

NAWJ RESOLUTION IN SUPPORT OF CEASING TO USE THE TERM “MASTER” OR “SPECIAL MASTER” AND, THE USE OF “COURT-APPOINTED NEUTRALS”

WHEREAS, highly respected organizations and members of the judiciary use and have used “court-appointed neutrals” in a broad array of roles to increase access to justice, reduce costs, avoid delay, and otherwise assist in the just and timely resolution of disputes pending before the courts at all levels;

WHEREAS, broadening the pool of individuals who have the opportunity to serve as court-appointed neutrals also serves the commitment of the National Association of Women Judges in its efforts to ensure the qualified pool of individuals with experience to become judges includes individuals who reflect the fabric of the population our Courts serve;

WHEREAS, the terms most commonly used for these neutrals – “master” or “special master” – has an historically negative connotation, and both ill-serves efforts to broaden the profession of court-appointed neutrals and ill-defines this flexible and creative tool;

WHEREAS, at least two states have taken the lead to cease using the term “master” or “special master,” when using the services of “court-appointed neutrals” to reflect the appropriate role of these professionals and the Academy to which these individuals belong;

THEREFORE, be it RESOLVED that the National Association of Women Judges

- (1) urges rule-makers and legislators to cease using the term “Master” or “Special Master” and substitute same with a term that more accurately reflects or defines the role; using titles such as: “Court-Appointed Neutrals”, Magistrates, or similar terms, dependent upon their jurisdictional definitions for professionals employed by the Court in such roles;

- (2) supports efforts to broaden the pool of candidates and to support the development of the skills and training of those in those roles, and

(3) supports efforts to promote the consideration of using “court-appointed neutrals” as a best practice in matters in which these neutrals may help increase access to justice, reduce costs, avoid delay, or otherwise assist in the just and timely resolution of actions.

A handwritten signature in cursive script, appearing to read "Elizabeth White".

The Honorable Elizabeth White (ret.)
President National Association of Women Judges
October 22, 2022