



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
Joel W. Solomon United States Courthouse
900 Georgia Avenue
Chattanooga, Tennessee 37402

**JUDICIAL TEMPERAMENT: THE CORNERSTONE OF
PUBLIC TRUST IN THE FEDERAL COURTS**

March 2026

In a recent column, we wrote about judicial restraint and its critical role in retaining public respect and support for the federal judiciary. In this column, we will write on a related topic: judicial temperament.

JUDICIAL TEMPERAMENT: HOW JUDGES CONDUCT THEMSELVES.

Like judicial restraint, judicial temperament concerns how a judge conducts him or herself. And like judicial restraint, it is often taken for granted or not noticed until it is absent.

Judicial temperament is not easy to define. At a minimum, it includes patience, open-mindedness, courtesy, humility, and a disciplined commitment to impartiality. Above all else, judicial temperament requires judges not to hold themselves above others or think too highly of themselves. It places a premium on respect for all people a judge encounters, both in and out of the courthouse. It requires a judge to listen carefully, treat every litigant and lawyer with dignity, and approach each case with an open mind. It demands steadiness under pressure and requires judges to remain above the fray, especially when cases stir strong emotions or involve divisive issues.

Judicial temperament is not an abstract virtue for rare occasions; it is a daily practice. It is reflected in how a judge greets a nervous witness, rules on a contentious objection, or explains a decision that one side will inevitably find disappointing. It is reflected in how the judge interacts with the public, both in and out of the courthouse. These choices, repeated day in and day out, shape the public's perception not just of individual judges, but of our justice system itself.

JUDICIAL TEMPERAMENT GROUNDS PUBLIC OPINION OF THE COURTS.

For most people, judicial temperament will form the basis of their opinion of the courts. Most people will not read judicial opinions in full or follow cases directly. Rather, the average citizen will form impressions of the men and women who inhabit the judiciary from any courtroom proceedings they may see and from news accounts, public encounters with judges, or perhaps even civics education. A judge with good judicial temperament will be respectful,

attentive, and even-handed. These qualities provide a foundation from which the public can conclude the judicial system is fair. Conversely, a judge with poor judicial temperament, who is dismissive, superior, impatient, angry, or biased, will erode confidence not only in that particular case or judge, but also in the judiciary as a whole.

BOTH THE EXECUTIVE BRANCH AND THE SENATE CARE ABOUT JUDICIAL TEMPERAMENT.

Judicial temperament is an important consideration in selecting judges. When a presidential administration considers making a nomination and when members of the Senate consider whether to confirm a nominee, both typically raise issues of judicial temperament with the candidate. In fact, judicial temperament often ranks among the top concerns in judicial selection. Senators, regardless of their party affiliation, frequently question nominees during confirmation hearings about their temperament and how it will apply if they are confirmed to the bench. This focus on temperament reflects an understanding that a lifetime judicial appointment demands more than mere intellectual ability; it requires the character and judgment to wield judicial power responsibly over many decades.

This emphasis on judicial temperament also underscores an important truth: the legitimacy of the judiciary depends not only on what judges decide, but also on how they conduct themselves in making their decisions. Even controversial rulings can earn acceptance, or at least respect, when the process is seen as fair and the judge as principled. Judicial temperament is what allows courts to navigate difficult cases without fueling public distrust.

CONCLUSION.

For a judiciary that relies on public confidence and acceptance, rather than force, good temperament is not optional—it is imperative. It is the cornerstone on which public respect and support for the federal courts are built.

Curtis L. Collier
United States District Judge
Chair, Eastern District of Tennessee Civics and Outreach Committee

Carrie Brown Stefaniak
Law Clerk to the Honorable Curtis L. Collier

Meghna Melkote
Law Clerk to the Honorable Curtis L. Collier

Alex Tritell
Law Clerk to the Honorable Curtis L. Collier