

# Emotional Intelligence for Judges

Professionalism and Leadership in the Judiciary

Arizona Judicial Conference, June 2023



Emotional Intelligence for Judges

## Session OBJECTIVES



Intro & Define EQ



Learn Components



EQ On the Bench



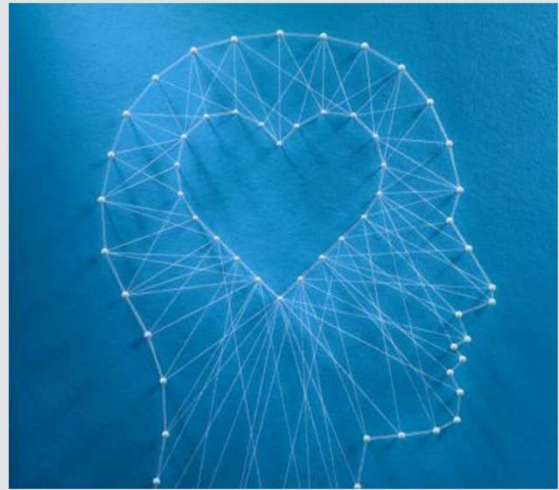
Enhancing EQ



## Emotional Intelligence

### Emotional Intelligence

- o Emotional Intelligence, also known as EQ, refers to the capacity to perceive, understand, manage, and utilize emotions effectively, both in oneself and in others.
- o It involves the ability to recognize and interpret emotions, regulates one's own emotional responses, empathize with others, and use emotional information to guide thinking and behavior.
- o EQ encompasses a range of skills and competencies, including self- awareness, self- regulation, social awareness, and relationship



## Low Emotional Intelligence

### Emotional Intelligence

- o **Insensitivity** to others' feelings - making hurtful comments without realizing the impact of their words.
- o **Difficulty handling criticism** - may become defensive or aggressive when receiving criticism.
- o **Lack of empathy** - difficulty putting themselves in someone else's shoes or understanding their perspective.
- o **Inability to control emotions** - outbursts or other inappropriate behavior.
- o **Poor communication skills** - difficulty expressing themselves clearly or understanding the emotions of others during communications.



## Low Emotional Intelligence

Emotional Intelligence



Multiple Choice Questions

Let's assess our general  
Emotional Intelligence  
knowledge . . .



Question 1: What percentage of employers believe that emotional intelligence (EI/EQ) is a more important characteristic for employees to possess than IQ?

- a. 25%
- b. 50%
- ✓ c. 75%
- d. 90%

0

Question 2: Which of the following is NOT a component of emotional intelligence?

- a. Self-awareness
- b. Self-regulation
- c. Empathy
- ✓ d. Intelligence Quotient (IQ)

0

Question 3: What percentage of top-performing leaders possess high levels of emotional intelligence?

- a. 30%
- b. 50%
- ✓ c. 70%
- d. 90%

0

Question 4: What is the relationship between emotional intelligence and job performance?

- a. There is no significant relationship
- b. There is a negative relationship
- ✓ c. There is a positive relationship
- d. Emotional Intelligence has no effect on job performance.

0

Question 5: What percentage of people believe they have above-average emotional intelligence?

- a. 20%
- b. 50%
- c. 75%
- d. 90%

0

\* According to a study which used the Mayer-Salovey-Caruso EI Test, about 10% of participants scored in the top 10% of EI scores, suggesting a relatively small percentage of people may be considered to have high levels of EQ.

Question 6: According to research, what percentage of leaders have poor emotional intelligence?

- a. 10%
- b. 25%
- c. 50%
- d. 75%

0

Question 7: What percentage of Fortune 500 companies now include emotional intelligence training in their employee development programs?

- a. 10%
- b. 25%
- c. 50%
- d. 75%

0

Question 8: Which age group tends to have the highest levels of emotional intelligence?

- a. 18-24
- b. 25-34
- c. 35-44
- d. 45-54

0

Question 9: According to TalentSmart, what percentage of people who scored high on emotional intelligence assessments were also high performers in their jobs?

- a. 20%
- b. 50%
- c. 75%
- ✓ d. 90%

0

Question 10: According to research, what percentage of people who receive EI/EQ training reported improved relationships with colleagues?

- a. 25%
- b. 50%
- c. 75%
- ✓ d. 90%

0



Components of Emotional Intelligence


## 4 Components of Emotional Intelligence

Self Awareness

Self Management

Social Awareness

Relationship Management



The diagram illustrates the four components of Emotional Intelligence, each represented by a colored oval and connected to a central yellow oval labeled 'Emotional Intelligence'. A hand is shown pointing at the Social Awareness oval.

- Self-Awareness** (Green oval): Emotional Self-Awareness, Accurate Self-Assessment, Self-Confidence
- Social Awareness** (Pink oval): Empathy, Organizational Awareness, Service Orientation
- Relationship Management** (Purple oval): Developing Others, Inspirational Leadership, Conflict Management
- Self-Management** (Blue oval): Emotional Self-Control, Initiative, Optimism


>

Components of Emotional Intelligence

## Self Awareness

The ability to accurately assess our own emotions, including origin and the external events that trigger them.

Awareness about our own capabilities - strengths and weaknesses - knowing how our emotion are brought up by specific circumstances.



The image shows a woman in a dark top holding a photo of herself. The photo is a collage of her face with various expressions: sad, angry, surprised, and happy. This visualizes the concept of self-awareness as understanding one's own emotional states.

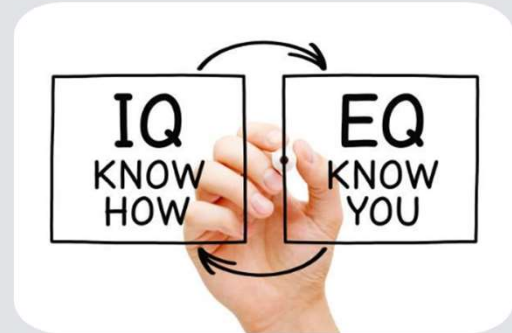
>

## Self Management

The capacity to regulate emotions and impulses in a productive way to to be resilient in the face of challenging circumstances.

People with strong self-regulation skills tend to be better able to act with integrity and in line with their own values when making decisions (trustworthiness);

They take responsibility for their own actions (conscientiousness).



## Social Awareness

The ability to empathize with others' emotions, even when these are not expressed explicitly, and to comprehend the social contexts and group dynamics they occur in.

Social awareness allows an understanding of the forces and power dynamics present in relationships and influences on a person's emotions.

Creating emotional bonds with others.

Showing sensitivity and responding in ways that validate.



Components of Emotional Intelligence

## Social Awareness: Empathy



Components of Emotional Intelligence

## Social Awareness: Empathy



## Relationship Management

The ability to inspire, influence, and motivate others while managing situations with diplomacy and strategy.

Practicing active listening towards others' needs and maintaining open and clear communication to develop strong and positive relationships.

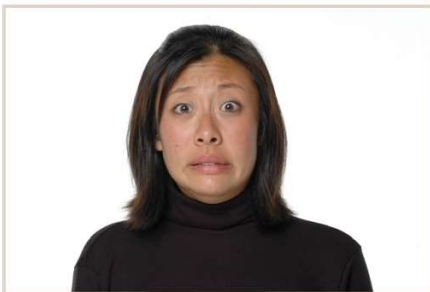
Capacity to deal with conflict and maintain leadership skills when motivating a group to work towards a common goal.



## EQ Assessment

### Test Your Emotional Intelligence

How well do you read other people?



1. This face is expressing...



[https://greatergood.berkeley.edu/quizzes/ei\\_quiz/take\\_quiz](https://greatergood.berkeley.edu/quizzes/ei_quiz/take_quiz)



# EQ Assessment

## Quiz Yourself: Do You Lead with Emotional Intelligence?

by Annie McKee

June 06, 2015



## Harvard Business Review EQ Quiz



<https://hbr.org/2015/06/quiz-yourself-do-you-lead-with-emotional-intelligence>



# EQ on the Bench?

## Yavapai County judge facing extreme DUI charges has questionable history on the bench

Yavapai County Superior Court Judge [redacted] off the bench after being charged with extreme DUI following a March traffic stop, and the Arizona State Supreme Court has reassigned 200-plus cases. Some local residents who've appeared before Judge [redacted] in family court say they have filed complaints with the Arizona Commission of Judicial Conduct. In 2016, the commission did reprimand [redacted] for conducting a hearing without giving the parents notice, and determined Judge [redacted] was

PHOENIX

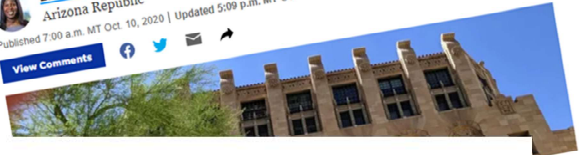
## Superior Court judge reprimanded after prosecutor, public defender file complaint



Lauren Castle  
Arizona Republic

Published 7:00 a.m. MT Oct. 10, 2020 | Updated 5:09 p.m. MT Oct. 10, 2020

View Comments



## Changes coming after ABC15's (dis)Honorable investigation

After an ABC15 investigation, the state commission that investigates and disciplines judges is promising to increase transparency regarding private disciplinary actions

“When a judge fails to afford all interested parties the right to be heard and fails to remain 'patient, dignified, and courteous,' such behavior undermines that trust.”





EQ on the Bench

# EQ on the Bench

**Active Listening:** A judge with high EQ actively listens to all parties involved in a case, taking into account their emotions, perspectives, and concerns.

**Empathy:** A judge with high EQ has the ability to understand and feel empathy for the emotions and experiences of others, including witnesses, victims, and defendants.

**Impartiality:** A judge with high EQ is able to remain impartial and not allow their emotions or biases to influence their decisions or treatment of parties in a case.

**Self Regulation:** A judge with high EQ is able to regulate their own emotions and remain calm and composed in the face of conflict or stress.



EQ on the Bench

# EQ on the Bench

## The Emotionally Intelligent Judge: A New (and Realistic) Ideal

Terry A. Maroney

As a Supreme Court Justice once wrote, “dispassionate judges” are “mythical beings,” like “Santa Claus or Uncle Sam or Easter bunnies.”<sup>1</sup> Judges have emotions, and emotions influence decision making. These observations may seem obvious, even banal. But their implications are broad-reaching. Judicial emotion is more common than most people—certainly laypeople, and perhaps judges as well—would like to believe. Further, emotion almost certainly has a substantial impact on judicial decision making and behavior—and that is not necessarily a bad thing.

The ideal of the emotionless, “dispassionate” judge has a very long pedigree. More than three centuries ago, Thomas Hobbes wrote in *Leviathan* that the ideal judge is “divested of all fear, anger, hatred, love, and compassion.”<sup>2</sup> To a modern ear such a blunt statement sounds, perhaps, antiquated. To the extent this is so, it is because the Legal Realists of the early twentieth century largely convinced us of the importance of the person wearing the robe. Law is not certain, and judges have discretion,

But we still seldom talk about the *emotional* aspect of judges’ humanity. And when we do, we run into a fairly solid wall of opposition. Judicial emotion generally is seen as an unfortunate consequence of having to regulate the legal system with falli-

ble, biased, real- counted among Maryland judge blood, are subject affect other mem- tem, under this the opportunities: the good judge i ence wherever s

We saw this v nation of now- would have an implied that judge- prominent professor declared that a “compassionate, empa-

The article argues that EQ is a crucial skill for judges and that its importance should be recognized and integrated into judicial training and education programs.



EQ on the Bench

# EQ on the Bench

**SS:** Absolutely. In that speech, my rhetoric was imprecise. Because I didn't mean to suggest that others were less. What I was trying to communicate was that we are equal. We bring maybe a different kind of richness, but it's a richness, too.

**O:** As a Supreme Court justice, what is the role of empathy in your decisions—or do you approach each case trying to be emotionless?

**SS:** You can't be emotionless. No one can. I don't want to describe the details of some of the crimes we read about; they're barbaric. People in some situations act worse than animals. You can't be a judge if you try to be a robot. Because then you're not going to be able to look at both sides, and hear both sides. At the same time, if you're being ruled by emotion, then you're not being fair and impartial. So what do you do with your emotions? My feeling is that you have to be aware. You have to be aware that you might be angry with a defendant, and then acknowledge and deal with that anger as a person—and consciously set it aside.

Justice Sotomayor interview with Oprah, February, 2013.



EQ on the Bench

# EQ on the Bench

**EMERANZA FRANCO** is a U.S.-Spain bilingual attorney, writer and emotional intelligence coach. She is the author of *Emotional Intelligence in the Law: Tackling the Lawyer Mental Health Crisis*. She is also a professor and lecturer at the George Mason University School of Law and an adjunct professor at the American Bar Association. She is the author of *Emotional Intelligence in the Law: Tackling the Lawyer Mental Health Crisis*. She is also a professor and lecturer at the George Mason University School of Law and an adjunct professor at the American Bar Association.

**Emotional Intelligence in the Law**  
Tackling the Lawyer Mental Health Crisis  
BY ESPERANZA FRANCO

**learn reader,**  
via a non-legal article, we lawyers describe a system we're taking as a matter of course, but we lawyers describe a system we're taking as a matter of course, but we lawyers describe a system we're taking as a matter of course...

**PART 1: ROOTS & CAUSES**

Arizona Attorney Magazine, May 2023

Esperanza Franco



EQ on the Bench

# EQ on the Bench



Which judge are you?

Imagine that two children have grown up and become judges. One day they are in their respective courtrooms, each interacting with a lawyer who makes an argument after being instructed not to.

One judge, furious at being disobeyed, barks sharply, startling everyone, then quickly feels embarrassed and mumbles at the lawyer to continue with a different argument.

The other judge, mildly disappointed in the lawyer's ineptitude, calmly halts the proceeding, talks quietly but firmly in a sidebar, and waits to see if the behavior repeats.

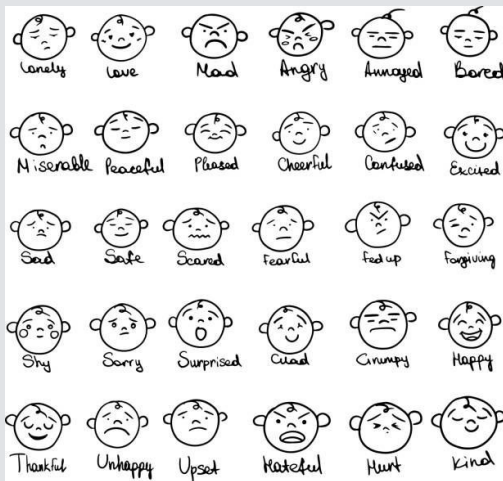
In both courtrooms, court staff exchange knowing looks: This is how their judge usually acts when things like that happen.

Their predictably contrasting reactions to, and handling of, similar situations likely reflect temperamental differences in both reactivity and self-regulation.



Increasing Emotional Intelligence

# Increasing Emotional Intelligence



\* see PDF with materials

## Develop Emotional Awareness:

- o Acknowledging, identifying, and naming our feelings can increase emotional awareness
- o Practicing mindfulness is also a proven method of gaining perspective on our feelings.
- o Gaining self-awareness increases our resiliency to challenges.





## Increasing Emotional Intelligence

### Be Curious . . . not Judgmental



## Increasing Emotional Intelligence



### Practice Active Listening:

- Attune to other peoples' feelings to help increase empathy
- Avoid interrupting or relating the conversation to ourselves.

### Assertive Communication

- Clearly express our perspectives, desires, and needs - can enhance our relationships with others.
- Identify which emotions are more difficult for us to share and rehearse ways to express them



## Increasing Emotional Intelligence



### Acknowledge Others' Emotions:

- With personal or job-related conflicts, it is important to acknowledge first the emotions that the counterpart is expressing.

### Reframe the Situation

- Suggest possible ways to help or finding a compromise to move towards conflict resolution.

### Set Goals

- Setting concrete goals to promote EQ behaviors in everyday life - pausing, being more present, engaging in more meaningful conversations.



## Increasing Emotional Intelligence



### Practice Active Listening:

- Attune to other peoples' feelings to help increase empathy
- Avoid interrupting or relating the conversation to ourselves.

### Assertive Communication

- Clearly express our perspectives, desires, and needs - can enhance our relationships with others.
- Identify which emotions are more difficult for us to share and rehearse ways to express them



Increasing Emotional Intelligence

# Increasing Emotional Intelligence

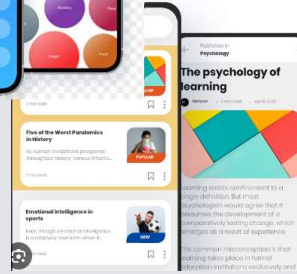
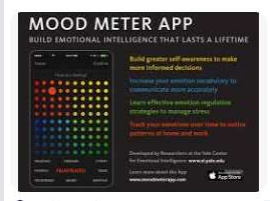
There's an app for that

Mood Meter

Mood Flow

Sintelly

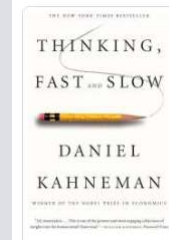
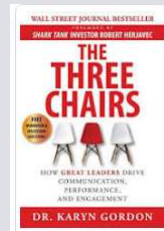
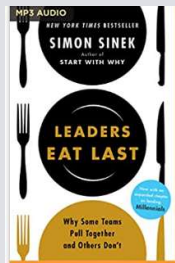
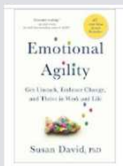
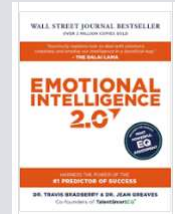
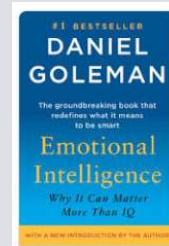
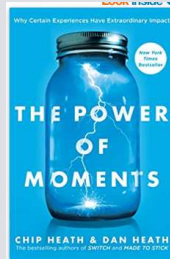
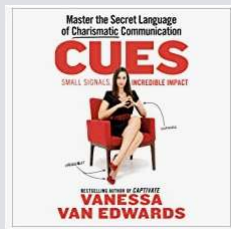
EQ.app



Increasing Emotional Intelligence

# Increasing Emotional Intelligence

There's a book for that



## Importance of Emotional Intelligence



- Overall positive impact on your life
- Deeper connections with other people
- Strengthens social support system
- Allows us to handle challenging situations with greater control and flexibility
- Pivotal in helping us make objective decisions
- Predictor of effective leadership and trust development



## KEY TAKEAWAYS



**First**

EQ can be equally beneficial in our professional lives as judges and in our personal lives, too.

**Next**

Increasing our EQ is possible - it takes practice and can be learned - it's not fixed.

**Finally**

Higher levels of EQ are correlated with higher levels of success and personal life satisfaction



# Quotes

Quotes



"I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel." Maya Angelou

"Anybody can become angry, that is easy; but to be angry with the right person, and to the right degree, and at the right time, and for the right purpose, and in the right way, that is not within everybody's power, that is not easy." Aristotle



Thankyou



Alicia M. Skupin  
Chandler Municipal Court  
alicia.skupin@chandleraz.gov