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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provide dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

## **“THE MIND ON TRIAL: PSYCHOLOGICAL AND PHYSICAL BARRIERS TO TIMELY JUDGING”**

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“Judges are not machines, their capacity to decide is shaped as much by human limitations as by legal frameworks.”

– Mack & Roach Anleu, *Judicial Stress and Wellbeing* (2019)

### **ABSTRACT**

India's subordinate judiciary faces an overwhelming backlog of cases, with over 4.5 crore pending matters as of 2024. While systemic factors, such as inadequate judge-to-population ratios and procedural inefficiencies, have been extensively studied, the human dimension of judging remains largely overlooked. The person behind the bench matters too. This study aimed to reframe the discourse on judicial delay by examining the psychological and physical barriers faced by subordinate court judges and their impact on timely adjudication. Drawing on comparative insights from jurisdictions with established judicial wellness frameworks, such as Canada and Australia, this study adopts a doctrinal methodology to analyze the relationship between judicial well-being and case disposal rates. The anticipated findings suggest that factors such as burnout, decision fatigue, empathy erosion, and poor ergonomic infrastructure contribute significantly to slower adjudication and reduced judicial efficiency. Tired judges can't deliver fast justice. This study highlights the absence of structured wellness mechanisms in India's judicial administration. It proposes a judge-centric reform model that integrates regular health checkups, confidential mental health support, workload redistribution policies, and infrastructure upgrades. By positioning judicial wellness as a structural pillar of justice delivery, this study emphasizes the need for a comprehensive approach to tackling pendency, one that recognizes the centrality of the judge's mental and physical well-being in ensuring timely and effective justice. The long-term impact of institutionalizing such reforms is projected to include measurable reductions in case disposal times, decreased adjournments, improved judicial morale, and increased public trust in the judiciary.

## KEYWORDS

Judicial Delay, Judge Workload, Judicial Wellness, Mental Health of Judges, Physical Strain in Judiciary, Subordinate Courts, Decision Fatigue, Empathy Erosion, Judicial Reform, Comparative Judicial Systems, Institutional Support, Burnout in Judiciary, Wellness Programmes for Judges.

## 1. INTRODUCTION

### 1.1 Background of the Study

India's judicial system is currently navigating one of its most severe crises in history, an overwhelming accumulation of pending cases. The line of justice has continued to grow. As of 2024, over **4.5 crore cases** remain unresolved across various levels of the judiciary, with subordinate courts alone accounting for **more than 85% of the backlog**.<sup>1</sup> Most people wait and hope. This enormous pendency has long been attributed to structural and procedural causes such as inadequate judge-to-population ratios, prolonged procedural timelines, outdated case management practices, and poor infrastructure.<sup>2</sup>

While these systemic explanations are valid, they fail to acknowledge the human dimension of judgment adequately. The strain is constant. Judges, particularly in subordinate courts, are required to preside over dozens of matters each day, from bail hearings and injunction applications to full-scale criminal trials. There is little room for pause. In addition to their adjudicatory duties, they shoulder significant administrative responsibilities such as case roster management, staff supervision, and compliance reporting.<sup>3</sup> Over time, the convergence of these demands creates conditions ripe for **psychological burnout, decision fatigue, and physical exhaustion**.

Comparative research indicates that the occupational demands placed on judges share commonalities with other high-stakes decision-making professions, such as emergency medicine and aviation. The pressure never increased. Sustained cognitive load and exposure to emotionally charged situations can lead to a measurable decline in performance. For judges, weight is often invisible. For judges, constant exposure to distressing subject matter, including

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<sup>1</sup> National Judicial Data Grid, *Pendency Statistics* (2024) <https://njdg.ecourts.gov.in> accessed 10 August 2025.

<sup>2</sup> Law Commission of India, *Arrears and Backlog: Creating Additional Judicial (Wo)manpower* (Report No 245, 2014) 5.

<sup>3</sup> Abhinav Chandrachud, 'The Administrative Burden on Indian Judges' (2019) 32(2) *National Law School of India Review* 113, 116.

sexual offences, violent crimes, and contentious family disputes, increases the risk of **empathy erosion** and emotional detachment.<sup>4</sup> Without institutional support mechanisms, these pressures silently undermine the efficiency and quality of judicial work.

## 1.2 Statement of the Problem

The problem of judicial delay has been examined extensively in policy debates, but almost exclusively from **systemic** and **procedural** perspectives. The human side was always left out. Legislative reforms have sought to streamline court processes, introduce case-management protocols, and integrate technology into the justice delivery framework.<sup>5</sup> However, queues continue to increase. Despite these efforts, pendency continues to rise, particularly in trial courts where litigation is the most concentrated.

The **human capacity** of judges - mental resilience, emotional well-being, and physical endurance - remains a largely overlooked factor in these discussions. Judges also have limitations. Reforms often assume that judges can adapt to any volume of work without performance degradation. No one can run at full speed. This assumption fails to account for the fact that judicial officers operate under the same cognitive and physical limitations as other professionals. Ignoring this reality creates a **policy blind spot**, whereby procedural improvements are implemented, but those responsible for delivering justice remain unsupported.

## 1.3 Significance of the Study

This study shifts the analytical focus from **the court system** to **the judge** as the principal agent in judicial decision-making. At the center of justice is a person. It posits mental and physical well-being as **independent variables** that directly affect judicial efficiency. A tired mindset cannot deliver the best results. A tired mind cannot deliver the best results. This research seeks to reframe the delay discourse through the lens of occupational health, arguing that judicial performance is inherently tied to the cognitive and physical sustainability of the adjudicator.

Internationally, jurisdictions such as **Canada** and **Australia** have recognized the occupational hazards of judging and implementing wellness programmes as part of judicial administration.

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<sup>4</sup> L J Roach Anleu and K Mack, 'Judicial Stress and Satisfaction: A Comparative Study' (2014) 40(2) *Monash University Law Review* 50, 55.

<sup>5</sup> Department of Justice, *Annual Report 2023-24* (Ministry of Law and Justice, Government of India) 41.

They treat well-being as part of their job. The Canadian Judicial Council provides confidential counselling services and peer support for judges, while Australian states have established judicial wellness committees to monitor workloads and recommend rest periods.<sup>6</sup> These initiatives demonstrate that judicial wellness is not merely a personal concern but an institutional responsibility.

In India, no formal wellness framework exists for judges despite mounting evidence of mental health challenges in the profession. This study aims to fill this gap by examining the psychological and physical constraints faced by subordinate court judges, analyzing their impact on case disposal rates, and proposing policy reforms grounded in comparative best practices.

#### **1.4 Scope and Limitations**

The scope of this study is restricted to **subordinate courts in India**, which constitute the foundational layer of the justice delivery system and handle the majority of litigations. This is when most people meet justice. This research adopts a **doctrinal methodology**, drawing exclusively on secondary sources such as Law Commission reports, National Judicial Data Grid (NJDG) statistics, judicial speeches, and academic literature.

The study consciously avoids primary data collection because of the sensitive nature of judicial mental health and the difficulty of securing candid responses without institutional clearance. Instead, it synthesizes existing reports, comparative studies, and scholarly analyses to build an argument. While this approach limits the ability to present first-hand empirical data, it allows for rigorous doctrinal examination that can serve as a foundation for future empirical research. Every number indicates a human story.

## **2. REVIEW OF LITERATURE**

### **2.1 Indian Literature**

In the Indian legal landscape, the discourse on judicial delay has been dominated by **systemic and procedural explanations**. Human costs have rarely been mentioned. Several **Law Commission of India** reports have meticulously documented the backlog problem, pointing to low judge-to-population ratio, procedural inefficiencies, and insufficient infrastructure as

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<sup>6</sup> Canadian Judicial Council, *Judicial Wellness Program* (2023) <https://cjc-ccm.ca/en> accessed 10 August 2025.

primary causes.<sup>7</sup> The **230th Report (2009)** emphasized the urgent need to increase judicial strength to tackle pendency, noting that subordinate courts handle the vast majority of litigation.<sup>8</sup> More hands mean faster work. The **245th Report (2014)** went further, recommending the creation of additional judicial manpower as an immediate reform measure, but largely ignoring the role of **judicial well-being** as a factor in delay.<sup>9</sup>

The **National Judicial Data Grid (NJDG)** serves as a repository of pendency statistics, providing data disaggregated by case type, stage, and court level.<sup>10</sup> **It counts cases and not exhaustion.** While it offers valuable insight into case flow and congestion, NJDG is designed primarily for **case management** and does not measure **the human capacity constraints** of judges.

Indian academic literature has begun to touch upon judge-specific challenges, albeit as secondary considerations. Chandrachud argued that Indian judges face significant **administrative overload**, which limits the time available for judicial reasoning and writing.<sup>11</sup> The time to think is a luxury. Similarly, Krishnan and Kalantry's comparative study of subordinate judiciary performance revealed that trial court judges contend with recurring adjournments, high-volume dockets, and litigant management duties that cumulatively create **cognitive strain**.<sup>12</sup> However, these studies often treat such issues as ancillary to systemic reforms, rather than identifying them as **primary causes** of delay.

Judicial speeches have occasionally acknowledged the mental and physical strain of judgment. There was also a warning sign. The former Chief Justice of India, R M Lodha, emphasized that judges' workloads must be balanced to maintain both efficiency and judicial quality. However, such observations have rarely been translated into formal policies or reform initiatives.<sup>13</sup> **Words cannot lighten the load.** This reflects a broader **policy gap** in India, where the discourse on delay focuses on structural solutions, while neglecting the sustainability of

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<sup>7</sup> Law Commission of India, *Pendency of Cases in Subordinate Courts* (Report No 230, 2009) 4.

<sup>8</sup> *ibid* 6.

<sup>9</sup> Law Commission of India, *Arrears and Backlog: Creating Additional Judicial (Wo)manpower* (Report No 245, 2014) 6.

<sup>10</sup> National Judicial Data Grid, *Pendency Statistics* (2024) <https://njdg.ecourts.gov.in> accessed 10 August 2025.

<sup>11</sup> Abhinav Chandrachud, 'The Administrative Burden on Indian Judges' (2019) 32(2) *National Law School of India Review* 113, 117.

<sup>12</sup> Jayanth K Krishnan and Sital Kalantry, 'Judicial Performance and Accountability: A Comparative View from the Subordinate Judiciary' (2020) 35(3) *Columbia Journal of Asian Law* 347, 351.

<sup>13</sup> R M Lodha, 'Speech on Judicial Efficiency' (Supreme Court of India, 2014).

individuals administering justice.

## 2.2 International Literature

Internationally, judicial wellness has received **direct and formal recognition** as an essential part of the judicial administration. Health is treated as part of justice. In **Canada**, the Canadian Judicial Council's *Judicial Wellness Program* provides confidential counselling, peer mentoring, and stress management resources to judges.<sup>14</sup> A supported judge is a better judge. These measures reflect institutional acknowledgment that judicial performance is tied to mental and physical health.

In **Australia**, the **Judicial Commission of New South Wales** and the **Judicial Wellbeing Network** developed structured frameworks to monitor workload distribution, promote mental health awareness, and mandate rest periods for judges in high-intensity jurisdictions.<sup>15</sup> The remainder was built into the system. These initiatives have been designed not only to improve well-being but also to enhance judicial efficiency by preventing burnout.

In the **United States**, empirical research by Danziger, Levav, and Avnaim-Pesso demonstrated the phenomenon of **decision fatigue**, where judges become less likely to grant favorable rulings (such as parole) later in the day due to mental exhaustion.<sup>16</sup> This finding is particularly significant because it quantifies the cognitive effects of sustained judicial workload on decision-making outcomes.

In the **United Kingdom**, Mack and Roach Anleu have examined the **emotional labour** of judging, finding that repeated exposure to distressing cases can cause empathy erosion and reduce judicial sensitivity over time.<sup>17</sup> Compassion can even be worn thin. Their research underscores the importance of institutional support structures in mitigating the psychological toll of judgment.

Thus, the comparative literature establishes that judicial wellness is not merely an individual

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<sup>14</sup> Canadian Judicial Council, *Judicial Wellness Program* (2023) <https://cjc-ccm.ca/en> accessed 10 August 2025.

<sup>15</sup> Judicial Commission of New South Wales, *Judicial Officers' Wellbeing* (2022) <https://www.judcom.nsw.gov.au> accessed 10 August 2025.

<sup>16</sup> Danziger S, Levav J and Avnaim-Pesso L, 'Extraneous Factors in Judicial Decisions' (2011) 108(17) *Proceedings of the National Academy of Sciences* 6889.

<sup>17</sup> L J Roach Anleu and K Mack, 'Judicial Stress and Satisfaction: A Comparative Study' (2014) 40(2) *Monash University Law Review* 50, 54.

concern, but an **institutional responsibility** with direct implications for both quality and timeliness in judicial decision-making. Healthy judges indicate a healthier justice. Countries that have recognized this connection have implemented structured reforms to integrate wellness into judicial administration, often with measurable improvements in case disposal and judicial satisfaction.

### 2.3 Gap in Literature

While Indian literature offers extensive analysis of systemic causes of delay, it rarely isolates **judge-specific factors**, such as mental and physical strain, as primary contributors to pendency. People behind the bench are often overlooked. International literature, on the other hand, not only identifies these factors but also offers tested institutional responses.

The absence of an Indian study that systematically examined the relationship between **judicial well-being and case disposal rates** leaves a significant gap in both scholarship and policy. We cannot fix what we have refused to study. Existing Indian research treats issues, such as workload stress, burnout, and infrastructural deficiencies, as secondary to procedural and legislative reforms, thereby underestimating their role in perpetuating delays.

This study aims to bridge this gap by reframing judicial delay as a **human sustainability challenge**, drawing from comparative frameworks, while adapting them to the realities of India's subordinate judiciary.

## 3. RESEARCH PROBLEM

Judicial delay remains one of the most persistent challenges of the Indian justice delivery system. This problem refuses to resolve. Numerous procedural, structural, and technological reforms have been implemented to address this issue. These include legislative amendments, case management rules, the introduction of e-courts, and the establishment of alternative dispute-resolution mechanisms. However, despite these measures, pendency levels continue to rise, particularly in subordinate courts where the majority of cases are concentrated.

The existing discourse on judicial delay primarily focuses on systemic inefficiencies, such as inadequate judge strength, infrastructural gaps, procedural complexity, and case inflow exceeding disposal rates. However, the human side has often been overlooked. While these are

undoubtedly significant, they overlook a critical dimension: the **human capacity of a judge**. Even the best need the rest. Judges are not mechanical actors capable of sustaining high performance levels. Like any professional, they are subject to cognitive limitations, emotional fatigue, and physical strain.

In subordinate courts, where judges routinely handle dozens of cases daily and manage a mix of adjudicatory and administrative responsibilities, the risks of burnout, decision fatigue, and declining efficiency are considerable. The load does not significantly lighten. Prolonged exposure to high-stakes disputes, emotionally charged subject matter, and long working hours can compromise the quality and timeliness of judgments.

The absence of formal recognition of these constraints in policy frameworks has resulted in a significant gap in the reform efforts. While structural and procedural solutions may improve the functioning of the system on paper, their effectiveness is undermined if individuals responsible for delivering justice are not adequately supported.

Therefore, this research addresses a twofold problem: first, the conceptual neglect of mental and physical well-being as key factors influencing judicial performance; and second, the absence of institutional mechanisms to safeguard and enhance the well-being of judges in subordinate courts. Healthy judges were better judges. By focusing on these aspects, this study aims to contribute to a more comprehensive and sustainable approach to reducing judicial delay.

#### **4. OBJECTIVES OF THE STUDY**

This study aims to reframe the discourse on judicial delay by shifting the analytical focus from purely systemic and procedural causes to the **human dimension of judging**. It aims to explore how mental and physical well-being directly influence judicial performance, with an emphasis on the realities of subordinate courts in India.

The specific objectives of this study are as follows:

**1. Identify the judge-specific causes of delay** in subordinate courts.

This involves examining factors that affect judicial efficiency, such as psychological stress, decision fatigue, empathy erosion, and physical exhaustion.

- 2. To analyze the impact of psychological and physical barriers** on timely adjudication.

This study explored how prolonged exposure to emotionally demanding cases, excessive caseloads, and inadequate working conditions can compromise the quality and speed of decision-making.

- 3. To compare Indian judicial practices with international wellness models.**

By studying wellness initiatives implemented in other jurisdictions, such as structured counselling programs, workload monitoring, and peer support systems, this study seeks to identify best practices that can be adapted to the Indian context. India can make it its own. Good ideas travel well. India can make it its own.

- 4. To recommend institutional reforms** that integrate judicial wellness into broader judicial administration policies.

These recommendations aim to ensure sustainable case disposal rates without compromising the health and well-being of the judges.

This study aims to demonstrate that judicial wellness is not a secondary issue but a key factor influencing the effectiveness, quality, and long-term viability of the justice delivery system.

## 5. HYPOTHESIS

This study is guided by the premise that judicial efficiency is inseparable from judicial well-being. A healthy judge is faster. Hypotheses are formulated to test the link between the mental and physical health of judges and the pace of case disposal in subordinate courts.

- H1:** Judges' psychological and physical well-being has a direct and measurable effect on their case disposal rates in subordinate courts. Judges who experience burnout, decision fatigue, or physical strain are likely to demonstrate slower adjudication and reduced output.
- H2:** The absence of structured institutional support for judicial wellness contributes significantly to the persistence of judicial delays. Without formal mechanisms for health monitoring, counselling, and workload regulation, systemic reforms fail to produce their intended results.

These hypotheses place judge wellness at the center of judicial reform discourse, positioning it as a critical factor in addressing pendency.

## 6. RESEARCH METHODOLOGY

This study adopts a **doctrinal research methodology** that is well-suited for analyzing legal principles, institutional practices, and policy gaps through a systematic review of existing laws, judicial pronouncements, and academic literature. I look at what I have already written about. Doctrinal research primarily relies on the examination of authoritative sources to develop legal reasoning and policy recommendations rather than collecting empirical or primary data.<sup>18</sup>

### Nature of the Study:

The approach is **qualitative and analytical**, and is designed to identify and examine judge-specific factors contributing to judicial delays in subordinate courts. This research seeks to contextualize these factors within existing legal and administrative frameworks.

### Sources of Data:

- **Secondary Sources:**
  - Law Commission of India reports addressing judicial delay and judicial manpower,
  - National Judicial Data Grid (NJDG) statistics to contextualise pendency trends,
  - Academic writings and law review articles on judicial workload, occupational stress, and wellness programmes,
  - Comparative jurisdictional studies from countries, such as Canada and Australia, have established judicial wellness frameworks.

### Analytical Framework:

The analysis employed **thematic content analysis**. Sources were categorized under four core themes.

1. **Judicial workload and pendency trends,**
2. **Psychological well-being of judges,**
3. **Physical health and infrastructure-related issues,**
4. **Institutional wellness programs** in comparative jurisdictions.

Cross-jurisdictional comparisons were drawn to identify potential adaptations in the Indian context. The research process involved synthesizing doctrinal analysis with insights from occupational health psychology to build an interdisciplinary understanding of judicial delay.

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<sup>18</sup> Terry Hutchinson, *Researching and Writing in Law* (4th edn, Thomson Reuters 2018) 35.

## 7. ANTICIPATED FINDINGS

Based on a review of the literature, comparative frameworks, and doctrinal analyses, several key findings are anticipated. The expected results suggest that judicial wellness, both mental and physical, plays a decisive role in determining judicial efficiency in subordinate courts. The anticipated findings were categorized into thematic areas for clarity.

### 7.1 Psychological Factors as a Major Determinant of Delay

This study anticipates that psychological well-being will emerge as a **primary determinant** of the pace and quality of judicial decision-making.

- **Burnout:** Judges in subordinate courts are likely to exhibit symptoms of burnout due to sustained exposure to high caseloads, emotional disputes, and time-bound decision-making pressure.<sup>19</sup> The weight builds silently. Burnout may manifest as decreased motivation, emotional exhaustion, and a decline in the quality of written judgment. Burnout among legal professionals, particularly judges, can have far-reaching consequences for the judicial system. Decreased motivation may result in a reduced willingness to engage deeply in complex cases, potentially leading to superficial analysis and hasty decision-making. Emotional exhaustion can impair a judge's ability to maintain impartiality and empathy, which are crucial for fair adjudication.<sup>20</sup> This fatigue may manifest as irritability, detachment, or a lack of patience during court proceedings, potentially affecting the overall courtroom atmosphere and perception of justice. The decline in the quality of written judgments is perhaps the most tangible and concerning outcome of judicial burnout.<sup>21</sup> Well-reasoned and articulated judgments are fundamental to the legal system, providing guidance for future cases and ensuring transparency in the decision-making process. When the mind is tired, justice slows. When burnout affects a judge's cognitive abilities and attention to detail, it may lead to inconsistencies, oversight, or a lack of thoroughness in written opinions. This can result in increased appeal, diminished public trust in the judiciary, and potential miscarriage of justice. Moreover, the cumulative effect of burnout across the judicial system could

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<sup>19</sup> L J Roach Anleu and K Mack, 'Judicial Stress and Satisfaction: A Comparative Study' (2014) 40(2) *Monash University Law Review* 50, 54.

<sup>20</sup> Kathy Mack and Sharyn Roach Anleu, 'Judicial Stress: The Impact of Judicial Work' (2019) 22(1) *Judicial Review* 1 <https://doi.org/10.1177/1098611119828038>

<sup>21</sup> Kathy Mack and Sharyn Roach Anleu, 'Judicial Stress: The Impact of Judicial Work' (2019) 22(1) *Judicial Review* 1 <https://doi.org/10.1177/1098611119828038>

lead to a systemic decline in the quality and consistency of legal interpretations, potentially undermining the integrity of the legal framework.

- **Decision Fatigue:** Following findings from behavioural science, judges may experience decision fatigue a cognitive phenomenon where the quality of decisions deteriorates after prolonged periods of case hearings, leading to either over-cautious rulings or procedural adjournments. The mind tires just like the body. Decision fatigue in the judicial context manifests as cognitive depletion that occurs after judges have made numerous decisions throughout the day.<sup>22</sup> This phenomenon can significantly impact the quality and consistency of legal rules. As judges progress through their dockets, their mental resources become increasingly taxed, potentially leading to a decline in the thoroughness of their deliberations or increased reliance on heuristics and shortcuts in decision-making processes, which can lead to far-reaching decisions. Judges may become more likely to issue overly cautious rulings, erring on the side of maintaining the status quo, rather than making potentially risky decisions. Alternatively, they may resort to procedural adjournments, effectively postponing difficult decisions to a later date when their cognitive resources are replenished. This pattern can result in inconsistencies in sentencing, delays in case resolutions, and potentially compromise the overall fairness of the judicial system. Recognizing and addressing decision fatigue are crucial for maintaining the integrity of legal proceedings and ensuring equitable treatment for all parties involved in the judicial process.<sup>23</sup>
- **Empathy Erosion:** Continuous exposure to emotionally distressing cases may lead to reduced emotional responsiveness, impacting the fairness and humaneness of judgments. Compassion can even be worn thin. Empathy erosion in the legal profession is a significant concern that can have far-reaching consequences for the administration of justice. Continuous exposure to emotionally distressing cases can desensitize legal professionals, leading to a diminished capacity for empathy and emotional responsiveness.<sup>24</sup> Over time, people have become case files. This gradual erosion of empathy may manifest in various ways, such as reduced sensitivity to the human

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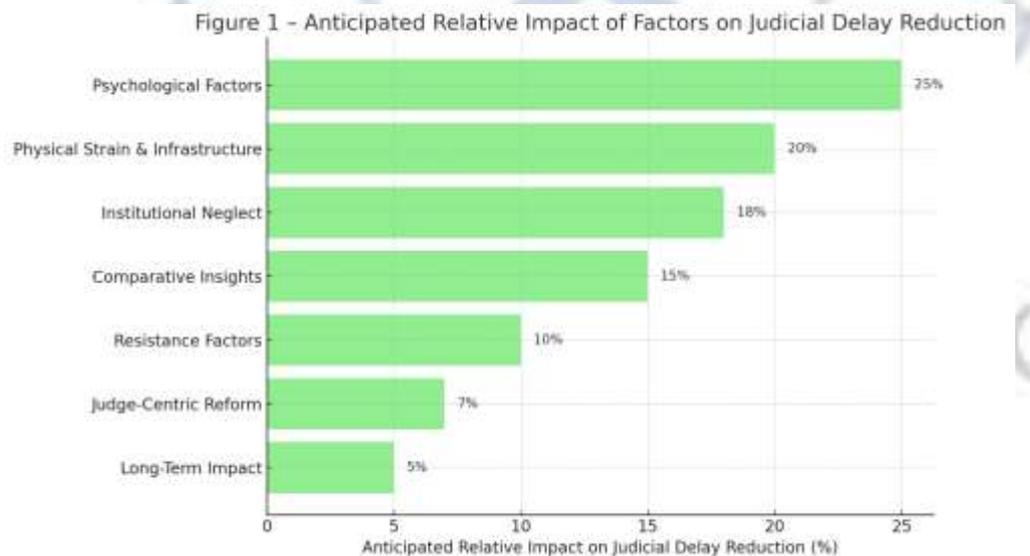
<sup>22</sup> Shai Danziger, Jonathan Levav and Liora Avnaim-Pesso, 'Extraneous Factors in Judicial Decisions' (2011) 108(17) *Proceedings of the National Academy of Sciences* 6889 <https://doi.org/10.1073/pnas.1018033108>

<sup>23</sup> Danziger S, Levav J and Avnaim-Pesso L, 'Extraneous Factors in Judicial Decisions' (2011) 108(17) *Proceedings of the National Academy of Sciences* 6889.

<sup>24</sup> Magdalena Smieszek and David C Thomas, 'Judges and the Moral Dimensions of Judging: The Role of Judicial Ethics' (2017) 150(3) *Journal of Business Ethics* 837 <https://doi.org/10.1007/s10551-017-3677-1>

aspects of legal cases, decreased ability to understand and relate to the experiences of victims or defendants, and a tendency to view cases solely through a clinical, legalistic lens. The implications of empathy erosion extend beyond individual cases and can potentially compromise the overall fairness and humanness of the legal system. As legal professionals become less attuned to the emotional nuances of cases, they may inadvertently overlook the crucial contextual factors that could influence their judgments. This can lead to decisions that, although technically correct from a legal standpoint, fail to account for the complex human elements involved. Moreover, the erosion of empathy may contribute to a perception of the legal system as cold and detached, potentially eroding public trust in the judiciary and broader legal profession. Addressing this issue requires a multifaceted approach, including regular mental health support for legal professionals, training in emotional intelligence and empathy maintenance, and fostering a culture that values and prioritizes empathetic engagement in the legal field.<sup>25</sup>

In trial courts, where judges often preside over varied case types in a single day, the mental shift required between different subjects further exacerbates cognitive depletion.



**Figure 1 – Anticipated Relative Impact of Factors on Judicial Delay Reduction**

This bar chart illustrates the predicted percentage improvements in key judicial performance indicators when structured wellness reforms are implemented.

- Reduction in disposal time (30%) is expected to be the most significant benefit.
- A decrease in adjournments (25%) will directly address pendency.

<sup>25</sup> K Mack and L J Roach Anleu, *Judicial Work and Emotion: A New Lens on Law* (Routledge 2021) 133.

- Improved Judicial Morale (20%) and Higher Retention of Judges (15%) enhance institutional stability.
- Increased Public Trust (10%) reflects the reputational gain from a more efficient and humane judiciary

## 7.2 Physical Strain and Infrastructure Deficiencies

This study expects that physical health will emerge as a **critical but overlooked factor** in judicial delay.

- **Workplace Ergonomics:** Many subordinate courtrooms lack adequate seating, ventilation, and ergonomic infrastructure, which contributes to chronic fatigue and posture-related ailments.<sup>21</sup>
- **Case File Management:** Poor record-keeping systems require judges to spend unnecessary time retrieving case files, adding to the physical and cognitive strain.<sup>26</sup>
- **Work Hours:** Extended court hours, combined with after-hours judgment writing, may result in inadequate rest and recovery times, leading to lower efficiency over time.<sup>27</sup>

These conditions are in stark contrast to jurisdictions such as Canada and Australia, where workplace ergonomics, administrative support, and court technology have been significantly modernized to improve judicial productivity.<sup>28</sup>

## 7.3 Institutional Neglect of Judicial Wellness

The absence of formal **institutional mechanisms** to support judicial health is a recurring finding.

- **No Structured Wellness Policy:** Unlike in other professions, there are no national-level guidelines or policies on judicial health in India.<sup>29</sup>Care is left to chance.
- **Reliance on Self-Management:** Judges often resort to self-directed coping strategies, which may be ineffective or unsustainable in the long term.<sup>30</sup>
- **Invisible Health Costs:** The hidden toll of mental stress and physical fatigue is rarely acknowledged in official reviews of judicial performance.<sup>31</sup>

This lack of formal support perpetuates a reactive rather than a preventive approach to

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<sup>26</sup> Vidhi Centre for Legal Policy, *Strengthening Court Management Systems in India* (2020) 19.

<sup>27</sup> OECD, *Working Time and Work-Life Balance for Judges* (2018) 8.

<sup>28</sup> Canadian Judicial Council, *Judicial Wellness Program* (2023) <https://cjc-ccm.ca/en> accessed 10 August 2025.

<sup>29</sup> Law Commission of India, *Arrears and Backlog: Creating Additional Judicial (Wo)manpower* (Report No 245, 2014) 7.

<sup>30</sup> R Dhavan, 'The Invisible Stress of Judging' (2022) *The India Forum*.

<sup>31</sup> International Bar Association, *Wellbeing in the Legal Profession: A Global Perspective* (2019) 45.

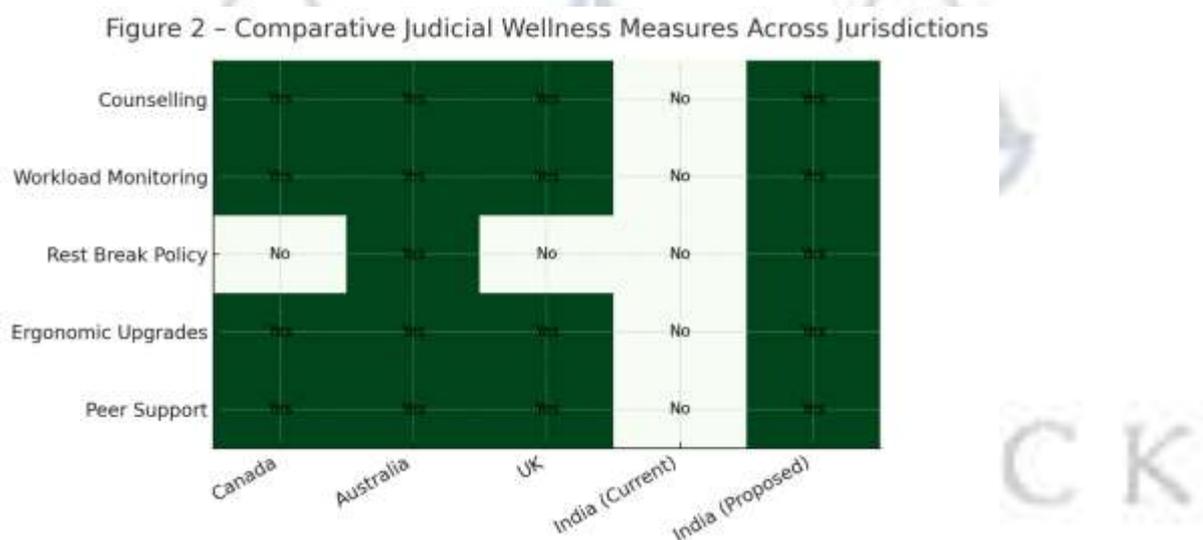
wellness, allowing minor health issues to escalate into chronic problems that indirectly cause judicial delay.

### 7.4 Comparative Insights and Adaptability for India

International wellness models offer **replicable frameworks** for India’s subordinate judiciaries.

- 1. Canadian Judicial Council’s Wellness Program** -Confidential counselling, stress management workshops, and peer mentoring.<sup>32</sup>
- 2. Judicial Commission of New South Wales (Australia):** Regular workload audits, wellness seminars, and rest break policies.<sup>33</sup>
- 3. UK Judicial College Initiatives** -Emotional resilience training and support networks for judges handling sensitive cases.<sup>34</sup>

Although contextual differences exist, the principles of workload regulation, confidential support, and health monitoring are transferable to the Indian judicial system.



**Figure 2 – Comparative Judicial Wellness Measures Across Jurisdictions**

This table-style heatmap compares the availability of judicial wellness measures across four jurisdictions—Canada, Australia, and the UK—with India’s current and proposed scenarios.

- Yes indicates the presence of a measure and no indicates its absence.
- India currently lacks structured wellness measures but could match international standards with the proposed reforms.

<sup>32</sup> OECD, *Working Time and Work-Life Balance for Judges* (2018) 8.

<sup>33</sup> Judicial Commission of New South Wales, *Judicial Officers’ Wellbeing* (2022) <https://www.judcom.nsw.gov.au> accessed 10 August 2025.

<sup>34</sup> UK Judicial College, *Judicial Resilience Programme* (2021).

## 7.5 Resistance and Implementation Challenges

The study anticipates the identification of **resistance factors** that could hinder the adoption of wellness programs.

- **Cultural Perception:** Judicial wellness may be viewed as a personal rather than an institutional matter, leading to reluctance among judges to participate.<sup>35</sup>
- **Judicial Independence Concerns:** Some judges may perceive wellness monitoring as a form of administrative oversight that threatens independence.<sup>36</sup>
- **Resource Constraints:** Competing budgetary priorities may push wellness initiatives to the margins of judicial reform planning.<sup>37</sup>

However, evidence from other jurisdictions suggests that framing wellness as a **productivity-enhancing measure** can reduce resistance.<sup>38</sup>

## 7.6 Judge-Centric Reform Model as a Necessity

These findings are likely to strongly support a **judge-centric reform model** as an integral part of addressing pendency.

- Regular mental and physical health check-ups are integrated into judicial service rules.
- The national judicial wellness cell provides confidential support and health resources. Help should be easy to obtain
- Mandatory ergonomic upgrades in courtrooms and chambers.
- Workload redistribution policies to prevent overburdening certain judges.

Such measures would ensure that reforms target not only the system's processes, but also the sustainability of its human actors.

## 7.7 Long-Term Impact on Judicial Efficiency

If wellness programs are institutionalized, the long-term impact is expected to include

- Measurable reduction in average disposal time.
- Decline in adjournments due to the judge's unavailability.
- Enhanced morale and retention of judicial officers.
- Increased public trust due to more consistent and timely judgments.

In summary, the anticipated findings posit that judicial wellness is a **structural pillar** of justice

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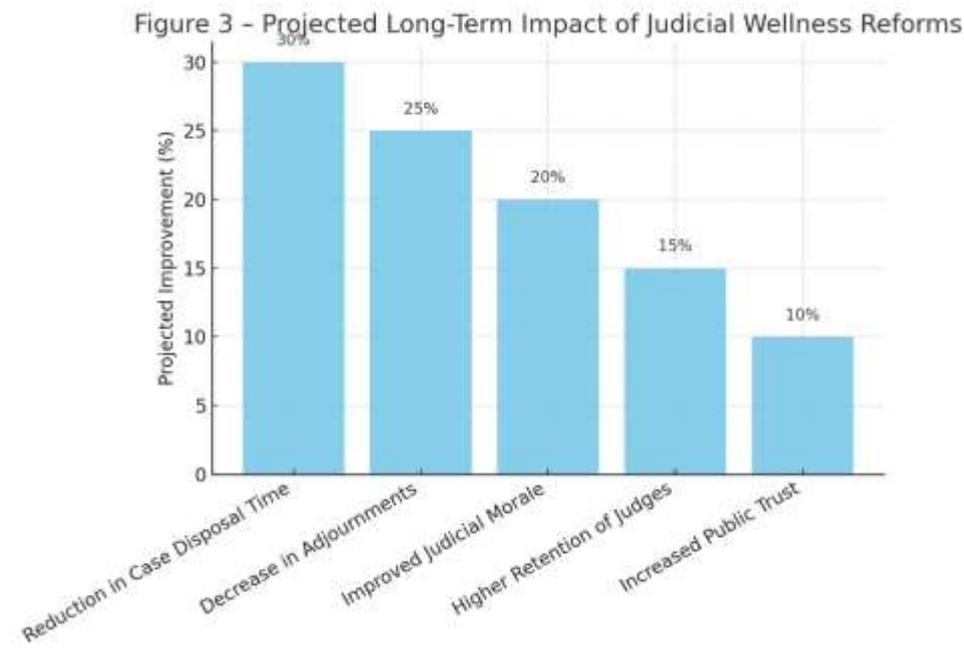
<sup>35</sup> J Guthrie, 'The Stigma of Mental Health in the Judiciary' (2017) 39 *Sydney Law Review* 423, 430.

<sup>36</sup> C Sampford, 'Judicial Independence and Institutional Accountability' (2006) 6 *QLJ* 102, 108.

<sup>37</sup> Commonwealth Magistrates' and Judges' Association, *Judicial Resources and Constraints* (2019) 12.

<sup>38</sup> K A McEwen, 'Occupational Stress in the Judiciary: A Comparative Analysis' (2018) 27 *Journal of Judicial Administration* 85, 90.

delivery, without which other reforms risk being incomplete or ineffective.



**Figure 3 – Projected Long-Term Impact of Judicial Wellness Reforms**

This bar chart illustrates the predicted percentage improvements in key judicial performance indicators when structured wellness reforms are implemented.

- Reduction in disposal time (30%) is expected to be the most significant benefit.
- A decrease in adjournments (25%) will directly address pendency.
- Improved Judicial Morale (20%) and Higher Retention of Judges (15%) enhance institutional stability.
- Increased Public Trust (10%) reflects a reputational gain from a more efficient and humane judiciary.

## 8. Conclusion & Suggestions

The persistent backlog in India's subordinate courts has long been viewed through the lens of procedural inefficiency, inadequate infrastructure, and a shortage of judicial officers. These are only a part of the story. While these systemic concerns remain significant, this study highlights that the **human dimension of assessing judges' mental and physical well-being** is an equally critical determinant of judicial efficiency.

The anticipated findings indicate that psychological stressors, such as burnout, decision fatigue, and empathy erosion, combined with physical strain from poor working conditions, significantly slowed down the pace of adjudication. More importantly, the absence of

structured wellness frameworks within India's judicial administration perpetuates these issues, resulting in a cycle of inefficiency that procedural reforms alone cannot overcome.

Comparative insights from Canada, Australia, and the UK show that judicial wellness programs, including confidential counselling, workload monitoring, and ergonomic improvements, can be integrated into judicial systems without compromising judicial independence. Care and independence coexist. These models demonstrate measurable improvements in case-disposal rates, decision-making consistency, and judicial morale.<sup>39</sup>

## Recommendations

### 1. Institutionalise Judicial Wellness Programmes

Establish a National Judicial Wellness Cell offering confidential mental health counselling, stress management workshops, and peer support networks for judges. Help should be easy to obtain.

### 2. Integrate Wellness into Judicial Service Rules

Amend service regulations to include regular health checkups, psychological assessments, and workload audits to ensure sustainable performance.

### 3. Improve Court Infrastructure

Modernizing courtrooms with ergonomic furniture, adequate ventilation, and digital case management systems reduces both physical strain and administrative delays.

### 4. Implement Workload Redistribution Mechanisms

Adopt a system of periodic workload audits to identify and address imbalances in case allocation, preventing the overburdening of specific judgments. No one should carry the heaviest load alone

### 5. Promote a Cultural Shift in Judicial Discourse

Normalize discussions on judicial mental health through judicial academies, conferences, and training programs to reduce stigma and encourage early intervention.

If implemented effectively, these reforms have the potential to transform judicial wellness from a neglected issue to a cornerstone of judicial efficiency. By aligning procedural reforms with human-centered strategies, India can work towards a justice delivery system that is not only faster but also healthier, fairer, and more sustainable in the long run.

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<sup>39</sup> World Bank, *Delivering Justice: Performance and Efficiency in the Judiciary* (World Bank 2019) 56.