



May 1, 2006

COMMENTARY

## Coaches, judges have much in common

By Michael A. Town

As a trial judge since 1979, it has been my privilege to preside over many cases involving adults and youth who made serious mistakes, were charged with criminal offenses and needed to improve their lives. At key points, judges must listen carefully to a variety of people about the choices a defendant made and try to understand these choices.

In turn, the judge must provide some clear direction on what the defendant must do to remain in the community or upon release from incarceration. These are teachable or "coachable" moments in the life of the defendants involved and their families. The result can be restorative and therapeutic when these directions are positively stated and understood and defendants are open to change.

Yet, I am not surprised when folks ask me why I became a trainer with Positive Coaching Alliance, a Stanford University-based nonprofit organization dedicated to "transforming youth sports so sports can transform youth." They wonder what in the world judging has to do with coaching.

The short answer is judging has everything to do with coaching. Let me explain.

I had the good fortune of having many effective coaches in my formative years. Two examples during college were Ray Lunny, our boxing coach, and Phil Waters, our crew coach. Coach Lunny made sure we learned that "getting a bloody nose in the ring or in life was not the end of the world." Coach Waters made sure we knew that "each stroke counted" in rowing and in life. Those were life lessons that still resonate today.

They took a personal interest in a skinny freshman who showed up eager to participate. They rewarded effort and enthusiasm, not just results. They were careful to set realistic goals in skills and conditioning and hold us accountable. They truly listened to each of us carefully during a time in our lives when few others listened. We wanted to do our very best for our coaches, the team, the school and the sport.

Ten years later as a law school graduate (and no longer skinny), I had an exemplary mentor who essentially coached me as his law clerk. The late and widely respected Associate Justice Bernard H. Levinson of the Hawai'i Supreme Court was a major influence in my life. I still reflect on his positive, gentle and thoughtful critiques of my written work and analysis. He emphasized common sense, academic rigor, integrity and compassion. I try to do the same with my law clerks. Justice Levinson was a great role model, a positive "coach" and avid student of the law. I continue to reflect on his wise counsel.

And now, on to why judges can be considered coaches:

- The Positive Coaching Alliance teaches that everyone, athletes, coaches, leaders and parents, must "honor the game." We in the justice system must likewise promote respect for the rule of law. This includes respect for the duly appointed authorities and other members of society, including victims, family and community.

We must encourage defendants to assess what they really stand for. Like coaching, we expect that our players and others will respect the rules, officials, opponents, team and self. If someone feels part of society or the "team," they are more likely to buy into the rules. A judge must listen carefully, be impeccably fair and courteous and require the same of all staff and counsel, including the probation officers and social workers.

- Also important, the Positive Coaching Alliance teaches, is to keeping everyone's emotional tank filled. If an athlete, student or defendant is not emotionally positive, learning seldom takes place. As a judge, I look for strengths in all litigants and their family and encourage them to succeed consistent with the legal options available. I often ask defendants what in life is most important to them and who guided them through their early years. Smiles and tears regularly come to their faces as I hear their pride in children, family, culture, faith, work and community. Praise, appreciation, active listening and nonverbal approval are far more effective than criticism, sarcasm, ignoring small successes and nonverbal condemnation.

- The alliance also teaches that we must help others redefine what it means to be a winner. Studies show emphasis on effort, learning and mistakes prevail regularly over emphasis on results, comparison with others and lack of tolerance for mistakes.

This is a huge sea change and initially was a hard one for me to accept. Today I find the concept of "redefining a winner" transformational. More Olympic winners and coaches apply this "mastery" concept with increased success by accepting these principles. And the Olympic motto is "higher, faster, stronger," not "highest, fastest, strongest." For me it is all about incremental success as we assist our defendants in addressing patterns of drug use, violent behavior, alienation from family, anger and lack of reliable job skills.

Being placed on probation is like being on a team in many ways. Judges and probation officers can certainly distinguish between someone who is showing effort, learning from mistakes and has a teachable spirit and one who is negative, defensive and doesn't learn.

To me we must redefine success and what a winner is for our client population, but never at the expense of community safety. Most people, athletes or defendants, expect and deserve accountability. This is a delicate balance we are faced with daily and a major task of the justice system as part of the third branch of government.

I find many defendants learn crucial life lessons based upon their experience in the justice system, including the courtroom and encounters with the judge. Just sit in court on any given day and hear some of the stories they tell or read the letters we receive regularly. Many are inspirational, and others quite sad.

Meanwhile, I intend to continue to provide PCA training to leaders, coaches, parents and youth athletes and apply positive coaching in the courtroom so both athletes and defendants learn important life lessons and hopefully succeed in the long run.

Michael A. Town is a state Circuit Court judge. He wrote this commentary for The Advertiser.