

VIEWS FROM THE BENCH

"What Do I Know?"

By Judge Glenn K. Iwasaki



JUDGE GLENN K. IWASAKI was appointed to the bench by Governor Norman H. Bangerter in July 1992. He assumed the bench in August 1992. He graduated from the University of Utah College of Law in 1971. He was a prosecutor with the Salt Lake County Attorney's Office from 1974 to 1978; a Salt Lake Legal Defender from 1978 to 1981; a partner in the law firm of Colvard, Pixton, Iwasaki and Downes from 1981 to 1985; and prior to his appointment to the bench, was again, a prosecutor in the Salt Lake County Attorney's Office from 1987 to 1992. His main area of practice had been in criminal law, with an emphasis on trial work.

lunch, and Friday from 8:00 a.m. until 12:00 p.m. They commenced and terminated upon a ringing of bells and/or buzzers. (Can you believe that?) While attendance was not taken, in order to receive your Certificate of Completion, you must have attended all of the sessions.

Housing was provided through the University Inn (a dormitory by any other name). During my collegiate years, I was fortunate to avoid living in dormitories and so this experience was new for me. I did have the fortunate/unfortunate experience of sharing my floor with the members of the

When I was first approached by Judge Michael Hutchings to write something for the *Bar Journal*, I had been on the bench a grand total of approximately one and one-half months. I asked him what I could write about, and he indicated that it would be helpful to advise lawyers who appear before me as to my likes and dislikes since I had taken the bench. It seemed to me extremely presumptuous to even have formulated likes and dislikes in the brief time that I was on the bench, and so I requested a continuance from Judge Hutchings until after I had at least had an opportunity to attend the National Judicial College. He kindly assented to my request and allowed me the opportunity to not only attend the National Judicial College, but also to become accustomed to the "Views from the Bench" which is a totally different perspective from that of a practitioner.

For those of you who were attempting to get court dates before me between the period of April 18 up to and including May 7, 1993, I was attending the National Judicial College located on the campus of the University of Nevada at Reno, Nevada. In quoting from the 1994 catalog, the General Jurisdiction course is:

... NJC's renowned introductory program for new judges who preside over felony trials and unlimited jurisdiction civil cases. Includes an overview of substantive areas of the law, including civil law and procedure, evidence, criminal law and procedure, sentencing, handling of juries, and more. Checklists, guidelines and procedures are explored to enhance your learning experience and to assist you in managing your court and in making better and more comprehensive decisions immediately upon your return to the bench.

A must for the new judge!

I found that to be exactly true. Classes were held Monday through Thursday from 8:00 a.m. until 5:00 p.m. with an hour for

University of Nevada baseball team who seemed to enjoy late evening and night practices in the hallway. Other than that, the food was good and substantial, and if one did not vigorously exercise and watch what they ate, additional pounds could be added with very little effort.

I was very fortunate to attend the college with six other newly appointed judges from the state of Utah. They included: Judge Michael Glasmann, Judge Jon Memmott, and Judge Michael Lyon all from the Second District; Judge Ben Hadfield from the First District; Judge John Andersen from the Eighth District; and Judge Guy Burningham from the Fourth District. Altogether, the session was attended by over 100 judges from almost every state in the Union. The judges ranged from elected judges, both partisan and nonpartisan; appointed judges who stood for retention elections; and judges who were appointed for life. It was extremely interesting to speak, especially with the elected judges, as to how they ran their campaigns and the cost, expenses and ethical problems which may or may not have been problems for them. A Japanese judge, Judge Tamura, was also in attendance and I had an especially rewarding opportunity to speak with him at length as to the legal system in Japan, as well as the limited use of juries in that country. The last week of the session included a group of Russian judges who had been touring the United States, examining the different aspects of the American judicial system in order to make changes and recommendations in the Russian court system. It was extremely interesting to see them struggle with the concept of juries and how it would be applied to their own administration of justice.

In spite of the classwork and the interesting and necessary topics of instruction, the most important aspect of the session was to interact with all of the different judges from different jurisdictions, and to gain their points of view as to common

problems experienced by all. Furthermore, the opportunity to be in close contact with the other Utah judges was invaluable in getting to know the judges and to be able to contact them, without hesitation, if the occasion so arose. The State of Utah should hold its head high as to the quality of judges who attended the National Judicial College. I found that the Utah judges were as competent, if not more so, than any other of the states' judiciaries which were present.

Some personal observations about the other Utah attendees: (1) Judge Memmott is an exceptionally good tennis player and has a great backhand; (2) Judge Lyon is remembered as doing work that was faxed to him from his office during his stay at the college; (3) Judge Hadfield gave no quarter and asked for none on the basketball court against much younger students during the free time activities that were provided; (4) Judge Andersen was able to

keep his pipe lit in the most difficult of situations; (5) Judge Burningham seemed to always come up with an insightful comment during discussions; and last, but not least, (6) Judge Glasmann has a keen interest in mathematical probabilities, combinations, permutations and was above all extremely good company in the pursuit of other activities that Reno, Nevada had to offer.

So, into the question of "What Do I Know After Approximately a Year and One-Half on the Bench and Attendance at the Judicial College?" I have found that certain things such as being honest, being courteous, being concise, being professional, being prompt, being ethical, and having integrity all should go without saying as to practitioners who appear before me. One of the keys to successfully appearing in my court is to **get the name right!** It is **Glenn K. Iwasaki!** That may seem a trivial matter to a lot of you Smiths, Youngs, Joneses, etc., but it is surprising how many

times and what interesting ways my name has been misspelled. It is not Glen, with one "n"; Glenn, with middle initial "W", "P", "R", "T"; nor is the last name Iwaski, Kawasaki, a favorite of mine: Isawaki, Iwisiki; and I am not (with apologies to the following), Paul F. Iwasaki, Kenneth Hisatake, or Kenneth Okazaki. All of the foregoing at one time or another have appeared on pleadings.

I hope that my brief summary of the National Judicial College has shown that its course is an essential and important part of my judicial education, and my suggestions for success in my court should not be taken too seriously. I take what I do very seriously, not myself.

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