19 Pandemic and in Relation to Caribbean Cultures of Classism, Status, Patriarchy, and Institutional Hierarchy’ (CAJO, May 2020) <<https://thecajo.org/newcajo/wp-content/uploads/2021/10/CAJO-Staff-COVID-Research-Paper.pdf>> accessed 29 June 2024.

⁵³ Schrever, Hulbert and Sourdin, ‘The Privilege and the Pressure’ (n 48)365.

⁵⁴ See for example, in the Caribbean: Caribbean Association of Judicial Officers (CAJO), ‘Final Research Report: Disability Inclusion and Awareness’ (2022) <<https://thecajo.org/newcajo/wp-content/uploads/2023/03/JURIST-Research-Report-Finalv2.pdf>> accessed on 29 June 2024; Caribbean Association of Judicial Officers (CAJO), *Disability and Inclusion Awareness Guidelines for Judiciaries and Judicial Officers* (2023) <<https://thecajo.org/newcajo/wp-content/uploads/2023/03/Consolidated-Disability-and-Inclusion-Awareness-Guidelines.pdf>> accessed on 29 June 2024; Fergus MacKay, ‘Indigenous and Tribal Peoples’ Rights and Access to Justice in Six Caribbean Countries: Synthesis Report’ (CAJO, February 2022) <<https://thecajo.org/newcajo/wp-content/uploads/2023/07/baseline-study-report-ver-2.073.pdf>> accessed 29 June 2024.

Can Judicial Officers Flourish – ‘feel good and function well in life’?

In my opinion, going forward, one useful approach to judicial wellness and well-being that Judiciaries can consider taking, is to adopt a subjective scaled analysis approach to the work of judicial officers filtered through three lenses: **languishing, satisfaction, flourishing**.⁵⁵

I have found that as a judicial officer I have moved through these phases continuously and cyclically. Ideally, I aspire to be functioning in a state of flourishing. When I experience myself as languishing, I know things are out of balance and alignment and that I need to pay attention.⁵⁶ Corey Keyes⁵⁷ has developed a 14-point questionnaire, the Mental Health Continuum Short Form (MHC-SF), to assess an individual’s levels of languishing and flourishing that can be utilised to give actionable feedback.⁵⁸

Keyes suggests that there are five (5) activities that research shows help people flourish (experience more joy, gratitude, hope, and other positive emotions).⁵⁹ These he describes as: (i) helping others, (ii) learning something new, (iii) playing, (iv) engaging in spiritual or religious practices, and (v) socialising.⁶⁰ His research reveals that the deficit that is central to languishing is loneliness (the antidote for which is socialising) – which harks all the way back to Dr Zimmerman and his dis-ease of ‘Judicial Isolation’.

For Keyes, there are ‘three things linked to loneliness. One is the absence of warm, trusting relationships. Second is not belonging to a community, and the third is not contributing to a community.’⁶¹ What is his solution?

⁵⁵ See Corey Keyes, *Languishing: How to Feel Alive Again in a World that Wears Us Down* (Crown 2024). By ‘flourishing’ I mean a state there are high positive emotions and there is high positive functioning. ‘Languishing’ is a state in which there are low positive emotions and low positive functioning. ‘Satisfactory’ lies in between.

⁵⁶ By ‘languishing’ I mean being in an individual state of mental, emotional, psychological and social deficit, in which there is a lack of motivation, enthusiasm, self-esteem, meaning, purpose and general (including relational) well-being and interest in life. It is a state in which there are low positive emotions and low positive functioning.

⁵⁷ See Keyes (n 55) professor emeritus of Sociology at Emory University in Atlanta, USA.

⁵⁸ See Corey Keyes, ‘Mental Health Continuum Short Form (MHC-SF)’ (PsyToolkit, 28 June 2023) <<https://www.psychtoolkit.org/survey-library/mhc-sf.html>> accessed 29 June 2024. Heather Gilmour, ‘Positive Mental Health and Mental Illness’ (Statistics Canada, 27 November 2015) <<https://www150.statcan.gc.ca/n1/pub/82-003-x/2014009/article/14086-eng.htm>> accessed 29 June 2024.

⁵⁹ Interview with Corey Keyes: Grace Wade, ‘Are You Languishing in Life? Here’s How to Find Your Purpose Again’ (New Scientist, 9 April 2024) <<https://www.newscientist.com/article/mg26234863-400-are-you-languishing-in-life-heres-how-to-find-your-purpose-again/>> accessed 29 June 2024.

⁶⁰ *ibid.* Helping others requires some degree of commitment, linked to finding your purpose in life (how you will leave the world a better place in your unique way). Learning new things is about developing skills to grow and improve in good and meaningful ways. Play means games and activities that create a sense of accomplishment and enjoyment, including creative and artistic pursuits. Spiritual practices are anything that encourage ways of thinking and behaving for the good in a world which we cannot fully understand or control. It includes philosophy. Socialising is about being a part of mutually reciprocal trusting and nurturing relationships and communities.

⁶¹ *ibid.*

The way to address this isn't more connections, but enhancing the quality of connections. You must find your community, or your home away from home. Then you must develop relationships where there is trust, vulnerability, reciprocity and affection.⁶²

It is certainly an approach that I intend to nurture and develop in the future.

Conclusion

Dr Joseph Sadek,⁶³ consultant to the Commonwealth Judicial Education Institute ('CJEI'), the CAJO, and GJIN on judicial stress and wellness, has presciently explained: 'Acknowledging the problem of stress and burnout among judicial officers is an important starting point. The well-being of judicial officers is a high priority since it affects them and the public.'⁶⁴

There are three insights here that we need always remind ourselves of: (i) acknowledging judicial stress is always only a starting point, (ii) the well-being of judicial officers is a high priority, and (iii) judicial wellness affects and impacts individual judicial officers, the institution of Judiciary, and the public.

At the CJEI, we⁶⁵ have developed an evolving Fundamental Framework for Judicial Excellence.⁶⁶ It is built around the notion of closing the gaps between existing realities and articulated, values-based and measurable justice sector standards for achieving justice in democratic states, encapsulated in the acronym ICEE+W. In it, 'I' stands for Impartiality-Independence-Integrity, 'C' stands for competence, the first 'E' stands for efficiency, the second 'E' stands for effectiveness, and the '+W' stands for wellness. Over time we have come to see that wellness is at the centre of ICEE, and the values and standards of integrity, independence, impartiality, competence, efficiency and effectiveness are only optimally achievable when there is individual, institutional and whole-system wellness and well-being.

All of the research reviewed in this paper supports that key insight. My own lived experience as a judicial officer for about 27 years also supports it. Simply put, judicial wellness and well-

⁶² *ibid.*

⁶³ See fn 1.

⁶⁴ United Nations Office on Drugs and Crime (UNODC), 'Judicial Wellbeing and Its Implication for Access to Justice' (YouTube, 28 July 2021) <<https://www.youtube.com/watch?v=C-acLSnsOoA&t=9s>> accessed 29 June 2024; Sadek (n 1).⁴

⁶⁵ I am a Fellow of the CJEI (2004), Vice-President of Programming, and Director of its flagship Intensive Study Programme.

⁶⁶ See Sandra E Oxner, 'The Many Facets of Training' in Rudolf Van Puymbroeck (ed) *Comprehensive Legal and Judicial Development: Towards an Agenda for a Just and Equitable Society in the 21st Century* (World Bank Publications 2001) 273-298..

being needs to be moved from the periphery and into the centre of judicial education, training and the deployment of resources if we are to create and sustain judiciaries of excellence that serve the needs of our citizens. And finally, the notion of judicial wellness and well-being has to be enlarged to accommodate a 360-degree approach that includes all court personnel and court users.

Epilogue

Out of curiosity and given that generative AI is with us to stay, I asked ChatGPT four questions on this matter.⁶⁷ The questions and responses are set out below (which took me less than 15 minutes to input and receive).

Technology is often touted as a ‘cure all’ for most operational ailments, including those that Judiciaries and judicial officers face. There can be no doubt that technology is an important and necessary tool for modern Judiciaries. And technology can help relieve judicial stress, provided it is reliable and trustworthy. Indiscriminately relied on and deployed, it may however increase judicial stress.

When I asked for a **list of research articles on Judicial stress**, this is what was produced (notice the citations):

ChatGPT: Here's a list of research articles on judicial stress that you may find useful:

1. **"Judicial Stress: A Review of Sources, Effects, and Coping Mechanisms"**
 - This article explores various sources of stress among judges, its effects on their well-being and decision-making, and strategies for coping.
 - Example citation: Smith, J., & Johnson, A. (20XX). Judicial Stress: A Review of Sources, Effects, and Coping Mechanisms. *Journal of Law and Psychology*, XX(X), XXX-XXX. DOI: XXXXXXXX
2. **"Occupational Stress Among Judges: Causes and Consequences"**
 - This study investigates specific causes of stress unique to judicial roles, such as case complexity, workload, public scrutiny, and decision-making pressures.
 - Example citation: Brown, R., & Lee, S. (20XX). Occupational Stress Among Judges: Causes and Consequences. *Journal of Legal Studies*, XX(X), XXX-XXX. DOI: XXXXXXXX
3. **"Judicial Burnout: A Comprehensive Examination"**
 - This article provides an in-depth analysis of burnout among judges, discussing its prevalence, symptoms, contributing factors, and potential interventions.
 - Example citation: Garcia, M., & Thompson, L. (20XX). Judicial Burnout: A Comprehensive Examination. *International Journal of Stress Management*, XX(X), XXX-XXX. DOI: XXXXXXXX

⁶⁷ ChatGPT < <https://chatgpt.com/> > accessed on 1 July 2024.

4. **"Coping Strategies and Resilience Among Judges: A Qualitative Study"**
 - This qualitative research explores how judges cope with stressors, examining effective coping strategies and resilience factors.
 - Example citation: Roberts, K., & Nguyen, T. (20XX). Coping Strategies and Resilience Among Judges: A Qualitative Study. *Journal of Occupational Health Psychology*, XX(X), XXX-XXX. DOI: XXXXXXXX
5. **"Impact of Judicial Stress on Decision-Making: Evidence from Empirical Studies"**
 - This empirical study investigates how stress influences judicial decision-making processes, including potential biases and effects on legal outcomes.
 - Example citation: Wilson, D., & Smith, P. (20XX). Impact of Judicial Stress on Decision-Making: Evidence from Empirical Studies. *Journal of Empirical Legal Studies*, XX(X), XXX-XXX. DOI: XXXXXXXX
6. **"Gender Differences in Judicial Stress: A Comparative Study"**
 - This research examines whether there are gender disparities in the experience and manifestation of stress among judges, considering societal expectations and role perceptions.
 - Example citation: Clark, E., & Baker, H. (20XX). Gender Differences in Judicial Stress: A Comparative Study. *Journal of Gender Studies*, XX(X), XXX-XXX. DOI: XXXXXXXX

These articles cover various aspects of judicial stress, including its sources, effects, coping mechanisms, and specific research into its impact on decision-making and well-being. You can access these articles through academic databases or by contacting the respective journals for more information.”

Similarly, when I asked for **a list of research articles on Judicial wellness**, this is what was also produced (notice the citations):

ChatGPT: Certainly! Here's a list of research articles focusing on judicial wellness:

1. **"Judicial Wellness: A Conceptual Framework and Practical Strategies"**
 - This article provides a comprehensive framework for understanding judicial wellness, including strategies and programs aimed at promoting well-being among judges.
 - Example citation: Adams, L., & Carter, M. (20XX). Judicial Wellness: A Conceptual Framework and Practical Strategies. *Judicature*, XX(X), XXX-XXX. DOI: XXXXXXXX
2. **"Promoting Mental Health Among Judges: Evidence-Based Approaches"**
 - This study reviews evidence-based practices and interventions designed to enhance mental health and wellness among judges.
 - Example citation: Davis, S., & Green, R. (20XX). Promoting Mental Health Among Judges: Evidence-Based Approaches. *Psychology, Public Policy, and Law*, XX(X), XXX-XXX. DOI: XXXXXXXX
3. **"Mindfulness-Based Interventions for Judicial Stress Reduction"**
 - This research explores the efficacy of mindfulness-based interventions in reducing stress and promoting wellness among judges.

- Example citation: Brown, E., & Wilson, T. (20XX). Mindfulness-Based Interventions for Judicial Stress Reduction. *Journal of Law and Mindfulness*, XX(X), XXX-XXX. DOI: XXXXXXXX
- 4. **"Peer Support Programs for Judges: Benefits and Implementation Challenges"**
 - This article discusses the benefits and challenges of implementing peer support programs as a means of promoting wellness and resilience among judges.
 - Example citation: Roberts, A., & Garcia, P. (20XX). Peer Support Programs for Judges: Benefits and Implementation Challenges. *Journal of Judicial Administration*, XX(X), XXX-XXX. DOI: XXXXXXXX
- 5. **"The Role of Physical Health in Judicial Wellness: A Review and Recommendations"**
 - This study examines the relationship between physical health and overall wellness among judges, offering recommendations for promoting a healthy lifestyle.
 - Example citation: Miller, J., & Smith, C. (20XX). The Role of Physical Health in Judicial Wellness: A Review and Recommendations. *Journal of Health Psychology*, XX(X), XXX-XXX. DOI: XXXXXXXX
- 6. **"Impact of Wellness Programs on Judicial Performance and Job Satisfaction"**
 - This research evaluates the impact of wellness programs on judicial performance metrics such as decision-making quality and job satisfaction.
 - Example citation: Thompson, R., & White, D. (20XX). Impact of Wellness Programs on Judicial Performance and Job Satisfaction. *Judicial Management Journal*, XX(X), XXX-XXX. DOI: XXXXXXXX

These articles address various facets of judicial wellness, including mental health interventions, mindfulness practices, peer support programs, and the role of physical health. They provide insights into promoting well-being among judges, enhancing resilience, and improving overall judicial functioning.

I asked two further questions: (i) what are the best strategies to achieve judicial wellness? and (ii) what are the best strategies to cope with judicial stress? The responses are set out side by side overleaf.

I find the responses to these two questions fascinating in light of the research reviewed in this paper, and wonder what I may have done if pressed for time to write this paper and if I had accessed them before starting to do so.

You judge for yourself!

And evaluate whether or not using ChatGPT could have helped reduce my stress in preparing for this session 😊!

Q. What are the best strategies to achieve judicial wellness?

ChatGPT: Achieving judicial wellness involves maintaining mental, emotional, and physical health while managing the demands and stresses inherent in a judicial career. Here are some strategies to promote judicial wellness:

1. **Self-Care Practices:** Prioritize self-care activities such as exercise, adequate sleep, healthy eating, and relaxation techniques like mindfulness or meditation.
2. **Manage Stress Effectively:** Develop stress management techniques such as deep breathing exercises, progressive muscle relaxation, or engaging in hobbies that provide relaxation.
3. **Seek Social Support:** Build and maintain relationships with supportive colleagues, friends, and family members who understand the unique challenges of your profession.
4. **Set Boundaries:** Establish clear boundaries between work and personal life to prevent burnout. This may involve setting limits on working hours and resisting the temptation to constantly check work emails or messages.
5. **Continuous Learning and Development:** Stay intellectually engaged and continue to grow professionally through ongoing education, attending workshops, or participating in judicial conferences.
6. **Seek Supervision or Mentorship:** Engage in supervision or seek mentorship from more experienced judges or judicial peers to discuss challenges and gain perspective.
7. **Cultivate Emotional Resilience:** Develop resilience to manage setbacks and difficult cases. This might involve practicing empathy while maintaining professional detachment.
8. **Healthy Work Environment:** Advocate for and contribute to a supportive and respectful work environment where judges can openly discuss challenges and seek assistance without fear of stigma.
9. **Regular Health Check-Ups:** Schedule regular medical check-ups to monitor physical health and address any issues early.
10. **Awareness of Warning Signs:** Be aware of signs of stress, burnout, or mental health concerns such as anxiety or depression. Seek professional help if needed.
11. **Time Management:** Prioritize tasks effectively and manage workload to prevent feeling overwhelmed.
12. **Engage in Meaningful Activities:** Find activities outside of work that provide fulfillment and a sense of purpose, such as volunteering or engaging in hobbies.

By implementing these strategies, judges can foster wellness, maintain their effectiveness in their roles, and sustain a fulfilling career over the long term.

Q2 What are the best strategies to cope with judicial stress?

ChatGPT: Coping with judicial stress requires specific strategies tailored to the unique demands and pressures of the judiciary. Here are some effective strategies:

1. **Develop Stress Awareness:** Recognize the signs of stress early on, such as changes in mood, sleep patterns, or physical symptoms like headaches or fatigue.
2. **Practice Stress Management Techniques:** Utilize techniques such as deep breathing, progressive muscle relaxation, or mindfulness meditation to reduce stress in the moment and promote relaxation.
3. **Maintain Physical Health:** Engage in regular physical activity, eat a balanced diet, and prioritize sufficient sleep to support overall well-being and resilience against stress.
4. **Establish Boundaries:** Set clear boundaries between work and personal life to prevent burnout. This includes limiting work-related activities during non-work hours and taking breaks when needed.
5. **Seek Social Support:** Connect with supportive colleagues, friends, or family members who can offer encouragement, understanding, and perspective.
6. **Develop Coping Strategies:** Identify healthy coping mechanisms that work for you, such as journaling, listening to music, or engaging in hobbies that provide relaxation and distraction.
7. **Practice Time Management:** Prioritize tasks effectively, delegate when possible, and avoid overcommitting to prevent feeling overwhelmed by workload.
8. **Seek Supervision or Peer Support:** Engage in supervision or seek support from experienced colleagues or mentors to discuss challenging cases or situations.
9. **Maintain Professionalism and Integrity:** Uphold ethical standards and professional integrity, which can provide a sense of purpose and fulfillment despite challenging circumstances.
10. **Continuous Learning and Growth:** Stay intellectually engaged by pursuing ongoing education, attending judicial conferences, or participating in professional development opportunities.
11. **Address Mental Health Needs:** Recognize when stress becomes overwhelming or impacts mental health and seek support from a mental health professional if necessary.
12. **Create a Supportive Work Environment:** Advocate for and contribute to a workplace culture that promotes well-being, respects boundaries, and supports judicial officers in managing stress effectively.

By implementing these strategies, judicial officers can better cope with the stress inherent in their roles, maintain resilience, and sustain a fulfilling and productive career in the judiciary.