Commission on
Judicial Performance

The Honorable Brian Whitney

2010 Judicial Performance Survey Report

2nd Judicial District

Talmey-Drake
research & strategy, inc.

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March 30, 2010

The Honorable Brian Whitney
City & County Bldg.
1437 Bannock St., Room 256
Denver, CO 80202

Dear Judge Whitney:

I am pleased to make available to you the attached copy of your 2010 Judicial Performance Survey Report. The report is based on three surveys relating to how you are seen carrying out the performance of your office: One of attorneys who have had cases in your court or who are knowledgeable about your judicial performance, second a survey of appellate judges and third a survey of non-attorneys who have observed your performance in court or who have otherwise been affected by your performance of a judge.

The methodology underlying these surveys has changed somewhat since the last reports were issued in 2009. A few minutes perusing the methodology section toward the end of this report should inform you of the relevant changes, and provide you with a methodological context to better interpret your survey results.

In addition to this introduction, the report is divided into six main sections:

- A brief summary of the results of the two surveys.
- The numerical results of the survey of attorneys in both tabular and graphical form. In addition to the numerical results, this section also contains comments attorneys made about your judicial performance. In some instances the comments have been redacted to eliminate respondent identifying information. A copy of the attorney questionnaire is at the back of this report.
- The numerical results of the survey of appellate judges in tabular form, and any comments the justices and judges might have made about your judicial performance.
- The numerical results of the survey of non-attorneys in both tabular and graphical form. In addition to the numerical results, this section also contains comments these respondent made on the subject of your judicial performance. In few instances the comments have been redacted to eliminate respondent identifying information. A copy of the non-attorney questionnaire is at the back of this report.

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- The fifth section of the Report discusses the methodology of the surveys.
- The final section provides copies of the questions or questionnaires that were used for each survey.

If you have any questions about the methodology and how the survey was conducted, please feel free to contact me at 303-443-5300 ext 1 or by email at *talmey@talmeyresearch.com* (please put the words "Judicial Performance" in the subject line), and for any other questions you might have about the survey please call the Executive Director of the Office of Judicial Performance Evaluation, Jane Howell, at 303-866-6465.

Best regards,

Paul A. Talmey
President

enc:

Summary of Results

Attorneys assigned Judge Brian Whitney an overall average grade[1] of 3.34, and non-attorneys assigned Judge Whitney an overall average grade of 3.63 resulting in a combined grade of 3.49. The average combined grade for all district judges, including those not eligible to stand for retention in 2010, was 3.48. The combined average grade is computed as the total of the overall average from the attorney survey plus the overall average from the non-attorney survey, divided by two.

Judge Whitney Average Grades			
	Combined	**Attorney**	**Non-attorney**
Overall Grade	3.49	3.34	3.63
Sample Size	-	50	189

Table 1

The results presented in this report are based on data collected in 2005, 2007, 2008 and 2009. (See Methodology section for description of sampling process.) Table 2 shows Judge Whitney's overall average grades for each of these years.

	Judge Whitney Average Grades by Year											
	Combined Overall Average Grade[2]				**Attorney Overall Average Grade**				**Non-Attny Overall Average Grade**			
	2005	**2007**	**2008**	**2009**	**2005**	**2007**	**2008**	**2009**	**2005**	**2007**	**2008**	**2009**
Overall Grade		3.39	3.58	3.44		3.58	3.41	3.21		3.19	3.74	3.67
Sample Size	-	-	-	-	0	22	2	26	0	27	89	73

Table 2

[1] The overall average grade for the attorney and non-attorney surveys are computed by summing the average grade for each A through F question and dividing by the number of questions. See the tables in each of the survey sections.

[2] District judges who were appointed between 2005 and 2009 will not have sample for the years prior to their appointment. In the tables for those years with no sample, the sample size will be shown as 0, and the overall average cells will be blank. This will also be true for a few judges who had no attorney sample even though they were on the bench that year.

Due to sending questionnaires to all jurors—not just a sample—and their much higher response rate than other non-attorneys surveyed, the percentage of jurors in the district judge sample of the non-attorney survey is 61%. Moreover, jurors tend to grade judges much higher than non-jurors. The average juror overall average grade for district judges was 3.86, while the overall average grade awarded by non-jurors was 3.28. The effect of this is that judges with a higher percentage of jurors in their sample tend to have higher average grades in the non-attorney survey than those judges with a small percentage of jurors. The number of jurors in a judge's sample is, of course, closely related to the number of jury trials the judge presides over.

The table below shows Judge Whitney's non-attorney results broken out by jurors and non-jurors. It also shows the overall average juror and non-juror grades for all district

Judge Whitney Average Grade by Juror/Non-juror		
	Jurors	**Non-Jurors**
Overall Grade	3.81	3.26
Percent of Sample	68%	32%
Sample Size	129	60
District Judge Average	3.86	3.28

Table 3

Judges. Table 3 allows one to compare Judge Whitney's juror and non-juror grades with the all district judge averages to better ascertain if the judge is seen as performing relatively well or relatively poorly among these two subgroups.

Survey of Attorneys Regarding Judge Brian Whitney

(Sample Size 50)

Survey of Attorneys Regarding Trial Judges

Judge Brian Whitney Sample Size = 50	A	B	C	D	Fail	DK/NA	Average: Brian Whitney	Average: All District Judges
1. Case Management:								
1a. Promptly issuing a decision on the case after trial.	36%	20%	4%	2%	0%	38%	3.45	3.42
1b. Maintaining appropriate control over proceedings.	62%	18%	12%	0%	2%	6%	3.47	3.43
1c. Promptly ruling on pre-trial motions.	36%	28%	8%	2%	0%	26%	3.32	3.25
1d. Setting reasonable schedules for cases.	54%	22%	12%	4%	0%	8%	3.37	3.25
Overall Case Management							3.40	3.34
2. Application and Knowledge of Law:								
2a. Being able to identify and analyze relevant facts.	38%	38%	2%	4%	4%	14%	3.19	3.30
2b. Basing decisions on evidence and arguments.	39%	22%	14%	6%	4%	14%	3.00	3.13
2c. Willing to reconsider error in fact or law.	20%	16%	4%	4%	2%	54%	3.04	3.09
2d. Issuing consistent sentences when the circumstances are similar.	27%	17%	2%	7%	0%	46%	3.18	3.16
Overall Application and Knowledge of Law							3.10	3.17
3. Communications:								
3a. Making sure all participants understand the proceedings.	68%	26%	6%	0%	0%	0%	3.62	3.55
3b. Providing written communications that are clear, thorough and well reasoned.	34%	24%	10%	7%	0%	24%	3.14	3.32
Overall Communications							3.38	3.44
4. Demeanor:								
4a. Giving proceedings a sense of dignity.	76%	18%	4%	0%	2%	0%	3.66	3.51
4b. Treating parties with respect.	78%	16%	2%	4%	0%	0%	3.68	3.42
4c. Conducting his/her courtroom in a neutral manner.	60%	18%	6%	4%	2%	10%	3.44	3.32
4d. Consistently applying laws and rules.	44%	26%	4%	0%	6%	20%	3.28	3.28
Overall Demeanor							3.52	3.38
5. Diligence:								
5a. Using good judgment in application of relevant law and rules.	36%	30%	8%	8%	4%	14%	3.00	3.20
5b. Doing the necessary homework and being prepared for his/her cases.	52%	26%	4%	4%	2%	12%	3.39	3.34
5c. Being willing to handle cases on the docket even when they are complicated and time consuming.	44%	14%	2%	4%	0%	36%	3.53	3.42
Overall Diligence							3.31	3.32
Overall Average Grade:							**3.34**	**3.32**

Survey of Attorneys Regarding Trial Judges

Judge Brian Whitney

Sample Size = 50

	Percentage	
	Brian Whitney	All District Judges

Would you say the judge is:

Very biased in favor of the prosecution	16%	11%
Somewhat biased in favor of the prosecution	32%	27%
Completely neutral	32%	47%
Somewhat biased in favor of the defense	12%	9%
Very biased in favor of the defense	4%	2%
Don't know or not sure	4%	4%

8. How strongly do you recommend that the Judge be retained in office, or not be retained in office?

[Percentages excluding undecided responses.]

Strongly recommend retain	68%	74%
Somewhat recommend retain	23%	15%
Somewhat recommend not retain	6%	5%
Strongly recommend not retain	2%	6%
Total Retain	91%	89%
Total Not Retain	8%	11%

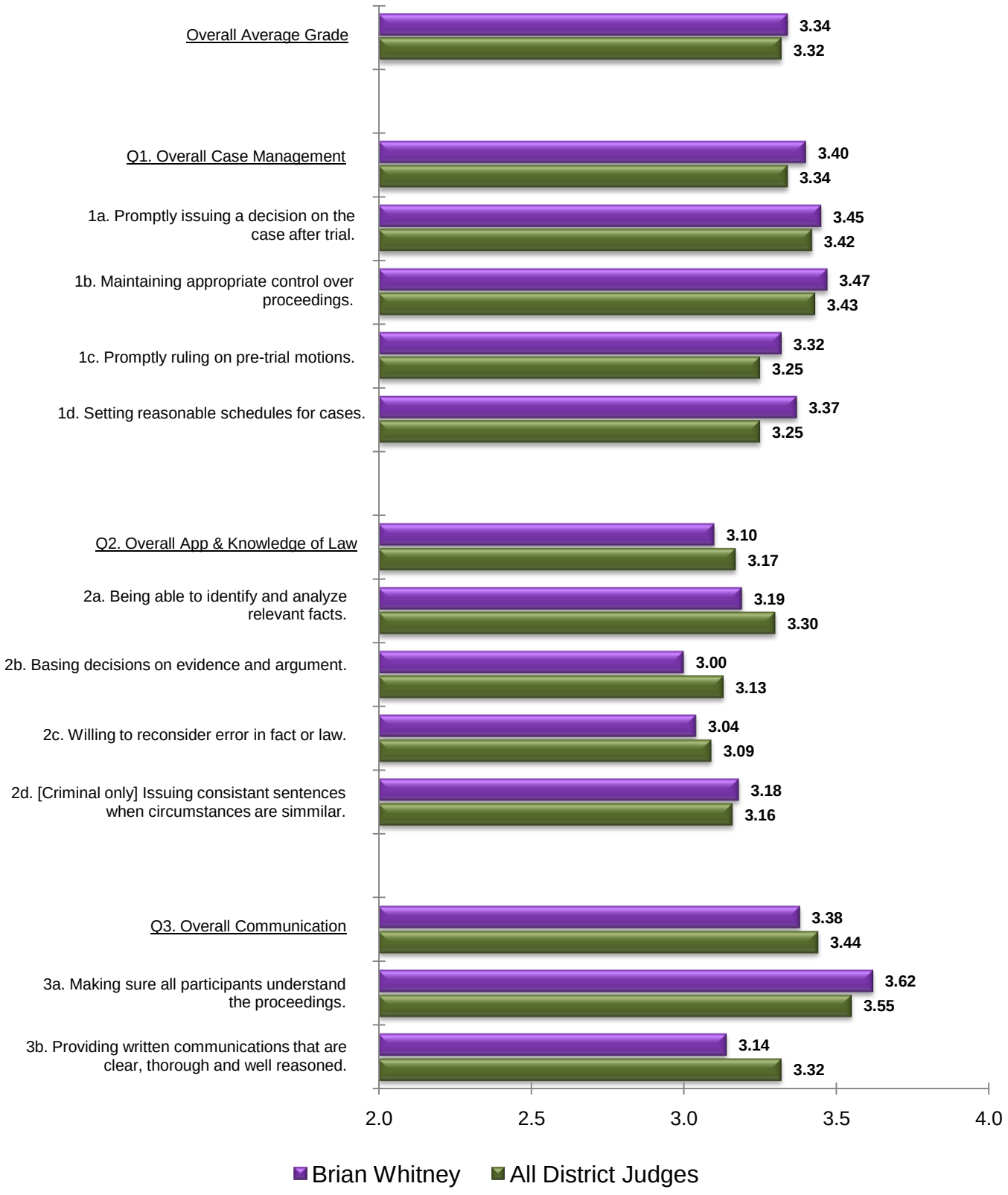
[Percentages including undecided responses.]

Strongly recommend retain	67%	70%
Somewhat recommend retain	23%	14%
Undecided or Don't Know	2%	4%
Somewhat recommend not retain	6%	5%
Strongly recommend not retain	2%	6%
Total Retain	90%	84%
Undecided/Don't Know	2%	4%
Total Not Retain	8%	11%

Judge Brian Whitney

Survey of Attorneys Regarding Trial Judges

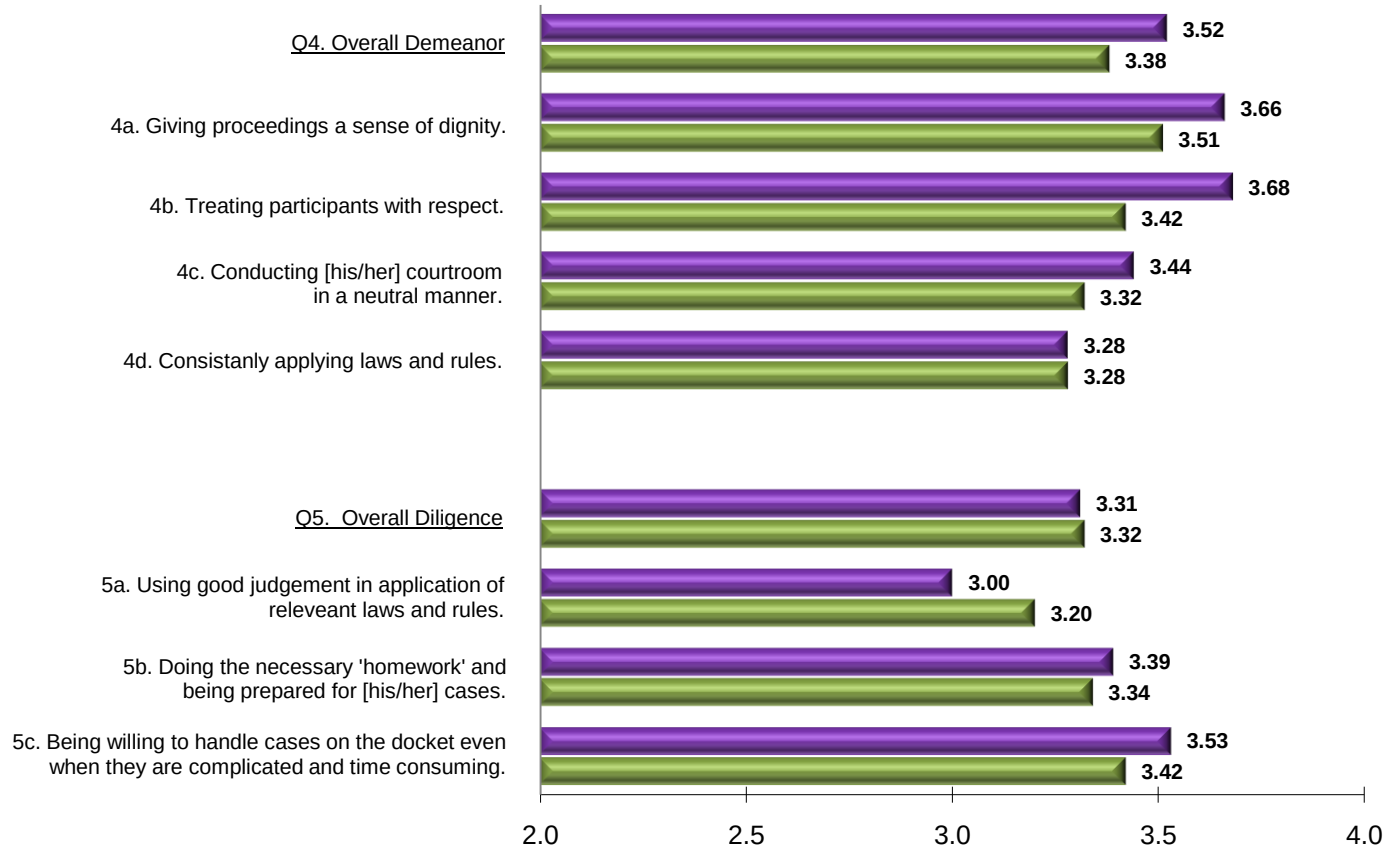
Average Grades



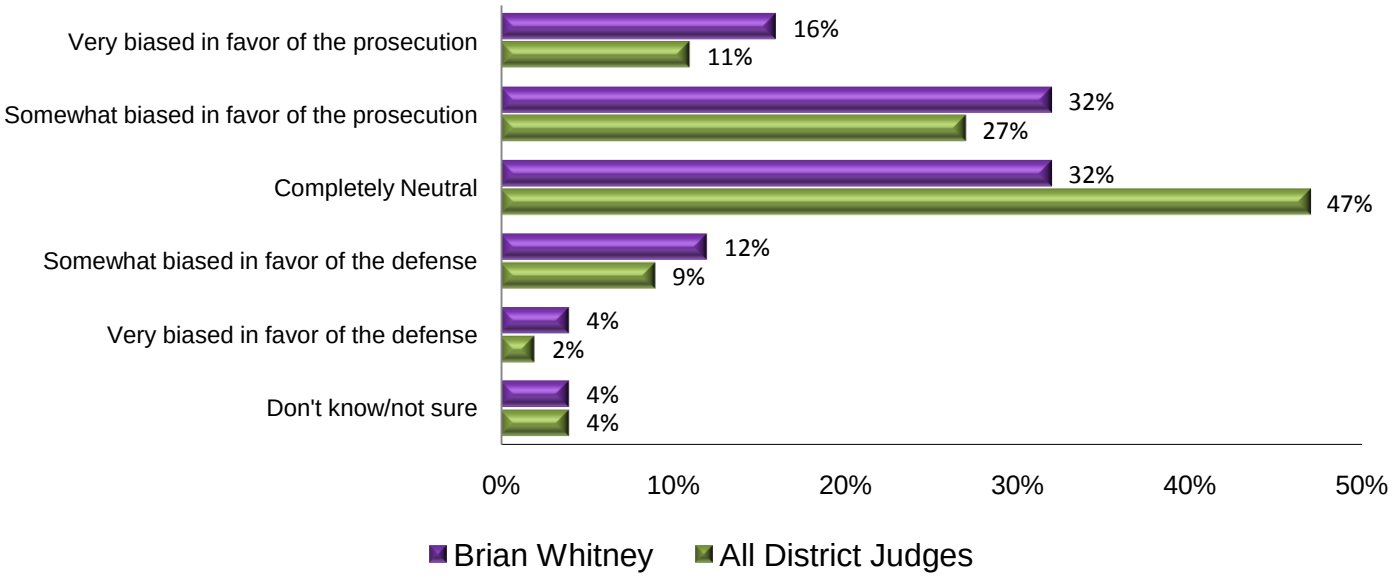
Judge Brian Whitney

Survey of Attorneys Regarding Trial Judges

Average Grades



Biased in favor of prosecution/defense.

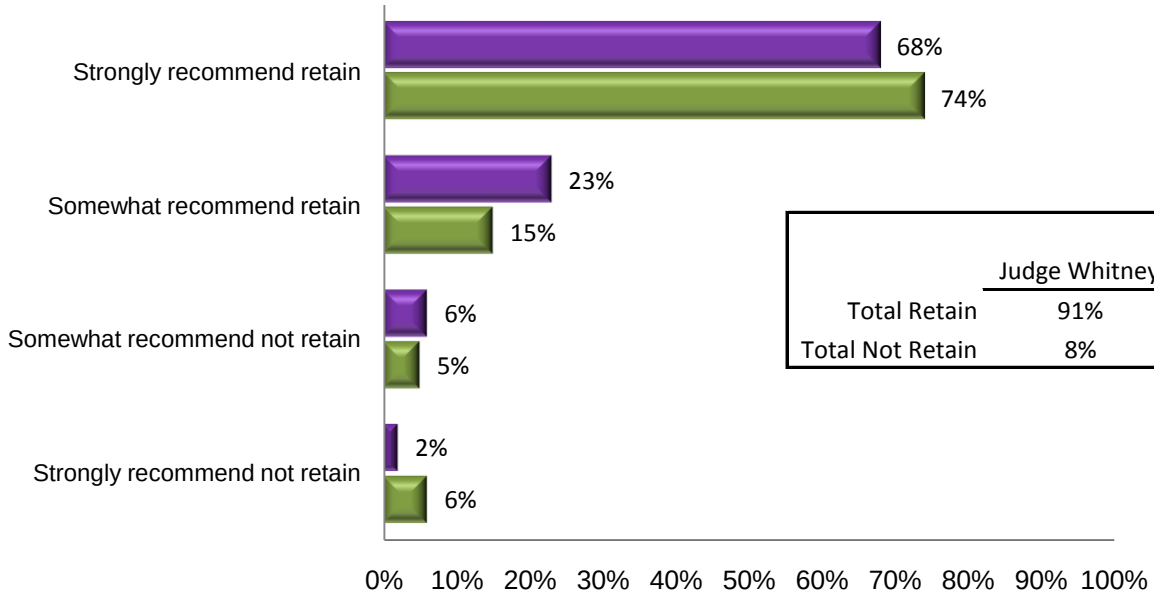


Judge Brian Whitney

Survey of Attorneys Regarding Trial Judges

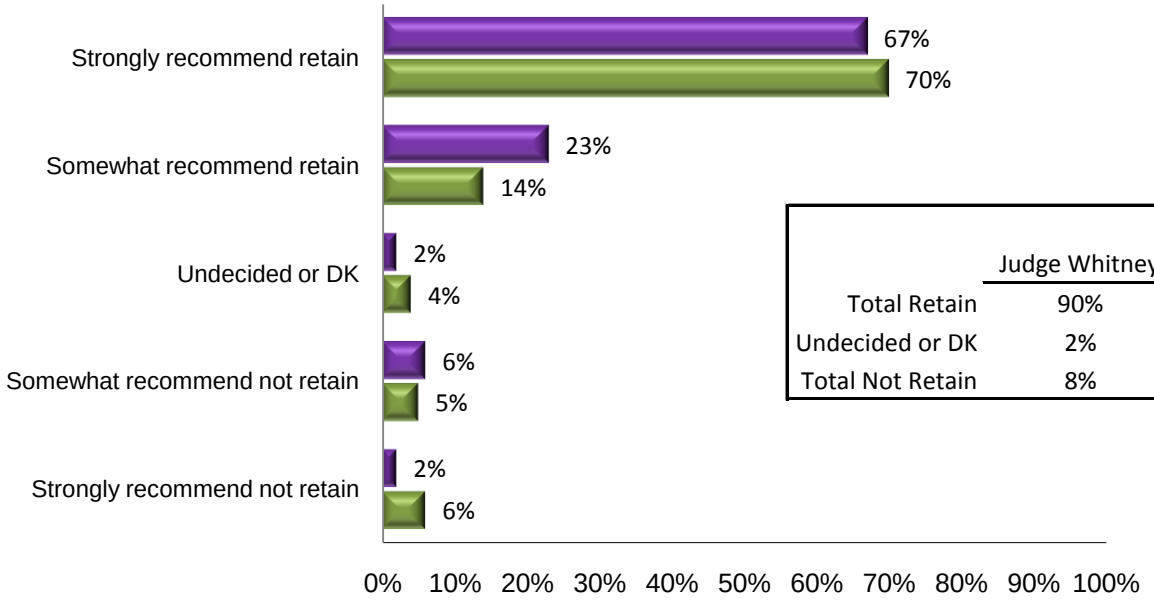
Q8. How strongly do you recommend that Judge Whitney be retained or not retained in office?

Excluding Undecided Respondents



	Judge Whitney	All Dist Judges
Total Retain	91%	89%
Total Not Retain	8%	11%

Including Undecided Respondents



	Judge Whitney	All Dist Judges
Total Retain	90%	84%
Undecided or DK	2%	4%
Total Not Retain	8%	11%

Brian Whitney All District Judges

Survey of Appellate Judges Regarding Judge Brian Whitney

(Sample Size 27)

Survey of Appellate Judges Regarding District Judges								
Judge Brian Whitney **Sample Size = 27** **Evaluations of Judge Whitney = 8**							Average	
	A	B	C	D	Fail	No Grade	Brian Whitney	All Retention District Judges
Judge Whitney in terms of overall performance as a judge.	19%	12%	0%	0%	0%	69%	3.63	3.53

The Appellate Judges Regarding District Judges questionnaire asks only one question about each of the district judges eligible to stand for retention in 2010. While 27 out of 29 appellate judges completed the questionnaire, as expected most appellate judges only graded some of the listed district judges, marking the rest as "No Grade." The number of evaluations shown below the sample size at the top of the page is the number of questionnaires returned with a letter grade for the judge. Please see the copy of the questionnaire in the Questionnaires section.

Survey of Non-Attorneys Regarding Judge Brian Whitney

(Sample Size 189)

Survey of Non-Attorneys Regarding Trial Judges

Judge Brian Whitney Sample Size = 189	A	B	C	D	Fail	DK/NA	Average: Brian Whitney	Average: All District Judges
1. Demeanor:								
1a. Giving court proceedings a sense of dignity.	75%	20%	2%	1%	2%	1%	3.68	3.68
1b. Treating participants in the case politely and with respect.	81%	15%	2%	1%	1%	1%	3.74	3.68
1c. Conducting court in a neutral manner.	79%	15%	1%	3%	1%	1%	3.70	3.63
1d. Having a sense of compassion and human understanding for those who appear before the court.	71%	17%	3%	3%	2%	4%	3.58	3.57
						Overall Demeanor	3.68	3.64
2. Fairness:								
2a. Giving participants an opportunity to be heard.	77%	16%	1%	1%	3%	2%	3.65	3.66
2b. Treating those involved in the case without bias.	76%	16%	2%	1%	2%	4%	3.68	3.61
2c. Treating fairly people who represent themselves.	49%	9%	2%	1%	3%	36%	3.57	3.62
2d. Giving each side enough time to present his or her case.	78%	12%	2%	2%	3%	4%	3.66	3.65
						Overall Fairness	3.64	3.64
3. Communications:								
3a. Making sure participants understand the proceedings, and what is going on in the courtroom.	77%	16%	4%	2%	2%	0%	3.65	3.70
3b. Using language that everyone can understand.	76%	19%	2%	1%	2%	1%	3.69	3.71
3c. Speaking clearly so everyone in the courtroom can hear what is being said.	79%	14%	3%	1%	3%	0%	3.66	3.73
						Overall Communications	3.67	3.71
4. Diligence:								
4a. Beginning court on time	63%	24%	7%	1%	2%	3%	3.51	3.50
4b. Maintaining appropriate control over proceedings.	84%	11%	2%	1%	2%	2%	3.77	3.73
4c. Setting reasonable schedules for cases.	68%	17%	2%	1%	2%	10%	3.66	3.61
4d. Being prepared for cases.	73%	14%	1%	2%	3%	7%	3.65	3.68
4e. Managing court proceedings so that there is little wasted time.	62%	24%	4%	3%	3%	4%	3.47	3.55
						Overall Diligence	3.61	3.61
5. Application of Law:								
5a. Giving reasons for rulings.	63%	17%	5%	3%	2%	10%	3.53	3.57
5b. Willing to make decisions without regard to possible outside pressure.	60%	12%	1%	2%	3%	22%	3.59	3.60
5c. Being able to identify and analyze relevant facts.	66%	13%	1%	2%	4%	14%	3.55	3.59
						Overall Application of Law	3.56	3.59
						Overall Average Grade:	**3.63**	**3.64**

Survey of Non-Attorneys Regarding Trial Judges

Judge Brian Whitney

Sample Size = 189

6. How biased do you think the Judge is toward the defense or prosecution?

[Please see the questionnaire at the end of report for question wording.]

[A positive average indicates bias toward prosecution, and a negative average indicates a bias toward the defense.]

	Percentage	
	Brian Whitney	All District Judges
Biased in favor of the prosecution total	6%	10%
Competely neutral	92%	84%
Biased in favor of the defense total	2%	7%
Average	0.04	0.08

7. How lenient or harsh do you think the sentences generally handed down by Judge are?

[Please see the questionnaire at the end of report for question wording.]

[A positive average indicates sentences are harsh, and a negative average indicates sentences are lenient.]

Harsh sentencing total	7%	10%
Competely neutral	87%	80%
Lenient sentencing total	7%	11%
Average	-0.05	0.07

10. How strongly do you recommend that the Judge be retained or not retained in office?

[Percentages excluding undecided responses.]

Strongly recommend retain	89%	87%
Somewhat recommend retain	8%	6%
Somewhat recommend not retain	1%	2%
Strongly recommend not retain	2%	4%
Total Retain	97%	93%
Total Not Retain	3%	6%

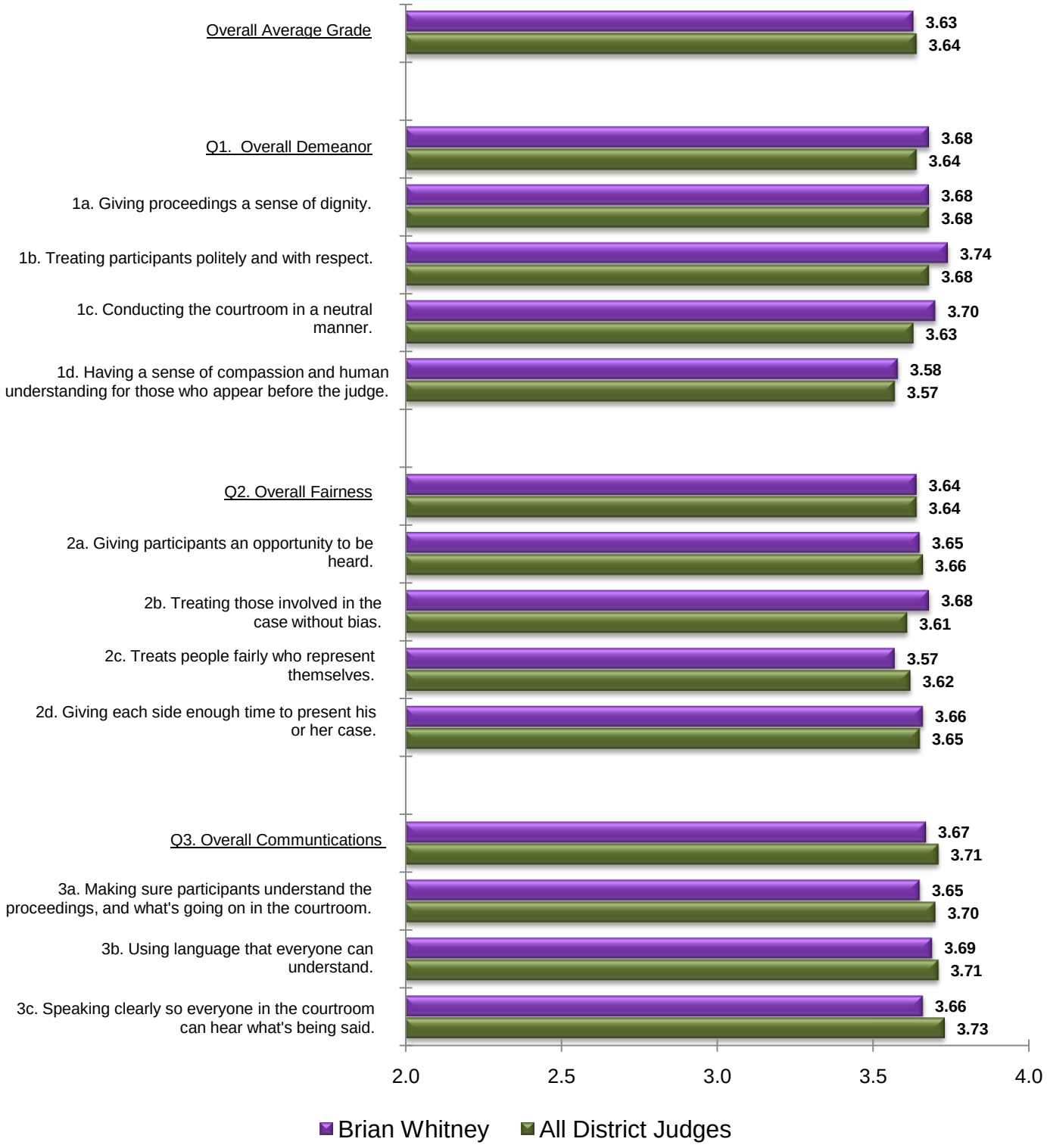
[Percentages including undecided responses.]

Strongly recommend retain	82%	82%
Somewhat recommend retain	7%	6%
Undecided or Don't Know	8%	6%
Somewhat recommend not retain	1%	2%
Strongly recommend not retain	2%	4%
Total Retain	89%	88%
Undecided/Don't Know	8%	6%
Total Not Retain	3%	6%

Judge Brian Whitney

Survey of Non-Attorneys Regarding Trial Judges

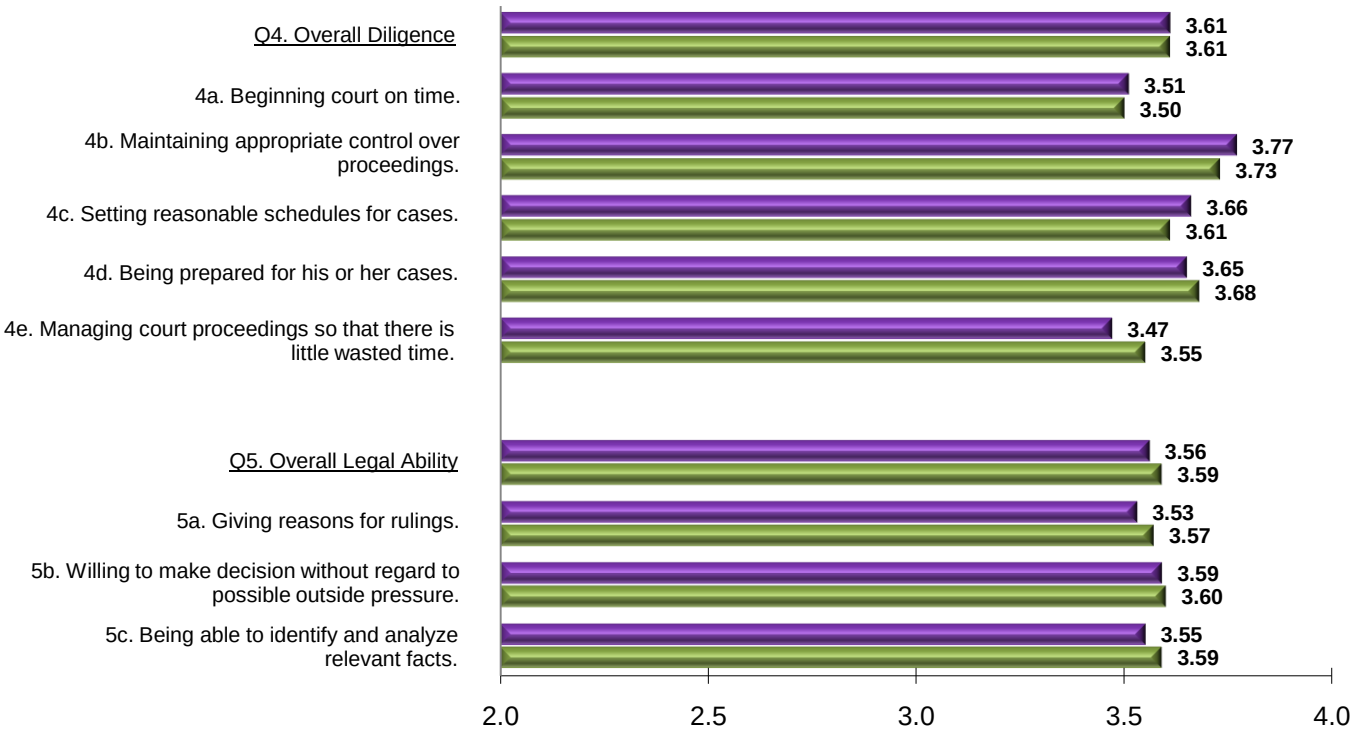
Average Grades



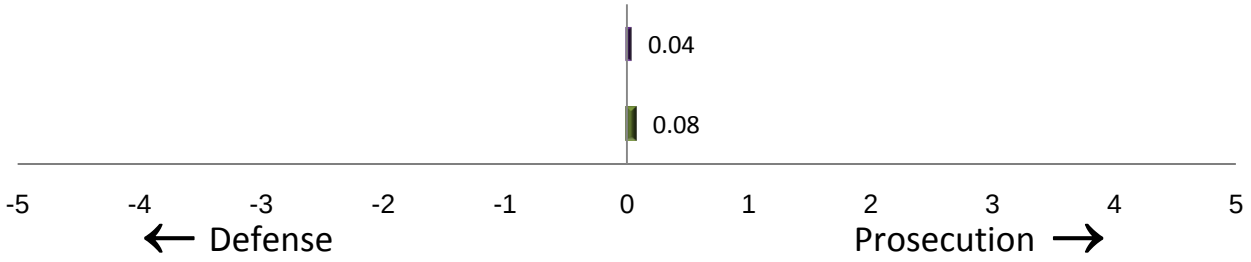
Judge Brian Whitney

Survey of Non-Attorneys Regarding Trial Judges

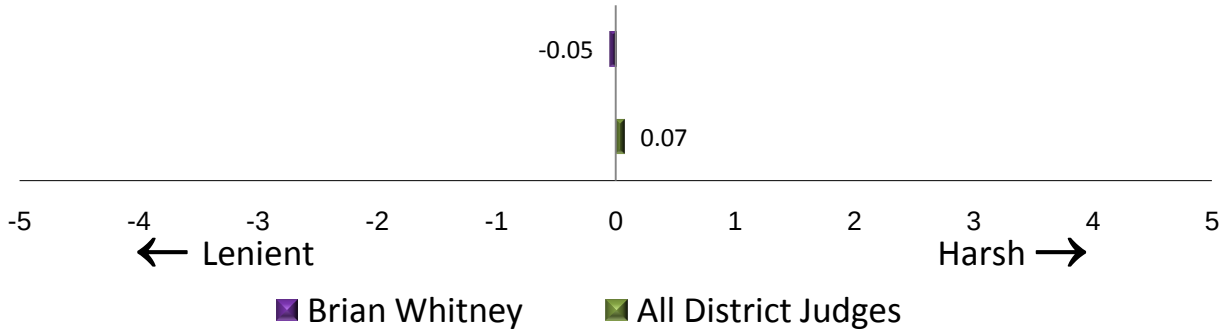
Average Grades



Q6 Biased in favor of prosecution/defense.



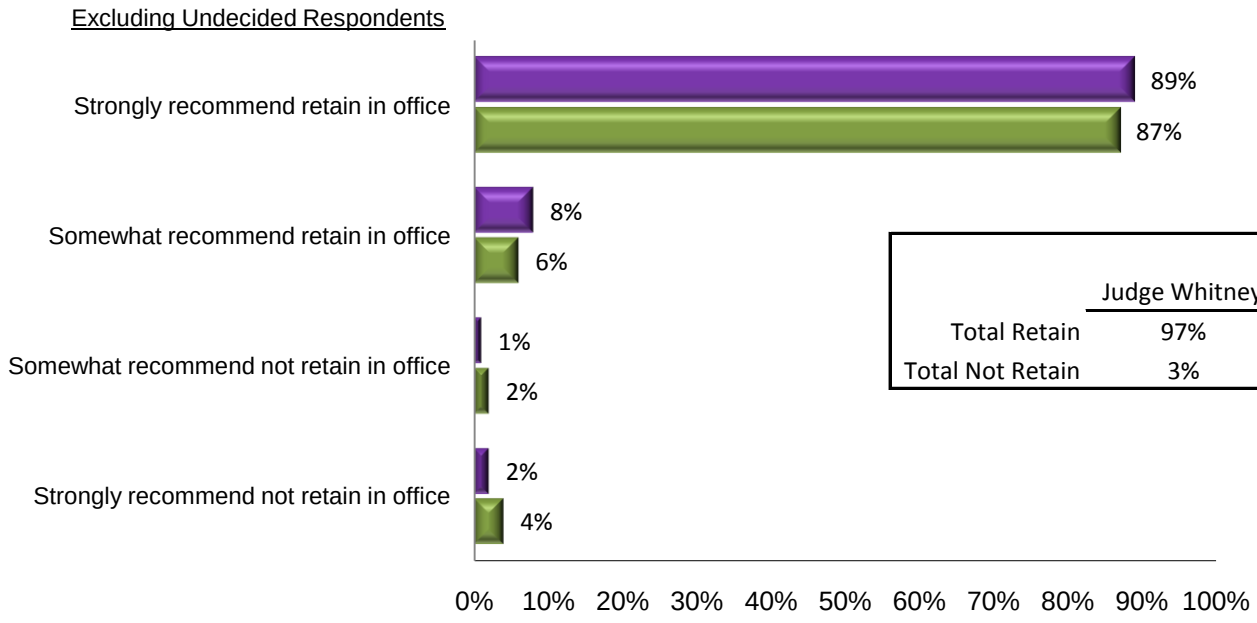
Q7 Lenience or Harshness in Sentencing.



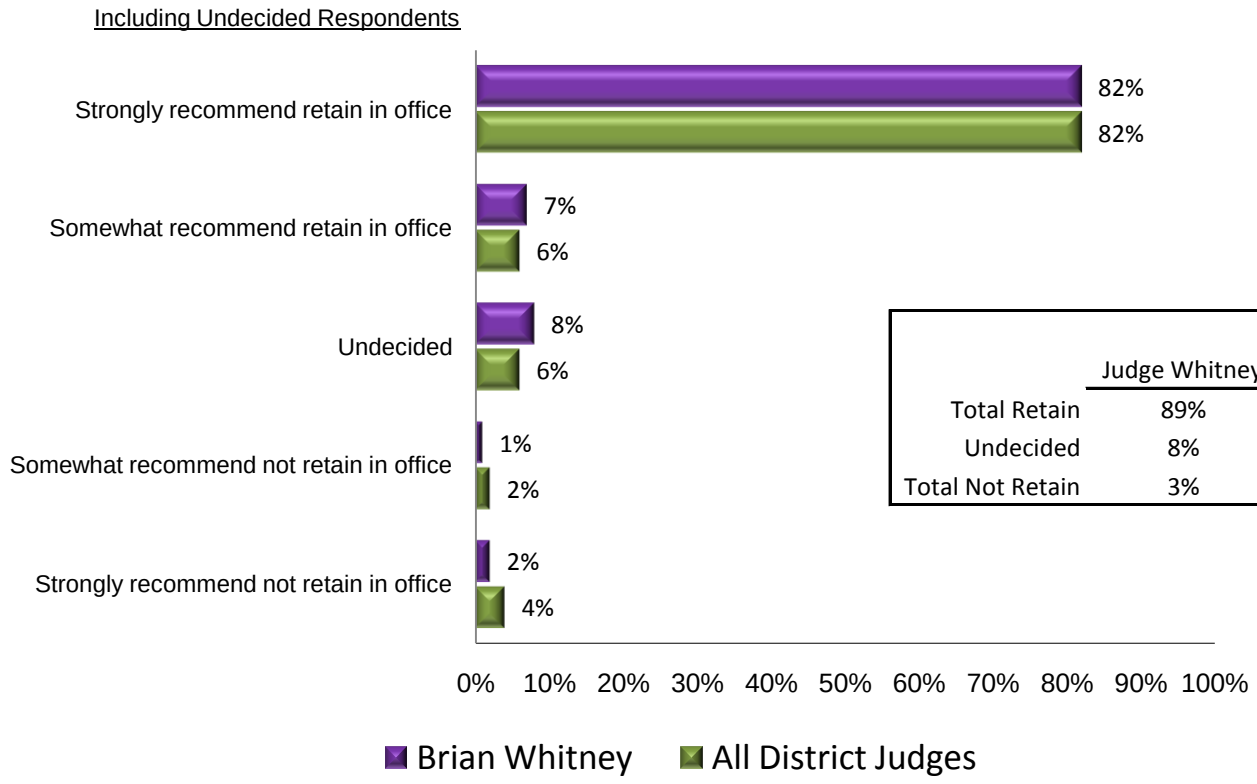
Judge Brian Whitney

Survey of Non-Attorneys Regarding Trial Judges

Q10. How strongly do you recommend that Judge Whitney be retained or not retained in office?



	Judge Whitney	All Dist Judges
Total Retain	97%	93%
Total Not Retain	3%	6%



	Judge Whitney	All Dist Judges
Total Retain	89%	88%
Undecided	8%	6%
Total Not Retain	3%	6%

Methodology

Methodology

The results shown in the 2010 Judicial Performance Survey Report are based on three surveys: The Survey of Attorneys Regarding Trial Judges, the Survey of Appellate Judges Regarding District Judges, and the Survey of Non-Attorneys Regarding Trial Judges. Below is a description of the methodology of the three surveys.

I Attorneys Regarding Trial Judges

a. Sample:

Talmey-Drake Research & Strategy received case data with the names of people who had likely been in each judge's courtroom from five primary sources:

- Colorado Judicial Department,
- Colorado District Attorneys' Council
- Denver County Courts
- District Attorney's Office, Second Judicial District (Denver)
- District Attorney's Office, Ninth Judicial District

Additional information was provided by the State Public Defender's Office and the District Attorney's Office, 15th Judicial District.

The data from these different data sources are combined, duplicates removed and addresses corrected.

i. **Prior to 2009**, the survey of Attorneys Regarding Trial Judges was conducted using paper questionnaires mailed to the attorneys' offices. A sample of attorneys drawn from the case data were assigned to evaluate judges subject to the following rules applied in the order shown.

1. No attorney would be asked to evaluate the same judge in a 24 month period.
2. If an attorney was eligible to evaluate both a trial judge and an appellate judge, the attorney was assigned to evaluate the appellate judge.
3. If there were several judges the attorney could potentially evaluate, the attorney was assigned the judge with whom he or she had had the most cases during the sampling time frame, or the judge with the smallest sample in order to even out sample sizes among judges.

Attorneys were mailed a questionnaire, and if they did not respond they were sent a reminder postcard followed by a second questionnaire and in some cases a second reminder postcard. Questionnaires were barcoded, and if an attorney mailed back two questionnaires, the second one was deleted from the data file. Attorneys who did not complete the survey after the second request were then telephoned and asked to complete the survey by phone.

ii. **In 2009** the Attorneys Regarding Trial Judges Survey moved from being a paper survey mailed to potential respondents to an online survey. Moving the survey to online permitted asking individual attorneys to evaluate up to five trial judges, and with the exception of the effects of the modified assignment rules 1 through 3 below, it became a survey of all attorneys who had cases before trial judges. Allowing an attorney to evaluate up to five judges, entailed slightly modifying the assignment rules:

1. No attorney would be asked to evaluate the same justice or judge in a 24-month period.
2. If an attorney was eligible to evaluate both a trial judge and an appellate judge, the attorney was assigned to evaluate the appellate judge.
3. If there were more than five judges who could be assigned to the attorney, the attorney was assigned the judges with whom he or she had had the most cases during the sampling time frame, or the judges with the smallest samples in order to even out sample sizes among judges.

Attorneys were first mailed a letter about the online survey to let them know that they would soon receive an email with a link to the survey. The Web address of the survey and a password were included in the letter if the attorney wanted to complete the survey immediately. A week after the first email was sent, a follow-up email was sent. Potential respondents who did not complete the survey after the second email were then telephoned and asked to either complete the survey then by phone, or to please complete it online.

iii. **In 2010** rule #2 above was changed so that an attorney could be asked to evaluate a combination of up to seven trial judges or Court of Appeals judges, if the attorney had had a case before the COA. Attorneys who had cases before the both the Supreme Court and trial judges during the sample time frame were asked to evaluate all seven Supreme Court justices, and not asked to evaluate the trial judges.

The results shown in the 2010 Judicial Performance Survey Report for the Attorneys Regarding Trial Judges survey are based on the combined data collected from January 2005 through early February 2010 [1] for those questions that have been consistently asked during that time period.

Starting in 2010, the Judicial Performance Survey reports are based on a moving average, or rolling sample, of data collected over a period of time equal to the justice's or judge's term of office: ten years for a Supreme Court justice, eight years for a COA judge, six years for a district judge and four years for a county judge. To use a district judge as an example: as survey data is collected it is pooled together for six years. After six years, as new data is added to the judge's survey results in the first quarter of the seventh year, the oldest quarter of data in the pool is deleted.

The current data for all judges only goes back as far as 2005—or the year the judge took the bench—therefore the rolling of the data only affects the county judge sample in the 2010 reports.

[1] The State Commission on Judicial Performance authorized continuous surveying in 2007. Prior to 2007 data was only collected in the odd numbered years before the retention reports were issued. Therefore, while data was gathered in 2005, 2007, 2008 and 2009, and used in this report, there was no data collected in 2006.

b. Questions:

The survey questions asked respondents to use a grade of A, B, C, D, or F to assess the justice or judge's performance on twelve aspects of judicial performance. (See Questionnaire section.) These grades were then converted to a numerical scores where A = 4, B = 3, C = 2, D = 1 and Fail = 0. The A through F scale was chosen because it is almost universally recognized and understood. This makes it easy for respondents to complete their questionnaire, and for the public to interpret the results.

Respondents were also asked if they considered the judge biased toward the defense or prosecution in criminal cases. In a final question, respondents were asked to indicate how strongly they would recommend that the justice or judge be retained or not retained in office.

c. Comments:

In addition to the A through F questions, respondents were also asked what they considered to be the judge's strengths and what they considered to be the judge's weaknesses. By statute these comments are confidential and only provided to the judge and the District Commission on Judicial Performance. They are not released to the public when the rest of the report is released. Before being given to the judge and the Commission, an attempt is made to redact all respondent identifying information from the comments.

Since 2005 there have been changes to the number of comment questions, though the strengths and weaknesses questions have been asked in every survey.

The number to the left of each comment refers to the same attorney respondent in both the strengths section and the weaknesses section.

Most spelling and typographical errors have been fixed, but where the respondent entered a comment in all upper or all lower case, or without punctuation, the comment was not corrected.

d. Analysis:

The Attorneys Regarding Trial Judges section first shows a table of the percentage distribution for each of the A through F questions, including "don't know" responses. The next column to the right shows the judge's average grade for each question. For comparison purposes, averages were also computed for all district judges—including judges who are not eligible to stand for retention in 2010—and are shown in the furthest right column on the page. Tables showing the percentage distribution for all questions for all district judges are located at the end of this methodology section.

The overall question averages are calculated by adding up the averages for each question and dividing by the number of questions.

The next table shows the percentage distribution of the responses to the question about recommending retention. The first column of percentages is for the report-judge and the second column displays the percentages for all district judges. The percentages are shown both including and excluding "don't know/undecided" responses.

The next page displays the question averages in horizontal bar-graph form. The percentage distribution to the retention question is then presented in the graph on the next page.

The third part of the Attorneys Regarding Trial Judges section of the report lists the comments the attorney made about the judge's strengths and weaknesses.

e. Cooperation Rate:

The overall response rate for the Attorneys Regarding Trial Judges Survey is calculated as the number of completed survey-evaluations divided by the number of possible evaluations. An equivalent response rate for an individual judge is computed as the number of completed survey-evaluations for that judge divided by the number of possible evaluations that could have been completed for the judge.

From 2005 to 2010 a total of 7,796 attorneys were asked to participate in the Attorneys Regarding Trial Judges Survey and on average to evaluate 4.3 judges each—a total of 33,257 potential attorney evaluations. A total of 4,986 attorneys responded (64.0%) with one or more survey evaluations, and the average number of judges evaluated per attorney was 2.5 .

II Appellate Judges Regarding District Judges

a. Sample:

All 29 appellate judges (Supreme Court and Court of Appeals) were sent a questionnaire asking them to evaluate the district judges eligible to stand for retention in November 2010.

b. Questions:

The questionnaire consisted of one question about each district judge concerning his or her overall performance as a judge. (See Questionnaire section.) The A through F responses were converted to a numerical scores where A = 4, B = 3, C = 2, D = 1 and Fail = 0.

c. Comments:

In addition to the A through F questions, the appellate judge respondents were asked to write a comment about each district judge. By statute these comments are confidential and only provided to the district judge and the District Commission on Judicial Performance. They are not released to the public when the rest of the report is released. Before being given to the district judge and the Commission, an attempt is made to redact all respondent identifying information from the comments. An effort has been made to correct spelling and typographical errors.

d. Analysis:

The District Judges Regarding Appellate Judges section shows a table of the percentage distribution for the one question, including "don't know" responses. The next column to the right shows the judge's average grade for each question. For comparison purposes, averages were also computed for all district judges eligible to stand for retention in 2010 and are shown in the furthest right column on the page.

The second part of the Attorneys Regarding Appellate Judges lists the comments district and appellate justices and judges wrote about the report-justice.

e. Cooperation Rate:

A questionnaire was sent to 29 Supreme Court justices and Court of Appeals judges. Twenty-seven questionnaires were returned, though not all 27 showed grades for every district judge.

III Non-Attorneys Regarding Trial Judges

a. Sample:

Talmey-Drake Research & Strategy received case data with the names of non-attorneys who had likely been in each judge's courtroom from five primary sources:

- Colorado Judicial Department,
- Colorado District Attorneys' Council
- Denver County Courts
- District Attorney's Office, Second Judicial District (Denver)
- District Attorney's Office, Ninth Judicial District

The data from these different data sources are combined, duplicates removed and addresses corrected.

In addition to non-attorneys who had likely been in the judge's courtroom, names of court employees, including probation officers, were added to the non-attorney sample.

Depending on the number of names available to be sampled for each judge, a random sample was drawn if the quantity of potential respondents was large. On the other hand, if the count of possible respondents was small, all potential respondents were included in the sample. Where a person had been in more than one judge's courtroom, the selection criteria for which judge he or she would be sent a questionnaire was generally for the judge in whose courtroom the potential respondent had been in most often.

Each person whose name was sampled for the Non-Attorney Survey was mailed an initial postcard informing the recipient that he or she would be receiving a questionnaire. Two to three weeks after the post card was mailed, the potential respondent was sent a personalized introductory letter and a questionnaire with a postage-paid return envelope. If the person did not respond, a second questionnaire and letter were sent approximately four weeks later. Questionnaires are barcoded, and if a respondent mailed back two questionnaires, the second one was deleted from the data file.

Starting in 2010, non-attorney section of the Judicial Performance Survey reports are based on a moving average, or rolling sample, of data collected over a period of time equal to the judge's term of office: six years for a district judge and four years for a county judge. To use a district judge as an example: as survey data is collected it is pooled together for six years. After six years, as new data is added to the judge's survey results in the first quarter of the seventh year, the oldest quarter of data in the pool is deleted.

The current data for all judges only goes back as far as 2005—or the year the judge took the bench—therefore the rolling of the data only affects the county judge sample in the 2010 reports. [2]

b. <u>Questions:</u>

The survey questions asked respondents to use a grade of A, B, C, D, or F to assess the justice or judge's performance on twelve aspects of judicial performance (See Questionnaire section.) These grades were then converted to a numerical scores where A = 4, B = 3, C = 2, D = 1 and Fail = 0. The A through F scale was chosen because it is almost universally recognized and understood. This makes it easy for respondents to complete their questionnaire, and for the public to interpret the results.

Respondents were also asked if they considered the judge biased toward the defense or prosecution in criminal cases. In a final question, respondents were asked to indicate how strongly they would recommend that the justice or judge be retained or not retained in office.

A copy of the questionnaire is included in the last section of this report.

[2] The State Commission on Judicial Performance authorized continuous surveying in 2007. Prior to 2007 data was only collected in the odd numbered years before the retention reports were issued. Therefore, while data was gathered in 2005, 2007, 2008 and 2009, and used in this report, there was no data collected in 2006.

c. Analysis:

The Non-Attorneys Regarding Trial Judges section first shows a table of the percentage distribution for each of the A through F questions, including "don't know" responses. The next column to the right shows the judge's average grade for each question. For comparison purposes, averages were also computed for all district judges—including judges who are not eligible to stand for retention in 2010—and are shown in the furthest right column on the page. Tables showing the percentage distribution for all questions for all district judges are located at the end of this methodology section.

The overall question averages are calculated by adding up the averages for each question and dividing by the number of questions.

The next table shows the percentage distribution of the responses to the questions about prosecution or defense bias and recommending retention. The first column of percentages is for the report-judge and the second column displays the percentages for all district judges. The percentages for the retention question are shown including and excluding "don't know/undecided" responses.

The next page displays the question averages in horizontal bar-graph form. The percentage distribution of the prosecution-defense bias and retention questions are then presented in the graph on the next page.

The third part of the Non-Attorneys Regarding Trial Judges section of the report lists the comments the attorney made about the judge's strengths and weaknesses.

d. Comments:

In addition to the A through F questions, non-attorney respondents were asked what they considered to be the judge's strengths and what they considered to be the judge's weaknesses. By statute these comments are confidential and only provided to the judge and the District Commission on Judicial Performance. They are not released to the public when the rest of the report is released. Before being given to the judge and the Commission, an attempt is made to redact all respondent identifying information from the comments.

Since 2005 there have been changes to the number of comment questions, though the strengths and weaknesses questions have been asked in every survey.

The number to the left of each comment refers to the same attorney respondent in both the strengths section and the weaknesses section.

e. Cooperation Rate:

The estimated cooperation rate for the Non-attorney Survey is calculated as the number of completed questionnaires divided by the number of eligible respondents who actually received a questionnaire. The following table shows the total number of questionnaires mailed, completed, non-responses and refusals, undeliverables and other responses. The table presents the estimated overall cooperation rate as well as the cooperation rate by the different types of respondents. The true cooperation rates are likely higher than shown because of the percentage of people who were mailed questionnaires about judges who they had not observed. This is due, in part, to many cases being disposed of without the parties having appeared in court, as well as in the case of law enforcement, the data includes all those who were subpoenaed for a case, not just those who appeared.

A table of the response counts by respondent type for Judge Whitney is shown below, and on the next page is a table of the overall cooperation rates for both the attorney and non-attorney regarding trial judges surveys for all district judges.

Judge Brian Whitney

Judge Response Counts by Type of Respondent

Role Type	*Total Sent*	*No Response*	*Undeliverable/ Not Applicable*	*Other Non-Responses*	*Completes*	*Coop Rate*
Attorneys						
Criminal						
District Attorneys	28	21	0	0	7	25.0%
Defense Attorneys	69	45	4	0	20	30.8%
Other Attorneys Criminal	3	1	1	0	1	50.0%
Civil						
Attorneys for Litigants	37	7	8	0	22	75.9%
Total Attorneys	137	74	13	0	50	40.3%
Non-attorneys						
Criminal						
Victim	2	0	1	0	1	100.0%
Witness	8	4	2	0	2	33.3%
Law Enforcement	21	14	3	1	3	16.7%
Defendant	288	132	137	2	17	11.3%
Civil						
Litigant	166	103	26	1	36	25.7%
Other	1	0	1	0	0	0.0%
Jurors	304	145	21	9	129	45.6%
Employees	3	1	1	0	1	50.0%
Total Non-attorneys	793	399	192	13	189	31.4%
Grand Total:	**930**	**473**	**205**	**13**	**239**	**33.0%**

Total Response Counts by Type of Respondent for All District Judges						
	Total Sent	No Response	Undeliverable/ Not Applicable	Other Non-responses	Completes	Cooperation Rate
Attorney Evaluations						
Criminal						
District Attorneys	1053	667	26	1	359	35.0%
Defense Attorneys	1623	920	42	0	661	41.8%
Other Attorneys Crmnl	23	14	1	0	8	36.4%
Civil						
Attorneys for Litigants	2540	1157	133	4	1246	51.9%
Guardian ad litem	14	5	0	0	9	64.3%
Other Attorneys Civil	776	499	21	2	254	33.7%
Attorneys, Unknown Role	30	7	5	0	18	72.0%
Total Attorneys	6059	3269	228	7	2555	43.8%
Non-attorneys						
Criminal						
Law Enforcement	3572	1855	929	100	688	27.1%
Defendant	11205	5065	5122	70	948	15.8%
Victim	31	18	7	1	5	21.7%
Witness	3941	2016	1271	186	468	18.8%
Other	1045	590	309	11	135	18.6%
Civil						
Litigant	8005	4441	1954	117	1493	25.2%
Witness	266	133	61	6	66	33.2%
Other	195	84	51	6	54	39.1%
Non-attnys, Unknown Role	700	328	282	1	89	21.3%
Total Non-attorneys	28960	14530	9986	498	3946	20.8%
Others						
Appellate Judges	29	2	0	0	27	93.1%
Jurors	11195	4330	560	132	6173	58.8%
Employees	283	113	35	22	113	50.0%
Total Other	11507	4445	595	154	6313	57.9%
Total	46526	22244	10809	659	12814	35.9%

Projectability

Most surveys seen by the public are surveys that are intended to be projectable, that is the results from the sample of people surveyed can be used to estimate a percentage or value of the population sampled with a known probability of error. For example, a pre-election poll of 500 likely Colorado voters is used to estimate the percentage of voters who will vote for Candidate A versus Candidate B on election day, plus or minus some number of percentage points. The plus or minus amount is usually what is known as the 95%-confidence interval (the known probability of error), or what the media often refers to as the margin-of-error.

None of the three surveys that make up this report, Attorneys Regarding Trial Judges, Appellate Judges Regarding District Judges and the Non-Attorneys Regarding Trial Judges, are projectable with a known probability of error because the results are calculated from a self-selecting sample that is self-selecting based on the content and subject matter of the survey. In other words, the potential respondent knows the purpose and content of the survey, and based on that, decides whether to respond to the survey.

While projectability within a known probability of error is a highly desirable attribute of a survey, it is often not feasible to achieve. Commercial market research often uses nonprojectable (and small) samples-the most well known of which are for focus groups. Moreover, the federal courts have long accepted, and do not expect, projectable samples for market confusion surveys used in trademark litigation. In other words, one can still use the results of the Judicial Performance Evaluation Survey to estimate how everyone who has observed a justice or judge in the courtroom would grade him or her, just not with a known probability of error.

The Judicial Performance Evaluation Survey is a valuable means, perhaps the only practical means, for the Judicial Performance Commissions to have a summary of structured interviews with a number of people who have courtroom familiarity with the judge being evaluated, and who most often - albeit not always - are responding out of a desire to improve the performance of our state's judicial system.

Survey of Attorneys Regarding Trial Judges

All District Judges Sample Size = 2555	A	B	C	D	Fail	DK/NA	Average Grade
1. Case Management:							
1a. Promptly issuing a decision on the case after trial.	49%	20%	7%	2%	1%	21%	3.42
1b. Maintaining appropriate control over proceedings.	61%	24%	8%	3%	2%	2%	3.43
1c. Promptly ruling on pre-trial motions.	45%	25%	10%	4%	2%	14%	3.25
1d. Setting reasonable schedules for cases.	50%	27%	11%	4%	2%	5%	3.25
						Overall Case Management	3.34
2. Application and Knowledge of Law:							
2a. Being able to identify and analyze relevant facts.	54%	26%	10%	4%	2%	3%	3.30
2b. Basing decisions on evidence and arguments.	43%	24%	11%	6%	3%	13%	3.13
2c. Willing to reconsider error in fact or law.	39%	21%	10%	5%	4%	20%	3.09
2d. Issuing consistent sentences when the circumstances are similar.	31%	20%	8%	3%	2%	36%	3.16
						Overall Application and Knowledge of Law	3.17
3. Communications:							
3a. Making sure all participants understand the proceedings.	65%	23%	6%	2%	1%	2%	3.55
3b. Providing written communications that are clear, thorough and well reasoned.	49%	24%	9%	4%	2%	13%	3.32
						Overall Communications	3.44
4. Demeanor:							
4a. Giving proceedings a sense of dignity.	67%	21%	6%	2%	2%	1%	3.51
4b. Treating parties with respect.	66%	19%	7%	4%	3%	1%	3.42
4c. Conducting his/her courtroom in a neutral manner.	60%	21%	9%	5%	4%	2%	3.32
4d. Consistently applying laws and rules.	54%	24%	10%	4%	3%	5%	3.28
						Overall Demeanor	3.38
5. Diligence:							
5a. Using good judgment in application of relevant law and rules.	51%	27%	11%	5%	3%	3%	3.20
5b. Doing the necessary homework and being prepared for his/her cases.	55%	25%	9%	4%	2%	5%	3.34
5c. Being willing to handle cases on the docket even when they are complicated and time consuming.	54%	19%	7%	3%	2%	15%	3.42
						Overall Diligence	3.32
						Overall Average Grade:	**3.32**

Survey of Attorneys Regarding Trial Judges

All District Judges Sample Size = 2555	Average Grade

Would you say the judge is:

Very biased in favor of the prosecution	11%
Somewhat biased in favor of the prosecution	27%
Completely neutral	47%
Somewhat biased in favor of the defense	9%
Very biased in favor of the defense	2%
Don't know or not sure	4%

8. How strongly do you recommend that the Judge be retained in office, or not be retained in office?

[Percentages excluding undecided responses.]

Strongly recommend retain	74%
Somewhat recommend retain	15%
Somewhat recommend not retain	5%
Strongly recommend not retain	6%
Total Retain	89%
Total Not Retain	11%

[Percentages including undecided responses.]

Strongly recommend retain	70%
Somewhat recommend retain	14%
Undecided or Don't Know	4%
Somewhat recommend not retain	5%
Strongly recommend not retain	6%
Total Retain	84%
Undecided/Don't Know	4%
Total Not Retain	11%

Survey of Non-Attorneys Regarding Trial Judges

All District Judges Sample Size = 10232	A	B	C	D	Fail	DK/NA	Average Grade
1. Demeanor:							
1a. Giving court proceedings a sense of dignity.	78%	15%	4%	1%	1%	1%	3.68
1b. Treating participants in the case politely and with respect.	80%	12%	3%	2%	2%	1%	3.68
1c. Conducting court in a neutral manner.	78%	13%	4%	2%	3%	1%	3.63
1d. Having a sense of compassion and human understanding for those who appear before the court.	73%	15%	4%	2%	3%	2%	3.57
					Overall Demeanor		3.64
2. Fairness:							
2a. Giving participants an opportunity to be heard.	78%	13%	3%	2%	2%	1%	3.66
2b. Treating those involved in the case without bias.	77%	13%	3%	2%	3%	2%	3.61
2c. Treating fairly people who represent themselves.	49%	8%	2%	1%	2%	38%	3.62
2d. Giving each side enough time to present his or her case.	76%	13%	3%	2%	2%	4%	3.65
					Overall Fairness		3.64
3. Communications:							
3a. Making sure participants understand the proceedings, and what is going on in the courtroom.	80%	13%	4%	1%	1%	1%	3.70
3b. Using language that everyone can understand.	79%	15%	3%	1%	1%	1%	3.71
3c. Speaking clearly so everyone in the courtroom can hear what is being said.	81%	13%	3%	1%	1%	1%	3.73
					Overall Communications		3.71
4. Diligence:							
4a. Beginning court on time	65%	22%	7%	2%	2%	2%	3.50
4b. Maintaining appropriate control over proceedings.	80%	13%	3%	1%	1%	1%	3.73
4c. Setting reasonable schedules for cases.	67%	16%	4%	1%	2%	10%	3.61
4d. Being prepared for cases.	75%	13%	3%	1%	2%	6%	3.68
4e. Managing court proceedings so that there is little wasted time.	69%	20%	6%	2%	2%	2%	3.55
					Overall Diligence		3.61
5. Application of Law:							
5a. Giving reasons for rulings.	69%	15%	4%	2%	3%	7%	3.57
5b. Willing to make decisions without regard to possible outside pressure.	64%	11%	3%	2%	3%	18%	3.60
5c. Being able to identify and analyze relevant facts.	71%	13%	3%	2%	3%	8%	3.59
					Overall Application of Law		3.59
					Overall Average Grade:		**3.64**

Survey of Non-Attorneys Regarding Trial Judges

All District Judges

Sample Size = 10232

	Average Grade

6. How biased do you think the Judge is toward the defense or prosecution?

[Please see the questionnaire at the end of report for question wording.]

Biased in favor of the prosecution total	10%
Competely neutral	84%
Biased in favor of the defense total	7%
Average	0.08

7. How lenient or harsh do you think the sentences generally handed down by Judge are?

[Please see the questionnaire at the end of report for question wording.]

Harsh sentencing total	10%
Competely neutral	80%
Lenient sentencing total	11%
Average	0.07

10. How strongly do you recommend that the Judge be retained or not retained in office?

[Percentages excluding undecided responses.]

Strongly recommend retain	87%
Somewhat recommend retain	6%
Somewhat recommend not retain	2%
Strongly recommend not retain	4%
Total Retain	93%
Total Not Retain	6%

[Percentages including undecided responses.]

Strongly recommend retain	82%
Somewhat recommend retain	6%
Undecided or Don't Know	6%
Somewhat recommend not retain	2%
Strongly recommend not retain	4%
Total Retain	88%
Undecided/Don't Know	6%
Total Not Retain	6%

Survey of Appellate Judges Regarding District Judges						
All District Judges **Sample Size = 27**	A	B	C	D	Fail	DK/ NA
All district judges eligible to stand for retention in 2010.	28%	15%	3%	0%	0%	54%

Questionnaires

Colorado Judicial Performance
Attorneys Regarding Trial Judges Survey Questions

_ Which of the following types of cases have you observed Judge (Last Name)'s performance? Please circle all that apply. *(Only respondents who indicate they have observed the judge in "criminal other than traffic" cases will be asked question 2c and question 6.)*

Civil 1
Criminal other than traffic 2
Traffic 3
Domestic 4
Juvenile 5
Probate 6
Other 9

1. Case Management:

a.	Promptly issuing a decision on the case after trial.	A	B	C	D	F	DK/NS
b.	Maintaining appropriate control over proceedings.	A	B	C	D	F	DK/NS
c.	Promptly ruling on pre-trial motions.	A	B	C	D	F	DK/NS
d.	Setting reasonable schedules for cases.	A	B	C	D	F	DK/NS

2. Application and Knowledge of Law:

a.	Being able to identify and analyze relevant facts.	A	B	C	D	F	DK/NS
b.	Basing decisions on evidence and arguments.	A	B	C	D	F	DK/NS
c.	Willing to reconsider error in fact or law.	A	B	C	D	F	DK/NS
d.	*[Criminal only]* Issuing consistent sentences when the circumstances are similar.	A	B	C	D	F	DK/NS

3. Communications:

a.	Makings sure all participants understand the proceedings.	A	B	C	D	F	DK/NS
b.	Providing written communications that are clear, thorough and well reasoned.	A	B	C	D	F	DK/NS

4. Demeanor:

a.	Giving proceedings a sense of dignity.	A	B	C	D	F	DK/NS
b.	Treating participants with respect.	A	B	C	D	F	DK/NS
c.	Conducting his/her courtroom in a neutral manner.	A	B	C	D	F	DK/NS
d.	Consistently applying laws and rules.	A	B	C	D	F	DK/NS

5. Diligence:

a.	Using good judgment in application of relevant law and rules.	A	B	C	D	F	DK/NS
b.	Doing the necessary "homework" and being prepared for his/her cases.	A	B	C	D	F	DK/NS
c.	Being willing to handle cases on the docket even when they are complicated and time consuming.	A	B	C	D	F	DK/NS

Having observed Judge (Last Name) in a criminal case, would you say the judge is: *(This question is asked only if respondent indicated at the beginning of the survey he/she observed the judge in a criminal case.)*

Very biased in favor of the prosecution 1
Somewhat biased in favor of the prosecution 2
Completely Neutral 3
Somewhat biased in favor of the defense..... 4
Very biased in favor of the defense..... 5
Don't Know/Not Sure..... 9

6. What would you say are Judge (*Last Name*)'s strengths?

_____
_____
_____

7. What would you say are Judge (*Last Name*)'s weaknesses?

_____
_____
_____

8. Keeping in mind your responses to each of the previous questions, how strongly do you recommend that Judge (Last Name) be retained in office, or not retained in office?

Strongly recommend he be retained in office..... 5
Somewhat recommend he be retained in office..... 4
Undecided or don't know enough to make recommendation..... 3
Somewhat recommend he not be retained in office..... 2
Strongly recommend he not be retained in office 1

9. And what would you say are Judge ***[Last Name]***'s weaknesses?

_____
_____
_____
_____
_____
_____

10. Keeping in mind your responses to each of the previous questions, how strongly do you recommend that Judge ***[Last Name]*** be retained in office, or not retained in office?

Strongly recommend he/she be retained in office	5
Somewhat recommend he/she be retained in office	4
Undecided or don't know enough to make recommendation	3
Somewhat recommend he/she not be retained in office	2
Strongly recommend he/she not be retained in office	1

Thank you for taking the time to complete this questionnaire. Please place it in the self-addressed, postage-paid envelope provided and place it in the mail. Your participation in this survey is very much appreciated.

Commission on Judicial Performance

Evaluation of
JUDGE [FULL NAME]

If we have made a mistake and you either were not in Judge *[Last Name]*'s courtroom in the past 18 months, or you feel that you do not have sufficient experience with Judge *[Last Name]* to have an opinion the judge's judicial performance, please just return this questionnaire, unanswered, in the enclosed postage-paid envelope, to stop any further requests to evaluate Judge *[Last Name]*.

Using a grade scale, where an "A" is excellent along with B, C, D or F for fail, please grade the judge on the following. (If you feel that you don't have experience with the judge in a specific area, or just don't know, please circle the number corresponding to "Don't Know/Not Applicable"—DK/NA).

1. Demeanor:	**A**	**B**	**C**	**D**	**F**	**DK N/A**
a. Giving court proceedings a sense of dignity.	4	3	2	1	0	9
b. Treating participants in the case politely and with respect.	4	3	2	1	0	9
c. Conducting his/her courtroom in a neutral manner.	4	3	2	1	0	9
d. Having a sense of compassion and human understanding for those who appear before him/her.	4	3	2	1	0	9

2. Fairness:	A	B	C	D	F	DK N/A
a. Giving participants an opportunity to be heard.	4	3	2	1	0	9
b. Treating those involved in the case without bias.	4	3	2	1	0	9
c. Treating fairly people who represent themselves.	4	3	2	1	0	9
d. Giving each side enough time to present his or her case.	4	3	2	1	0	9

3. Communications:	A	B	C	D	F	DK N/A
a. Makings sure participants understand the proceedings, and what's going on in the courtroom.	4	3	2	1	0	9
b. Using language that everyone can understand.	4	3	2	1	0	9
c. Speaking clearly so everyone in the courtroom can hear what's being said.	4	3	2	1	0	9

4. Diligence:	A	B	C	D	DK F	N/A
a. Beginning court on time.	4	3	2	1	0	9
b. Maintaining appropriate control over proceedings.	4	3	2	1	0	9
c. Setting reasonable schedules for cases.	4	3	2	1	0	9
d. Being prepared for his/her cases.	4	3	2	1	0	9
e. Managing court proceedings so that there is little wasted time.	4	3	2	1	0	9

5. Application of Law:	A	B	C	D	F	DK N/A
a. Giving reasons for rulings.	4	3	2	1	0	9
b. Willing to make decision without regard to possible outside pressure.	4	3	2	1	0	9
c. Being able to identify and analyze relevant facts.	4	3	2	1	0	9

6. ***[If you were in [Last Name]'s courtroom during a criminal case or cases please answer this question, otherwise skip to the next question.]*** On the scale below, please indicate by circling the appropriate number how biased you think Judge ***[Last Name]*** is toward the defense or the prosecution. If you feel Judge ***[Last Name]*** is completely unbiased, circle "0."

Bias toward Defense — **Completely Neutral** — **Bias toward Prosecution**

5 4 3 2 1 0 1 2 3 4 5

7. ***[If you were in [Last Name]'s courtroom during a criminal case or cases please answer this question, otherwise skip to the next question.]*** On the scale below, please indicate by circling the appropriate number how lenient or how harsh you think the sentences generally handed down by ***[Last Name]*** are. If you feel Judge ***[Last Name]*** generally hands down appropriate sentences, circle "0."

Sentences Too Light — **Appropriate Sentences** — **Sentences Too Harsh**

5 4 3 2 1 0 1 2 3 4 5

Though your name will never be associated with your answers, because the judge will see a typed transcript of the comments that you and others write, it is important that you do not include information in the comments below that would unintentionally identify you as the author.

8. What would you say are Judge ***[Last Name]***'s strengths?

_____
_____
_____
_____
_____
_____

Continued on Back Page

Commission on Judicial Performance

Using a grade scale, where an "A" is excellent along with B, C, D or F for fail, please grade the following district judges in terms of each one's *overall performance as a judge* by circling the appropriate letter grade. If you feel that you don't have enough information about a judge to mark a specific grade, please put a check in the box under "No Grade."

If there are any judges you would like to add a comment about, please do so by filling out comment section on pages 3 and 4, or by enclosing a separate sheet with your comments when you return this questionnaire. Please start each comment with the judge's name and district.

Thank you.

1st Judicial District						No Grade
Dennis Hall	A	B	C	D	F	☐
Philip J. McNulty	A	B	C	D	F	☐
Stephen M. Munsinger	A	B	C	D	F	☐
2nd Judicial District						
Edward D. Bronfin	A	B	C	D	F	☐
Norman D. Haglund	A	B	C	D	F	☐
William W. Hood, III	A	B	C	D	F	☐
Michael A. Martinez	A	B	C	D	F	☐
William D. Robbins	A	B	C	D	F	☐
Donna J. Schmalberger	A	B	C	D	F	☐
Herbert L. Stern, III	A	B	C	D	F	☐
C. Jean Stewart	A	B	C	D	F	☐
Brian Whitney	A	B	C	D	F	☐
David B. Woods	A	B	C	D	F	☐
3rd Judicial District						
Leslie J. Gerbracht	A	B	C	D	F	☐
4th Judicial District						
David A. Gilbert	A	B	C	D	F	☐
Deborah J. Grohs	A	B	C	D	F	☐
Barney Iuppa	A	B	C	D	F	☐

4th Judicial District (continued)						No Grade
James P. Kelly	A	B	C	D	F	☐
Gilbert Martinez	A	B	C	D	F	☐
G. David Miller	A	B	C	D	F	☐
5th Judicial District						
R. Thomas Moorhead	A	B	C	D	F	☐
Karen A. Romeo	A	B	C	D	F	☐
6th Judicial District						
Gregory G. Lyman	A	B	C	D	F	☐
Jeffrey R. Wilson	A	B	C	D	F	☐
7th Judicial District						
Jeff B. Herron	A	B	C	D	F	☐
8th Judicial District						
Jolene C. Blair	A	B	C	D	F	☐
Terence Gilmore	A	B	C	D	F	☐
Daniel J. Kaup	A	B	C	D	F	☐
Gregory M. Lammons	A	B	C	D	F	☐
Stephen J. Schapanski	A	B	C	D	F	☐
9th Judicial District						
Gail Nichols	A	B	C	D	F	☐

10th Judicial District

						No Grade
Thomas B. Flesher.....	A	B	C	D	F	☐
Jill S. Mattoon.....	A	B	C	D	F	☐
Larry C. Schwartz.....	A	B	C	D	F	☐

11th Judicial District

Stephen A. Groome	A	B	C	D	F	☐

12th Judicial District

Martin A. Gonzales.....	A	B	C	D	F	☐

13th Judicial District

(None)

14th Judicial District

Mary C. Hoak	A	B	C	D	F	☐

15th Judicial District

Stanley A. Brinkley.....	A	B	C	D	F	☐

16th Judicial District

Michael A. Schiferl	A	B	C	D	F	☐

17th Judicial District

John T. Bryan.....	A	B	C	D	F	☐
C. Scott Crabtree	A	B	C	D	F	☐
Katherine R. Delgado....	A	B	C	D	F	☐
Thomas R. Ensor	A	B	C	D	F	☐
F. Michael Goodbee.....	A	B	C	D	F	☐
Patrick T. Murphy.....	A	B	C	D	F	☐
C. Vincent Phelps, Jr.....	A	B	C	D	F	☐
Jill-Ellyn Straus.....	A	B	C	D	F	☐

18th Judicial District

Angela Arkin.....	A	B	C	D	F	☐
Richard B. Caschette	A	B	C	D	F	☐
Timothy L. Fasing.....	A	B	C	D	F	☐
Jeffrey K. Holmes.....	A	B	C	D	F	☐
Carlos Armando Samour,Jr.	A	B	C	D	F	☐
William B. Sylvester	A	B	C	D	F	☐
Elizabeth Ann Weishaupl	A	B	C	D	F	☐

19th Judicial District

Julie C. Hoskins	A	B	C	D	F	☐
Daniel Maus	A	B	C	D	F	☐
Thomas J. Quammen....	A	B	C	D	F	☐

20th Judicial District

						No Grade
Lael E. Montgomery.....	A	B	C	D	F	☐

21st Judicial District ☐

Dick Gurley	A	B	C	D	F	☐
Valerie J. Robison.....	A	B	C	D	F	☐

22nd Judicial District

Sharon L. Hansen.....	A	B	C	D	F	☐
Douglas S. Walker	A	B	C	D	F	☐

Please use the following pages or attach a sheet for comments you would like to make about any of these district Judges.

Thank You.

Though your name will never be associated with your answers, because each district judge will see a typed transcript of the comments people wrote about him or her, it is important that you do not include information in the comments below that would unintentionally identify you as the author.

Judge Name **Comments**

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Though your name will never be associated with your answers, because each district judge will see a typed transcript of the comments people wrote about him or her, it is important that you do not include information in the comments below that would unintentionally identify you as the author.

Judge Name **Comments**

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