Judges and the judicial process have long been scrutinized by lawyers and legal academics. As a result, a large and ever-increasing body of literature has developed on matters relating to judicial appointments, judicial independence, judicial policymaking and the like. However, there is an extremely limited amount of information on how an appointee learns to be a judge.

Conventional wisdom suggests that judges arrive on the bench already equipped with all the skills necessary to manage a courtroom and dispense justice fully, fairly and rapidly. However, social scientists have identified a demonstrable link between judicial education and judicial performance, which suggests it is vitally important to identify and improve on best practices in judicial education.

This symposium seeks to improve the understanding of judicial education by considering several related issues. First, if judicial education is intended to improve those skills and attributes that are unique to judges, then it is critical to understand what it is that judges do. Therefore, a number of symposium participants will consider what it means to be a judge and what it is about judging that is different than other sorts of decision-making.

The second set of issues involves questions of pedagogy and purpose. For example, what is the goal of judicial education? Is it to convey information, skills or a particular cultural mindset? Indeed, is it even reasonable to aspire to teaching what might be called the art of judging? Though critical, these issues have seldom been discussed. Several panelists in this symposium will nevertheless address these core concerns.

The third and final set of questions relates to educational techniques. For example, how do questions of content affect teaching methodologies? Do judges want (and benefit from) courses in substantive or procedural law, or are skills- or theory-based sessions better? Given recent budget shortfalls, can distance learning replace person-to-person learning in some or all circumstances?

A distinguished set of jurists and academics will discuss these important and largely novel inquiries in conjunction with a keynote address by the Honorable Duane Benton of the United States Court of Appeals for the Eighth Circuit. Those who write in this field should also consider participating in the works-in-progress conference convened by the University of Missouri School of Law and the Center for the Study of Dispute Resolution in association with this symposium.

Papers from this symposium will be published in the Journal of Dispute Resolution, the flagship journal of the University of Missouri’s Center for the Study of Dispute Resolution.
## Keynote Speaker

**The Honorable Duane Benton**  
Circuit Judge  
United States Court of Appeals for the Eighth Circuit

Duane Benton became a judge on the United States Court of Appeals for the Eighth Circuit on July 8, 2004. Judge Benton served on the Supreme Court of Missouri from 1991 until 2004 (including as chief justice from 1997 to 1999). Previously, he practiced law from 1983 to 1988, and served as Missouri’s Director of Revenue from 1989 to 1991. He is a graduate of Northwestern University, summa cum laude and Phi Beta Kappa, and of Yale Law School, where he was managing editor of the *Yale Law Journal*. From 1975 to 1979 Judge Benton was a judge advocate in the U.S. Navy. While in the Navy, he earned a master’s in business administration and accountancy from Memphis State University, becoming a certified public accountant in Missouri in 1983. Judge Benton earned an LLM from the University of Virginia in 1995. He has served as an adjunct professor at Westminster College, Brooklyn Law School, Saint Louis University School of Law, the University of Missouri School of Law, and Vanderbilt Law School.

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### 2014 Symposium Schedule

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<td>8:00-8:15</td>
<td>Welcome</td>
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<td>8:15-9:00</td>
<td>What Does it Mean to be a Judge?</td>
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<td>9:00-10:15</td>
<td>What are the Goals of Judicial Education?</td>
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<td>10:15-10:30</td>
<td>Break</td>
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<td>10:30-11:45</td>
<td>What is the Best Way to Educate Judges?</td>
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<td>11:45-12:00</td>
<td>Break</td>
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<td>12:00-1:00</td>
<td>Keynote Presentation</td>
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This symposium was organized in cooperation with the University of Missouri International Center and the University of Missouri Transatlantic Center, with additional support from the Office of the Vice Provost for International Programs. The symposium also generated a student writing competition that was generously sponsored by the Lawyers Conference of the Judicial Division of the American Bar Association.

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### General Information

The symposium is approved for 5.1 hours of Continuing Legal Education credit in Missouri. Kansas CLE credit pending.  
With questions, contact:  
Laura Coleman, 573-882-5969 • colemanl@missouri.edu

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**Welcome**

Gary Myers  
Dean and Earl F. Nelson Professor of Law  
University of Missouri School of Law

Rafael Gely  
Director, Center for the Study of Dispute Resolution and James E. Campbell Missouri Endowed Professor of Law  
University of Missouri School of Law

S.I. Strong  
Associate Professor of Law  
University of Missouri School of Law

**What Does it Mean to be a Judge?**

Robert G. Bone  
G. Rollie White Teaching Excellence Chair in Law  
The University of Texas at Austin School of Law

Chad M. Oldfather  
Professor of Law  
Marquette University Law School

**What are the Goals of Judicial Education?**

Kathleen E. Mahoney  
Professor of Law  
University of Calgary Faculty of Law, Canada

Catherine A. Rogers  
Professor of Law and International Affairs  
Paul & Marjorie Price Faculty Scholar  
Pennsylvania State University Dickinson School of Law  
Professor of Ethics, Regulation & the Rule of Law  
Co-Director of the Institute for Ethics, Regulation & the Rule of Law  
Queen Mary, University of London, United Kingdom

**Keynote Presentation**

The Honorable Duane Benton  
Circuit Judge  
United States Court of Appeals for the Eighth Circuit

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Livingston Armytage  
Director  
Centre for Judicial Studies  
Adjunct Professor of Law  
University of Sydney, Australia

T. Brettel Dawson  
Department of Law and Legal Studies  
Carleton University, Canada  
Academic Director  
National Judicial Institute, Canada

The Honorable Jeremy Fogel  
Director  
Federal Judicial Center  
District Judge  
United States District Court for the Northern District of California