

## IMPLICIT BIAS BENCH CARD

### Act Consciously and Deliberately

- Allow more time for cases in which implicit bias may be a concern.
- Avoid decisions under rushed, stressed, distracted or pressured circumstances.
- Engage in thoughtful information processing - objectively and deliberately consider the facts at hand. Avoid low-effort decisions or decision made on auto-pilot.
- Take special care in situations when you must respond quickly to avoid making snap decisions.
- Articulate the reasoning behind your decision before committing to a decision to allow yourself to critically review your decision-making process.

### Be Self-Aware

- Analyze your emotional state. Do the negative or positive emotions you are feeling pertain to the case?
- Consider whether you are requiring more or less from a person than you would from others.
- Ask yourself if your opinion of the parties, witnesses, or case would be different if the people presenting belonged to a different social/racial group.
- Consider how the person is different from others in his/her same social/racial group or gender.
- Be mindful of your decision-making process, not just the resulting decision.

### Create Processes to Serve as a Check on Unintended Bias

- Take notes and rely on those notes over memory.
- Consider what evidence supports the conclusions you have drawn and how you have challenged unsupported assumptions.
- Seek feedback from others. Would others perceive or handle the situation differently?
- Track your decisions and periodically examine them for any pattern of bias.

---

Sources: Pamela M. Casey, et al., *Addressing Implicit Bias in the Courts*, 49 Court Review 64 (2013); National Center for State Courts, *Strategies to Reduce the Influence of Implicit Bias*; Jerry Kang, et al., *Implicit Bias in the Courtroom*, 59 UCLA L. Rev. 1124 (2012); National Council of Juvenile and Family Court Judges, *Right from the Start: The CCC Preliminary Protective Hearing Benchcard*

Issued by the Committee for Equality and Justice of the Minnesota Judicial Branch, April 2015

Questions: Contact Committee for Equality and Justice, [cej@courts.state.mn.us](mailto:cej@courts.state.mn.us) or <http://mncourts.gov/cej>



**MINNESOTA  
JUDICIAL BRANCH**