

Judge interview questions

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What to expect

Interviews for judicial appointments in Australia are typically conducted by a panel, often including senior judges, representatives from the Attorney-General's Department, and sometimes community members. The process focuses on your legal expertise, judicial temperament, and commitment to impartiality.

- **Motivation and judicial philosophy:** Questions about why you want to be a judge and what you believe makes a good judge.
- **Behavioural:** Questions asking you to describe past experiences that demonstrate your skills and judgement.
- **Scenario and legal reasoning:** Hypothetical situations testing your ability to apply the law and manage a courtroom.
- **Judicial ethics:** Questions on impartiality, recusal, and handling conflicts of interest.
- **Case management and sentencing:** Questions on procedural efficiency and the principles of sentencing.

The interview usually involves a structured panel interview, lasting around 45 to 60 minutes. You may be asked to provide written responses to scenario questions in advance in some jurisdictions. Expect a mix of questions probing your judicial philosophy, your ability to manage a courtroom, and your understanding of the law. The panel will also assess your temperament, integrity, and communication skills.

1. Why do you want to be a judge?

Why they ask

This question assesses your motivation and understanding of the judicial role. The panel wants to see that you are not seeking the position for prestige or pay, but out of a genuine commitment to justice.

How to structure your answer

This is a motivational question. Structure: Explain your personal commitment to justice, your career progression, and how your experience has prepared you for judicial office. Avoid generic answers; ground it in specific examples from your legal career.

Example answer

"I have spent over two decades as a barrister, and throughout my career I have been driven by a desire to ensure that the law is applied fairly. I have seen firsthand how judicial decisions affect people's lives, and I want to bring my experience and temperament to the bench. I am particularly interested in [area of law], where I believe I can contribute to the consistent and just application of the law. Being a judge is not just a promotion; it is an opportunity to serve the community and uphold the rule of law. I am ready for that responsibility."

2. How would you handle a situation where a barrister repeatedly interrupts your proceedings?

Why they ask

This scenario tests your judicial temperament, control of the courtroom, and ability to ensure fairness. The panel wants to see that you can remain calm under pressure and maintain authority without being overbearing.

How to structure your answer

This is a scenario question about courtroom management. Structure: Outline the steps you would take to maintain order, ensuring fairness to all parties. Use a measured, calm tone. Explain your reasoning and show awareness of the need for proportionality.

Example answer

"I would first address the barrister calmly and firmly, reminding them of the need for decorum and allowing all parties to be heard. If the behaviour continued, I would warn them that further interruptions could lead to sanctions. I would ensure that my ruling is clear and that the record reflects the interruption. My aim is to maintain a fair and orderly courtroom, not to punish. I would also consider whether the interruptions stem from a lack of understanding, and if so, I might provide clearer guidance. Ultimately, my role is to ensure a fair trial for all parties."

3. Describe a time when you had to make a difficult decision under pressure.

Why they ask

This behavioural question assesses your decision-making skills, your ability to work under pressure, and your judgement. The panel wants evidence of how you handle stress and complex information.

How to structure your answer

This is a behavioural question. Use the STAR method: Situation, Task, Action, Result. Choose a specific example from your legal practice that demonstrates sound judgement and composure.

Example answer

"In my practice, I once had to decide whether to accept a settlement offer in a complex commercial case with only hours to respond. The evidence was mixed, and the client was anxious. I quickly reviewed the key documents, assessed the strengths and weaknesses of our position, and advised the client to accept the offer. The client was relieved, and the matter was finalised without the uncertainty of trial. This experience reinforced my ability to make reasoned decisions under time pressure. I stayed calm, focused on the facts, and communicated clearly with the client."

4. How do you ensure impartiality when you have personal views on a legal issue?

Why they ask

This question probes your understanding of judicial ethics and your ability to set aside personal views. The panel needs assurance that you can apply the law impartially.

How to structure your answer

This tests your understanding of judicial ethics. Structure: Explain your commitment to the judicial oath, your approach to setting aside personal views, and how you apply the law as it stands. You can mention recusal if appropriate.

Example answer

"Judicial impartiality is fundamental. I would apply the law as it is, not as I might wish it to be. If I had a personal view on a legal issue, I would remind myself that my role is to interpret and apply the law, and that my personal opinions are irrelevant. I would rely on precedent and the submissions of the parties. If I felt I could not be impartial, I would recuse myself. I have always approached my legal practice with this discipline, and I would bring it to the bench. The community must have confidence that judges decide cases on the law and the evidence, not on personal preference."

5. What is your approach to case management and reducing delays?

Why they ask

This question assesses your understanding of court efficiency and your ability to manage a caseload. The panel wants to see that you can balance efficiency with fairness.

How to structure your answer

This is a process question. Structure: Describe your philosophy and concrete strategies, such as early engagement, active case management, and using technology. Avoid jargon. Give examples from your experience.

Example answer

"I believe active case management is key to reducing delays. In my practice, I have used case management conferences to identify issues early, set realistic timetables, and encourage settlement where appropriate. I am comfortable using e-filing and video conferencing to streamline processes. I would also work collaboratively with court staff to monitor case progress and address bottlenecks. My goal is to ensure that justice is delivered efficiently without compromising fairness. I have seen how a well-managed list benefits all parties, and I would bring that approach to the bench."

6. How would you sentence an offender in a case involving a serious offence?

Why they ask

This technical question tests your knowledge of sentencing principles and your ability to apply them. The panel wants to see that you understand the purposes of sentencing and can reason clearly.

How to structure your answer

This is a technical scenario question. Structure: Outline the sentencing principles you would apply, including the maximum penalty, aggravating and mitigating factors, and the purposes of sentencing. You may not need to give a specific sentence, but show your reasoning.

Example answer

"I would approach sentencing by first considering the maximum penalty prescribed by Parliament. Then I would identify aggravating factors, such as the vulnerability of the victim or the degree of planning, and mitigating factors, such as an early plea or remorse. I would consider the purposes of sentencing: punishment, deterrence, rehabilitation, denunciation, and protection of the community. I would also look at comparable cases to ensure consistency. Finally, I would impose a sentence that is just in all the circumstances, explaining my reasons clearly. I would ensure that the sentence reflects the gravity of the offence and the offender's circumstances."