

Rising Threats Prompt ABA's Call for Mental Health Assessment of Judiciary



The American Bar Association (ABA) has issued a resounding call to action for U.S. judicial leaders to thoroughly examine the impacts of violent or traumatic incidents on judges, their personnel, and their families. Against the backdrop of an alarming increase in threats, the ABA's House of Delegates, the organization's authoritative policy-making entity, passed a resolution during its annual meeting in Denver. This resolution highlights the pressing need to address the mental health consequences arising from heightened caseloads, threats, and instances of violence against judicial staff and their families.

The resolution sheds light on the psychological toll these challenging circumstances take on those within the judiciary and urges national court leaders to develop specialized training and processes. The goal is to provide judges, their support staff, and their families with access to professional, confidential treatment, working in tandem with court security teams.

The catalyst for this resolution has been the unsettling surge in threats and violent incidents targeting judges. Among the distressing incidents mentioned is the arrest of an armed individual outside the residence of Supreme Court Justice Brett Kavanaugh last year. The assailant was later charged with attempted assassination. Additionally, the tragic 2020 murder of the son of U.S. District Judge Esther Salas, shot by a disgruntled litigant at her New Jersey home, underscores the gravity of the situation.

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These incidents and an apparent rise in threats directed at judges prompted legislative action. Congress passed the Daniel A. Claitor Judicial Security and Privacy Act in response to these concerns, aimed at safeguarding judges' personal information online. The ABA played a pivotal role in advocating for the passage of this bill, and their support extends to pursuing similar measures at the state level. Despite these commendable efforts, the ABA's resolution report acknowledges that current steps may not fully encompass the scope of the threat and its repercussions on victims.

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The National Conference of State Trial Judges Chair, Delaware Superior Court Judge Vivian Medinilla, submitted the resolution's report. The document emphasizes the necessity of shifting attention beyond judges' well-being and towards the broader group affected by traumatic events - including judges' staff and their families.

In an arena where exposure to distressing scenarios is all too common, the report argues that these individuals are also at risk of experiencing trauma, whether stemming from explicit threats or the very nature of court proceedings. From complex sentencing hearings to divorce cases, abuse situations, and matters involving sexual crimes, the judicial staff's exposure to distressing scenarios is extensive.

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"As part of any process developed by courts and administrators, training should be offered or developed on the topics discussed here, including vicarious or secondary trauma, post-traumatic stress disorder, and general mental or emotional health and wellness," states the report.

The ABA's resolute call to action seeks to confront the multifaceted challenges posed by escalating threats against the judiciary. By recognizing the psychological strain on judges and extending support to their staff and families, the ABA emphasizes the necessity of a holistic approach. It is envisioned that through comprehensive training and sensitive processes, the judicial community can develop resilience and safeguard their collective well-being against the evolving landscape of threats and trauma.

Don't be a silent ninja! Let us know your thoughts in the comment section below.

