

AJA Member Profile

Judge Randy Fritzler

Clark County (Vancouver), Washington

Since the mid-1990s, Randy Fritzler has been a committed, passionate supporter of therapeutic jurisprudence, but he didn't always lean that way. After he was elected as a judge in November 1986, he "took a very conventional approach to judging"; that is, sanctions and punishments.

For ten years, he watched "people being recycled through the system": they were arraigned and punished, but their underlying problems (for example, mental health issues) were left unresolved. Eventually, he reached "judicial burnout." It was then that Prof. Lenore Simon of Washington State University impressed him with the possibilities of a more therapeutic (or problem-solving) approach to justice that treats the perpetrator's underlying problems, rather than merely punishing bad behavior.

Judge Fritzler's work with Prof. Simon led to the founding of the Clark County Domestic Violence Court. This court incorporates both civil and criminal aspects—what Judge Fritzler describes as "one-stop shopping"—and led to the development of a substance abuse court and a mental health court.

None of these courts work in a vacuum. "The goal is to get the person into the most appropriate court," he said. For example, some of those currently going through the mental health court started out in the domestic violence court. He believes that the courts must engage in "dynamic risk management" to help those that appear before them to get control of their lives. This is why it's so important that judges turn to the social sciences for guidance.

"Judging is a trade," said Judge Fritzler, "a lot like plumbing, only less important." He believes that judges have much to learn and that ignoring the social sciences is the



same as "ignoring the basis for everything we do."

This is where AJA can play an important role, Judge Fritzler believes. He recently became the chair of AJA's ad hoc Therapeutic Jurisprudence Committee, which is creating an educational program for judges nationwide on therapeutic jurisprudence. "There's still a strong need to educate U.S. judges on therapeutic jurisprudence," he said. "Until we accomplish this, it won't become universal or widespread.

"It (AJA) is essential to specific court reform, education, and improvement projects that will shape our justice system for the future," he said. "It provides a way for judges to become involved and receive support for their efforts."

Educating the community is important, too. "If you sell this right," he said, "it's appealing to both conservatives and liberals for different reasons." For example, in the domestic violence court, the initial stress is placed on helping victims, which appeals very strongly to the county's more conservative elements.

"It is important that judges understand that therapeutic jurisprudence still honors the traditional values of the justice system," Judge Fritzler said. "It adds to them." 