Restorative Justice at Marquette University Law School:
A (Mostly) Retrospective Interview with the Honorable Janine P. Geske

Marquette University Law School is welcoming, in summer 2023, the Honorable Mary E. Triggiano, most recently chief judge of the Milwaukee County Circuit Court, as director of our Andrew Center for Restorative Justice. As we look forward to a dynamic future, it's an ideal time to look back on the evolving story of restorative justice at Marquette Law school — to learn firsthand from our very own visionary and pioneer, Janine P. Geske, distinguished professor of law and former justice of the Wisconsin Supreme Court, who has developed a reputation as one of the world’s leading experts in restorative justice.

Under Professor Geske’s lead almost 20 years ago, Marquette Law launched what became known as the Restorative Justice Initiative (RJI). In a recent interview, she spoke about the initiative’s campus roots, development, and widespread impact, as well as her role moving ahead.

**Interviewer: What exactly is restorative justice?**

**Professor Geske:** Restorative Justice (or RJ) is a philosophical approach for addressing harm to promote storytelling, accountability, and healing. When an individual is harmed by another, life journeys are altered forever — for both the victims and offenders. At its core, RJ recognizes how the basic human instinct to survive creates the need for healing after harm has been done. Giving voice to victims, restorative justice holds offenders accountable by enabling a healing journey that brings both “sides” face-to-face in a safe environment, facilitating dialogue, which is the basis for building relationships and connections to foster personal healing. Yet RJ goes further, recognizing the role of the greater community to maximize successful healing.

*Circles to widen healing*
Community involvement in the RJ process reflects the fact that harm inflicted upon an individual has a ripple effect, where, at the very least, we all have reason to worry about our own safety and well-being. Consequently, the community should assume responsibility for healing when harm is done and for addressing conflict, which always will be part of human nature.

To facilitate problem solving vital to addressing the root of harm, restorative justice borrows from the Native-American tradition of “circles,” a gathering of community that allows equality and respect for all to be heard. While also paralleling the Mennonite tradition of family conferencing, RJ presents an opportunity for dialogue on a broad scale, bringing in members of the larger community to openly share their experiences. In a global society that lacks healthy relationships based on trust and communication, RJ values how the wisdom of traditional cultures can improve upon a modern justice system that is retributive in nature rather than communal in spirit.

**Interviewer: What primarily attracted you to restorative justice?**

**Professor Geske:** As a judge and attorney, I experienced both the successes of our criminal justice system and its failures in bringing restoration to victims and communities impacted by crime. Wanting to help better address the needs of those harmed and marginalized in society, I left the Wisconsin Supreme Court in 1998. I took it upon myself to learn how to become a facilitator of restorative justice because I
appreciated its healing objective. But it was my pro bono restorative justice work in Wisconsin’s maximum-security prisons that made me a true believer.

I began traveling to prisons in 1999 to lead three-day intensive circles twice per year, bringing together victims/survivors of serious crimes with offenders serving lengthy sentences. The storytelling in the circles was empowering — from victims/survivors expressing how the harmful action of another has changed their very essence to offenders being held accountable for pain caused and having the opportunity to see a victim as someone who is perhaps not so different from themselves. I was profoundly touched by how victims/survivors can seek healing and the ability to forgive and move on with their lives, while offenders can discern the impact of their past and, hopefully, seek a new course at least in some sense.

I was compelled to help law students experience the transformational power and potential of restorative justice — to develop invaluable skill sets like listening and attentiveness that the process nurtured, but mostly to interact directly with the people behind the need for assistance, understanding the depth of their need. After I left the Wisconsin Supreme Court, Dean Howard Eisenberg of Marquette Law School — my alma mater, of course — gave me the opportunity to work with students in a mediation clinic on learning how to become facilitators and peacemakers. I saw restorative justice as an ideal fit, providing an effective alternative to retributive justice. One that can create cost efficiencies in the court system, change the face of judicial practice in the resolution of crime, and provide improved outcomes for all involved — including reduction in recidivism among offenders. One that was tailor-made for Marquette because, as I felt then and now, an interest in restorative justice truly flows from the university’s mission as a Catholic, Jesuit institution committed to promoting excellence, faith, leadership, and service. So I asked the then-new Dean Joseph Kearney if we could create the Restorative Justice Initiative (RJI). He was enthusiastic, and the RJI began in 2004 as a three-hour course and field clinic experience through which Marquette law students learned to prepare for and facilitate victim/offender dialogues, to work with young offenders through restorative practices, and to work with offenders in a maximum-security prison.

Interviewer: How has Marquette’s restorative justice work evolved?

Professor Geske: What started as a program to expose Marquette law students to the circles process has expanded far beyond prison work.

In the classroom, we have offered up to two classes per semester to as many as 25 students total, helping develop their understanding of restorative justice principles and their sense as community leaders.

Tailored help
Most students who take the course participate in related projects conducted through the RJ Clinic. That’s where much of the real learning occurs — from seeing forgiveness in a new light to developing practical skills needed to work in a group setting, such as listening without interrupting. This kind of learning enables the RJ Clinic to go beyond prison circles. For example, students often participate in restorative circles for schools and community organizations throughout greater Milwaukee, working with victims and offenders to tackle relevant issues around bullying and gangs to reduce violence and school suspensions. To these ends, the RJ Clinic has provided pro bono conflict management training for
community leaders. But I’m most proud about the clinic’s distinctive reputation for being responsive to criminal, civil, and societal issues. We don’t necessarily just offer a stock menu of support; rather, we have become a resource that the community seeks out to help address identified needs presented to us.

Timely help
A need that I have personally felt compelled to address through the RJI is healing among victims/survivors and offenders of clergy sex abuse. The RJI created the “Healing Circle” film or DVD, focused on sex abuse in the Catholic Church; this provides viewers the opportunity to be, in a sense, part of a real circle of survivors and others who have been deeply impacted by long-hidden tragedy. The film has been used to educate people all over the world about the ripples of harm that have resulted and to serve as a catalyst for reform.

Amplifying the call to help
Because harm to one calls us as a community to promote healing and effect positive change, the Restorative Justice Initiative extended its outreach by promoting scholarship, research, and greater understanding of the RJ concept, especially through campus conferences. To date, Marquette Law School has hosted 11 conferences — including virtual international and national events during the pandemic — averaging more than 300 guests from around the world per year. Topics have ranged from human trafficking to international terrorism to applying RJ practices to everyday life and in the home.

Recent developments: Establishing the Andrew Center for Restorative Justice
The RJI became limited in scope after my retirement in 2014, being incorporated within Marquette Law School’s dispute resolution curriculum. But the power of the program has had a profound hold on me, calling me back to help ensure the strength of its invaluable work for the future. Working with the Law School and its development team, we were blessed when alumni couple Louis (Law ’66) and Suzanne Bouquet Andrew (Sp ’66) committed $5 million in December 2021, enabling us to create and endow the Andrew Center for Restorative Justice at Marquette Law School. I will always value their generosity and friendship, which reflect our shared belief in restorative justice efforts. Because of the Andrews, my dream to have a permanent restorative justice program at Marquette Law School is being realized. For generations to come, we will be able to support teaching, practicing, and promoting restorative processes to address some of society’s greatest problems at the local, national, and international levels, while supporting faculty research in the field.

Interviewer: What is your future with restorative justice?

Professor Geske: Extensive, I hope. For the past year and a half, I had the privilege, coming out of retirement, to serve as the inaugural director of the Andrew Center. I was honored to facilitate its launch through the center’s first conference in March 2023, titled “Restorative Justice in Indian Country: Speaking the Truth, Instilling Accountability, and Working Toward Healing.” The event welcomed 130 guests and focused on the ongoing importance of RJ practices among Native American reservations and in their tribal courts for handling current matters from boarding school issues to crime on reservations.

Since the announcement in November 2022, the Law School and Marquette campus have been truly excited as we have awaited the arrival, this summer, of Chief Judge Triggiano as the Andrew Center’s permanent director. I am confident in her commitment to lead, grateful for her sincere passion for restorative justice, and inspired by her personal belief in growing its impact. The center’s future plans
include working with Milwaukee police to address the stress of their work and how they work with others.

As for me, my initial retirement in 2014 taught me that I cannot simply walk away from the work. I will continue to support and volunteer to work with the Andrew Center, give lectures on restorative justice, assist with projects involving our law students, and promote healing around clergy sex abuse and other matters.

I have been blessed to serve through a long career in the legal profession as a judge and attorney, but I perhaps most value being able to teach about and practice restorative justice as a powerful, peaceful means for addressing conflict, promoting healing, and facilitating problem solving that differs from current mediation practices. I cannot think of a more fitting place than Marquette Law School for the Andrew Center for Restorative Justice, which will be a fixture for carrying forward the university's mission to shape a better world in service of humankind and for the greater glory of God.