

# Procedural Fairness

with Judge Kevin Burke

*a Blended Learning Project for Washington State Trial Courts*

## Procedural Fairness: A Key Ingredient to Public Satisfaction

### ***Voice. Neutrality. Respect. Trustworthiness.***

Social science research shows that these four elements of procedural fairness are more important to court users than arriving at the “right” decision under the law. This learning series is designed to help judicial officers:

- Assess and change their own behavior; and
- Assess and change their courts’ processes.

#### ***The Goals:***

- To improve perceptions of parties, lawyers, witnesses, jurors, and spectators concerning the impartiality and fairness of how justice is administered; and thereby
- Increase compliance with court decisions.

**Part 1:** Read the article by Judge Kevin Burke and Judge Steve Leben entitled *Procedural Fairness: A Key Ingredient in Public Satisfaction*.

**Part 2:** Assess your court’s performance and your own with an easy to use online assessment.\*

**Part 3:** Listen and learn from Judge Kevin Burke at the SCJA (May 1) and DMCJA (June 12) Spring Conferences.

**Part 4:** Learn from other Washington State judges during a webinar in early September (date to be announced).

**Part 5:** Complete the online self-assessment a second time to measure your improvement.

*\*Assessment results are anonymous.*



## About the Faculty

Kevin Burke has been a district judge in Hennepin County, Minnesota, since 1984. He is currently president of the American Judges' Association and served as chair of the AJA's White Paper Committee in 2006-2007. He has been elected to four terms as chief judge and three terms as assistant chief judge of the Hennepin County District Court, which has 61 judges and more than 750,000 annual case filings.

Judge Burke received the William H. Rehnquist Award from the National Center for State Courts in 2003; the Rehnquist Award is presented annually to a state judge who meets the highest level of judicial excellence, integrity, fairness, and professional ethics. Among his many other awards, *Governing* magazine named him the Public Official of the Year in 2004; the Minnesota Chapter of the American Board of Trial Advocates named him the trial judge of the year in 2005; and the magazine *Law & Politics* named him one of the 100 most influential lawyers in the history of Minnesota. Burke is a past chair of the Minnesota State Board of Public Defense and was a leader in efforts to improve and expand the state's public defender system.

He has been a speaker in many states, as well as in Canada, Mexico, China, India, and Ireland regarding improvement in judicial administration and court leadership.

Judge Burke recently advised the California Administrative Office of the Courts and the Center for Court Innovation in a project called *Procedural Fairness in California: Initiatives, Challenges, and Recommendations* and was instrumental in the creation of the Procedural Fairness website which opened in January 2012 at [www.proceduralfairness.org](http://www.proceduralfairness.org).

## About the Project

In 2009, the State Justice Institute funded the Washington Administrative Office of the Courts to test a blended learning model of teaching for the Washington State Courts. Blended learning combines online, face-to-face, and other learning modalities. The AOC thanks SJI for their generosity in helping us explore new, innovative and cost-effective teaching methods.

We further thank the California Administrative Office of the Courts and the Center for Court Innovation, who developed the online court self-assessment. To see California's complete report and recommendations, go [here](#).

