



# THE NATIONAL JUDICIAL COLLEGE

*Making the world a more just place  
by educating and inspiring its judiciary*



## APPLYING LEADERSHIP PRINCIPLES THROUGH CASE STUDIES

**DIVIDER 10**

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Professor Kelly Tait  
Sandra Thiam, Esq.

### OBJECTIVES:

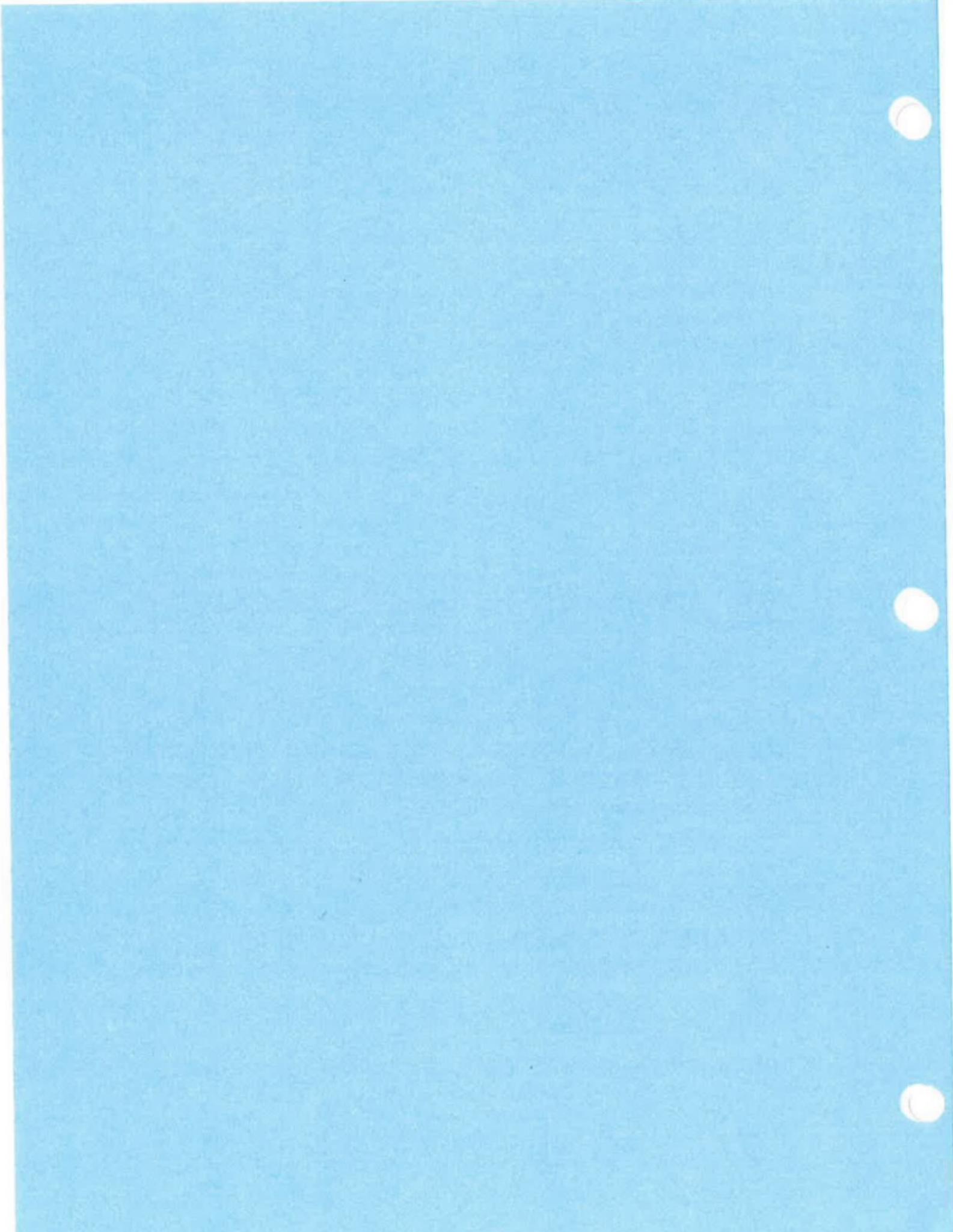
After this session, you will be able to:

1. Describe the importance of following leadership principles called MICEE: **M**odel the way, **I**nspire a shared vision, **C**hallenge the process, **E**nable others to act, and **E**ncourage the heart; and
2. Apply the MICEE principles to common situations that you will face as a **leader** in the court system.

### REQUIRED READING:

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1.	Yvonne Stedham, Kelly Tait, & Sandra Thiam, <i>Applying Leadership Principles Through Case Studies</i> (Mar. 2022) [NJC Document] .....	1
2.	Yvonne Stedham & Sandra Thiam, <i>Model the Way - Case Study</i> .....	11
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APPLYING LEADERSHIP PRINCIPLES  
THROUGH CASE STUDIES

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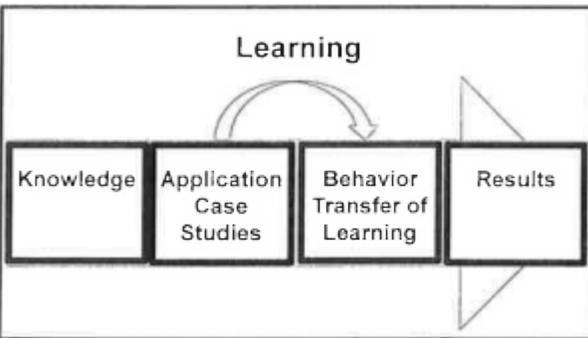
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Learning



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Leadership Knowledge



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1. From Transaction to Transformation
2. The Brain, Decision-making, and Identity
3. Establishing Effective Teams
4. Court Leadership
5. Transformational Leadership
6. Mindful Leadership
7. Leadership and Managing Change
8. Leadership and Communication

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### Case Studies

- > Five Case Studies
- > One for each of the five transformational leadership practices
- > 20 minutes in groups
- > 10 minutes for each group to present their case (50 minutes)
- > 10 minutes for entire class to discuss each case (50 minutes)

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### Leadership Application

#### Process

- Each participant has been assigned to a specific case and a group – 4 to 5 participants per group
- Each participant has read their assigned case
- Each participant has also read the other cases

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### Case Study Groups

- Assigned groups of 4 to 5 participants. You have 20 minutes.
- Pick a spokesperson
- Use the instructions specifically provided for your case
- Provide a brief summary of the relevant details in the case and any assumptions that you are making.
- Clearly identify the problem, the cause of the problem, and suggest a solution.
- Use what you have learned in this course about leadership to back up your suggested solution.

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### Model the Way



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### Model the Way

1. What are my values?
2. Affirm values through action!

Question	Behavior
4	I set an example of what is expected
9	I ensure that people adhere to agreed-on standards
14	I follow through on promises and commitments
19	I am clear about my philosophy of leadership
24	I ensure that goals and milestones are set
29	I make progress toward goals one step at the time



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### Inspire a Shared Vision



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### Inspire a Shared Vision

Inspiring a shared vision is to provide a sense of meaning and purpose by developing an exciting vision based on first personal and then organizational values. Vision demonstrates the leader's concern for creating long term value. By enlisting others in the vision, a leader provides a focus for human energy in the organization.

Question	Behavior
2	I talk about future trends
7	I describe a compelling image of the future
12	I appeal to others to share a dream for the future
17	I show others how their interest can be realized
22	I am enthusiastic and positive about the future
27	I speak with conviction about the meaning of work



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## Challenge the Process



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## Challenge the Process

Challenge the Process is about finding and implementing new and better ways of doing things in order to constantly improve. Challenging the process involves not allowing new ideas to be immediately discounted with little or no consideration, encouraging open dialogue to ensure that all ideas get a fair hearing. In addition, effective leaders who challenge the process never allow invalid assumptions to rule the day over proven facts and spend less time reviewing and reporting on results and more time on pursuing new possibilities. People must be given the opportunity to do some experimenting and must be allowed to make mistakes.

Question	Behavior
1	I seek challenging opportunities
6	I challenge people to try new approaches
11	I look outside the organization for ways to improve
16	I ask "what can we learn from this?"
21	I experiment and take risks
26	I take initiative to overcome obstacles

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## Enable Others to Act



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### Enable Others to Act

Exemplary leaders know they don't go it alone and key to this practice is when they are able to create an environment in which colleagues do their best—not because they have to, but because they want to. Committed colleagues reflect their leader's vision and persona. They act in the leader's best interests because they are committed to the same things the leader is. Inspiring commitment is critical. Leaders who are effectively nurturing that kind of commitment are seen as actually caring about their colleagues, make sure that employees have a say in how their work is done, are seen as having everyone's back, and practice accountability for everyone, including themselves.

Question	Behavior
3	I develop cooperative relationships
8	I listen to diverse viewpoints
13	I treat people with dignity and respect
18	I support others' decisions
23	I let people choose how to do their work
28	I ensure that people grow in their jobs

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### Encourage the Heart




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### Encourage the Heart

Encouraging the Heart is how leaders visibly and behaviorally link rewards with performance and behavior with cherished values. Leaders know that celebrations and rituals, when done with authenticity and from the heart, build a strong sense of collective identity and community spirit that can carry a group through turbulent and difficult times. Building trusting relationships through truly "caring" is at the heart of leadership. By paying attention, offering encouragement, personalizing appreciation, and maintaining a positive outlook, leaders stimulate, rekindle, and focus people's energies.

Question	Behavior
5	I praise people for a job well done
10	I express confidence in people's abilities
15	I creatively reward people for their contributions
20	I recognize people for commitment to shared values
25	I find ways to celebrate accomplishments
<b>30</b>	<b>I give team members appreciation and support</b>

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Key Take Aways

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## Leadership Practices Cases – Group Assignments

Dear participants –

In the following pages, you will find five case studies, one for each of the five transformational leadership practices (MICEE). Each participant is assigned to one of the five cases. Please check the table below to find which case you have been assigned to.

**Before class tomorrow (Thursday)**, please do the following:

1. Read all of the case studies.
2. For the case study to which you are assigned, reflect on the associated questions using the material provided specifically for the case.
3. During tomorrow's session, you will be working with your group to analyze "your" case. Your group spokesperson will present your group's recommendations.

Case Study	Participants
<b><u>Model the Way</u></b> The Reluctant Judge	
<b><u>Inspire a Shared Vision</u></b> From a Vision to a Shared Vision: Why Is It So Hard?	
<b><u>Challenge the Process</u></b> Don't Fix What's Not Broken	
<b><u>Enable Others To Act</u></b> Who Cares?	
<b><u>Encourage the Heart</u></b> Too Little, too Late	



## The Reluctant Judge (Model the Way – Case)

Although having been on the bench for many years, given her life-long interest in oceanography, Judge Smith is passionate about the current climate change conversation. Over the past months, she had informal conversations with her colleagues about climate issues. She identified a few colleagues who are likely to hear future climate-related cases and who she thinks are interested in learning about climate science. She organized a discussion group of ten of the judges and called a meeting. At their first meeting, Judge Smith thanked the judges for their interest in climate education and for their willingness to participate in preparing the court for addressing cases related to climate change. At the meeting, Judge Meyer observed that climate change is indeed a serious problem but that the judiciary is constrained in deciding cases on the basis of existing law --including statutes, precedents, and procedural rules -- and so has very limited scope to address the problem. Judge Smith affirmed to the group that she understands these limitations, but, in thinking about the range of possible remedies and the scientific facts about the seriousness of climate change, is not persuaded that judges are quite so constrained or that such constraints should hold as much sway as Judge Meyer seems to be suggesting. Recognizing the sensitivity of this issue to different judicial philosophies, Judge Smith was reluctant to dispute Judge Meyer's views directly, particularly as the group seemed to be receptive to those views. She scheduled a second meeting for two weeks later but, being discouraged by the events from the first meeting, she puts little effort in preparing for the second meeting although she had promised to gather more information on what other states have done in regard to climate litigation processes. She had also asked the group of judges to do some relevant research to share at their second meeting.

At the second meeting, several of the judges came well prepared, ready to share examples from other states and were quite excited to move forward. Even Judge Meyer showed interest in learning about how courts in other jurisdictions were able to overcome the constraints that he had been worried about. Unfortunately, Judge Smith had not followed through and had no new ideas or examples to present. The meeting ended without a plan of action and, in fact, some of the judges were confused about Judge Smith's sudden lack of enthusiasm.

Now, a month after the second meeting, Judge Smith has not taken any action or called another meeting. She is uncertain about the group's commitment and does not know how to proceed.

### Case Analysis Questions (See below for specific instructions for the case analysis!):

1. Considering the five leadership practices, especially **model the way**, what went wrong?
2. What do you recommend Judge Smith should do to prepare the court for climate litigation? Referring to the behaviors related to modeling the way, suggest specific actions the Judge should take and provide a rationale for your recommendations.



## Model the Way – Case Analysis

This transformational leadership practice points to the importance of the leader's behavioral consistency. Leaders' actions must align with their values. Leaders must walk the talk. In addition, leaders do not expect others to engage in actions that they themselves would not engage in. In this practice the leader clarifies his/her values and affirms such values through action!

### Commitments:

1. Clear about own values and demonstrate those to others
2. Set example
3. Follow through on promises or commitments

LPI - Question #	Behavior
4	I set an example of what is expected
9	I ensure that people adhere to agreed-on standards
14	I follow through on promises and commitments
19	I am clear about my philosophy of leadership
24	I ensure that goals and milestones are set
29	I make progress toward goals one step at the time

### Instructions:

For the analysis of this case, please use the information above for **Model the Way**.

- Provide a brief summary of the relevant details in the case and any assumptions that you are making.
- Clearly identify the problem, the cause of the problem, and suggest a solution. Answer the two case analysis questions (see above).
- Use what you have learned in this course about leadership to back up your suggested solution.



## From a Vision to a Shared Vision: Why Is It So Hard? (Inspire a Shared Vision – Case)

Judge Dave Doherty has been on the bench for a few years and is well respected by his colleagues and the public. He is dedicated to his work and socializes very little with colleagues other than meeting some of them for an occasional squash game. Recently, he arrived for a game amid a torrential downpour. As he shook the water off and greeted his colleague, he remarked that it wouldn't be long before claims related to harms from rising sea levels reach their court, and he hoped that they would be ready to take on the complicated liability issues these cases would bring. Judge Doherty had been thinking about this issue for some time. It seems that he was more aware than others of climate change effects since he grew up in a part of the country where the facts of sea-level rise were already plain to see. However, his colleague was taken aback. "Why" he asked "would liability be an issue in an Act of God like a summer rainstorm?" The colleague also reacted negatively to the notion that climate change claims would be brought before their court. Our job, he asserted, is to make legal decisions, not improvise about the implications of unfounded scientific claims.

Judge Doherty was surprised by the strength of his colleague's reaction to what he thought had been an offhand comment that merely referred to a recent litigation trend. He wondered how other judges in his jurisdiction would react and whether they were familiar with the basics of climate science. Since he knew that these kinds of cases would be coming to their court, he perceived a need to put this issue on his colleagues' radar and to ensure that the court would be ready to address climate related cases.

Judge Doherty decided to organize a brownbag meeting as part of the judges' regular series of brownbag conversations. The meeting was well attended and it seemed that his colleagues were interested in learning more about the topic. Judge Doherty facilitated the meeting. He started the meeting by affirming that he was definitely not an expert on climate issues and then summarized what he knew about climate litigation trends. He briefly stated his position, emphasizing that the number of cases related to climate issues has been rising and that he feels their court might not be ready to effectively address such cases. He made it clear that he felt that it was important for the judges to become more knowledgeable about this topic. He suggested that it might be useful for everyone to hear from an expert on the topic and recommended inviting a climate expert to present at the next annual conference.

While some colleagues liked the idea, others became cold towards Judge Doherty; while he had been on the preliminary list of judges to organize the annual conference the coming year, he was ultimately not assigned to play this role.

Judge Doherty does not understand what happened and is wondering what he could do to encourage continued conversation and education on climate change issues and litigation.

### **Case Analysis Questions** (See below for specific instructions for the case analysis!):

1. Considering the five leadership practices, especially **inspire a shared vision**, what went wrong?
2. What do you recommend Judge Doherty should do to prepare the court for climate litigation? Referring to the behaviors related to inspiring a shared vision, suggest specific actions the Judge should take and provide a rationale for your recommendations.



## Inspire a Shared Vision – Case Analysis

Inspire a shared vision, the second practice of transformational leadership, captures that the leader provides a sense of meaning and purpose by developing an exciting vision based on personal and organizational values. Vision demonstrates the leader's concern for creating long-term value. By enlisting others in the vision, a leader establishes a focus for human energy in the organization.

### Commitments:

1. Create a compelling vision to guide others' behaviors
2. Able to visualize positive outcomes and communicate them to others
3. Listen to the dreams of others and show them how they can be realized

LPI - Question #	Behavior
2	I talk about future trends
7	I describe a compelling image of the future
12	I appeal to others to share a dream for the future
17	I show others how their interest can be realized
22	I am enthusiastic and positive about the future
27	I speak with conviction about the meaning of work

### Instructions:

For the analysis of this case, please use the information above for **Inspire a Shared Vision**.

- Make sure to provide a brief summary of the relevant details in the case and any assumptions that you are making.
- Clearly identify the problem, the cause of the problem, and suggest a solution.
- Use what you have learned in this course about leadership to back up your suggested solution.



## Don't Fix What's Not Broken (Challenge the Process – Case)

After attending a judicial conference and learning about the increase in climate litigation, Judge Meldrum did some research to find out what U.S. courts are doing to prepare for such cases. He approached the Chief Judge with his concern about climate litigation, especially sharing with her that he was worried that the court would not be ready to address such cases. The Chief Judge was intrigued by Judge Meldrum's enthusiasm and asked him to create a group composed of interested judges and staff charged with exploring options for how to proceed. The Chief added that, although she sees the need for taking action, in reality, possible options will be few since courts are extremely limited by codes and other constraints and that she expects that they may just have to "improvise." Despite Judge Meldrum's initial enthusiasm and determination, progress seems slow. During ensuing discussions, the members of Judge Meldrum's climate litigation committee were quite timid in their brainstorming efforts and maintained an attitude of "don't fix what's not broken." Unique ideas were immediately discounted with little or no consideration and several of the committee members based their comments on strong assumptions that they believed to be "facts" and which were not open for debate. Judge Meldrum is reaching out to some of the judges who attended the conference session on climate change with him, asking them for advice.

### Case Analysis Questions (See below for specific instructions for the case analysis!):

1. Considering the five leadership practices, especially **challenge the process**, what went wrong?
2. What do you recommend Judge Meldrum should do to get his committee members to a point where they are willing to consider a wide range of options for addressing climate litigation? Referring to the behaviors related to challenging the process, suggest specific actions the Judge should take and provide a rationale for your recommendations.



## Challenge the Process – Case Analysis

Challenge the Process is about finding and implementing new and better ways of doing things in order to constantly improve. Challenging the process involves not allowing new ideas to be immediately discounted with little or no consideration, encouraging open dialogue to ensure that all ideas get a fair hearing. In addition, effective leaders who challenge the process **never allow invalid assumptions** to rule the day over proven facts and spend less time reviewing and reporting on results and more time on pursuing new possibilities. People must be given the opportunity to do some experimenting and must be allowed to make mistakes.

### Commitments:

1. Willing to change the status quo – innovate, grow, improve, experiment, try new things
2. Willing to take risks – one step at a time, learning from mistakes

LPI - Question #	Behavior
1	I seek challenging opportunities
6	I challenge people to try new approaches
11	I look outside the organization for ways to improve
16	I ask “what can we learn from this?”
21	I experiment and take risks
26	I take initiative to overcome obstacles

### Instructions:

For the analysis of this case, please use the information above for **Challenge the Process**.

- Make sure to provide a brief summary of the relevant details in the case and any assumptions that you are making.
- Clearly identify the problem, the cause of the problem, and suggest a solution.
- Use what you have learned in this course about leadership to back up your suggested solution.



### Who Cares? (Enable Others to Act – Case)

Judge Betsy McCormack and Judge Jill Winter have worked together for many years and have become very good friends. They support each other professionally and personally. Recently, upon request by the Chief Judge, Judge Winter has started an initiative related to the creation of a climate science education program. The Chief identified four judges, including Judge McCormack, and assigned them to a committee to be chaired by Judge Winter. The committee's charge is to develop a proposal for the implementation of a climate science education program. Overall, Judge Winter does a good job chairing the committee meetings. She has ideas which direction she wants to go, however, she does not show much interest in others' views. She gives clear instructions for how things should be done and expects all members to follow them. Unfortunately, progress on this project has been slow (Judge Winter and Judge McCormack have taken on the majority of the tasks identified by the committee) – the other three judges seem to be not particularly excited about or committed to this project. In fact, the other judges are not sure why they have been assigned to this committee. Judge Winter feels very frustrated and wonders why the other judges can't be just like Judge McCormack.

*Lack of org. meeting*

#### Case Analysis Questions (See below for specific instructions for the case analysis!):

1. Considering the five leadership practices, especially **enable others to act**, what went wrong?
2. What should Judge Winter do to move this project forward?

*- did not move past involvement of McCormack/winter  
assumed cooperation*

*- did not incorporate views of others  
- didn't treat w/ dignity/respect*

*- didn't permit collaborative decisions*

*- defaulted to 2 / no growth*

*failure to Enable others to act*

*2. Reset - acknowledge shortcomings  
humility  
↓  
build trust*

*Overly draw people in  
- Survey Knowledge / Skills / background*



## Enable Others to Act – Case Analysis

Exemplary leaders know they don't go it alone and key to this practice is creating an environment in which colleagues do their best—not because they have to, but because they want to. Committed colleagues reflect their leader's vision and persona. They act in the leader's best interests because they are committed to the same things the leader is. Inspiring commitment is critical. Leaders who are effectively nurturing that kind of commitment are seen as actually caring about their colleagues, make sure that employees have a say in how their work is done, are seen as having everyone's back, and practice accountability for everyone, including themselves.

### Commitments:

1. Build trust and promote collaboration
2. Listen to diverse viewpoints
3. Treat others with respect
4. Allow others to make choices and support them

LPI - Question #	Behavior
3	I develop cooperative relationships
8	I listen to diverse viewpoints
13	I treat people with dignity and respect
18	I support others' decisions
23	I let people choose how to do their work
28	I ensure that people grow in their jobs

### Instructions:

For the analysis of this case, please use the information above for **Enable Others to Act**.

- Make sure to provide a brief summary of the relevant details in the case and any assumptions that you are making.
- Clearly identify the problem, the cause of the problem, and suggest a solution.
- Use what you have learned in this course about leadership to back up your suggested solution.



### **Too Little, Too Late (Encourage the Heart – Case)**

Judge John Stafford has worked with Chief Judge Lambert for many years. They have a collegial relationship and the Chief has often asked John to take on special projects and initiatives, which John always agreed to - in addition to all his regular duties. He simply felt that, if the Chief asked him, he needed to do it. In fact, the Chief did not “really” ask him but simply expected him to take on the projects. Currently, the court is implementing processes related to climate litigation that Judge Stafford developed in collaboration with a committee of judges appointed by the Chief. Judge Stafford recently retired. A couple of days ago, he attended his retirement party which was very nice. The party was well attended and several colleagues offered heartfelt tributes about Judge Stafford’s many years of service. Now, Judge Stafford is reflecting on the party and is still a little baffled by some of the comments the Chief Judge made. Chief Judge Lambert is very efficient, fair, and simply expects everyone to do the job they are paid for. He is not a big fan of “small talk” and has no time to get to know the people he works with. However, in the speech that he delivered at the party, he said that it has been wonderful to work with Judge Stafford and how much this relationship means to him; that he appreciates Judge Stafford’s contributions and that he thanks him for everything from the bottom of his heart. Judge Stafford was shocked, and almost a little mad, to hear this now that he is retiring. He had no idea the Chief felt this way. He wished he would have known! He is not sure why he feels this way but is considering meeting with Chief Judge Lambert to let him know.

#### **Case Analysis Questions (See below for specific instructions for the case analysis!):**

1. Considering the five leadership practices, especially encourage the heart, why do you think Judge Stafford reacted this way?
2. Should Chief Judge Lambert have been more open about his appreciation for Judge Stafford’s work? If, yes, why? Do you think Judge Stafford should talk to Chief Judge Lambert? And if yes, what should he say to him?



### Encourage the Heart – Case Analysis

Encouraging the Heart is how leaders visibly and behaviorally link rewards with performance and behavior with cherished values. Leaders know that celebrations and rituals, when done with authenticity and from the heart, build a strong sense of collective identity and community spirit that can carry a group through turbulent and difficult times. Building trusting relationships through truly “caring” is at the heart of leadership. By paying attention, offering encouragement, personalizing appreciation, and maintaining a positive outlook, leaders stimulate, rekindle, and focus people’s energies.

#### Commitments:

1. Rewarding accomplishments
2. Authentic celebrations

LPI - Question #	Behavior
5	I praise people for a job well done
10	I express confidence in people’s abilities
15	I creatively reward people for their contributions
20	I recognize people for commitment to shared values
25	I find ways to celebrate accomplishments
30	I give team members appreciation and support

#### Instructions:

For the analysis of this case, please use the information above for **Encourage the Heart**.

- Make sure to provide a brief summary of the relevant details in the case and any assumptions that you are making.
- Clearly identify the problem, the cause of the problem, and suggest a solution.
- Use what you have learned in this course about leadership to back up your suggested solution.

