

ST. JOSEPH COUNTY BAR ASSOCIATION
SURVEY EVALUATING SUPERIOR COURT JUDGES SERVING
ST. JOSEPH COUNTY

RESULTS OF THE 2013 SURVEY

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Background

In 2007, the St. Joseph County Bar Association Board of Governors (“SJCBA”) voted to implement a formal program for its members to evaluate judicial performance. Judicial evaluation programs were recommended by the American Bar Association in its “Guidelines for the Evaluation of Judicial Performance” in 2005. The SJCBA created its evaluation process to accomplish two goals: (1) supply reliable and unbiased information to the public about judicial performance needed to make sound judgments regarding the continuation of judges in office; and (2) give the judges feedback to improve their own performance and that of the courts on which they serve. The SJCBA completed and published its first survey in 2008.

Judges in St. Joseph County are installed in office two ways. The judges of the St. Joseph Circuit Court and the St. Joseph Probate Court participate in contested elections and are elected by popular vote. The judges of the St. Joseph Superior Court are appointed by the Governor of Indiana and participate in retention elections. All applicants for an opening on the Superior Court are interviewed by a seven member Judicial Nominating Committee, consisting of three lawyers, three non-lawyers and one judge from the Indiana Supreme Court or Indiana Court of Appeals. The Nominating Committee nominates five of the applicants for consideration by the Governor of Indiana. The Governor considers the recommendations and appoints the judge. Each Superior Court judge stands for a “yes” or “no” retention election by the public two years after the initial appointment, and then every six years.

The SJCBA Board of Governors decided to evaluate the Superior Court judges, but not the judges who may be subject to contested elections. A contested election provides opportunities for a judge or the judge’s opponent to discuss judicial performance. The same opportunities might not exist for a judge subject to a retention vote. An evaluation by the Bar of a judge’s judicial performance, when it is not possible to evaluate an opponent running for election against the judge under the same criteria, would not further the two goals of the SJCBA evaluation program.

Methodology

The SJCBA sent a survey by e-mail on July 10, 2012, to its members. The SJCBA also informed its members of the survey by announcements in its monthly newsletter. Members were informed that the survey had to be returned by August 16, 2013.

A separate survey was sent for each judge. The judges evaluated for the 2013 survey were:

Hon. David Chapleau
Hon. J. Jerome Frese
Hon. Jenny Pitts Manier
Hon. John Marnocha

Hon. Jane Woodward Miller
Hon. Margot F. Reagan

The two new St. Joseph County Superior Court judges, Hon. Elizabeth Hurley and Hon. Steven Hostetler, were not evaluated. They were sworn in approximately four months and one month before the survey was issued, respectively. The SJCBA Board of Governors believed that was not sufficient time for attorneys to assess their judicial capabilities.

Survey

The survey instrument covered four categories: Legal Ability; Integrity and Impartiality; Professionalism and Temperament; and Administrative Capability. Each category listed five specific criteria. Respondents were asked to evaluate the judge's performance in each criteria as "exceptional," "above average," "average/acceptable," "below average," "unacceptable," or "cannot rate." Each rating, except "cannot rate," carried a numerical score to calculate an average: exceptional (5); above average (4); average/acceptable (3); below average (2); and unacceptable (1). Respondents were advised to rate only those categories that their personal experience with the specific judge qualified them to have an opinion.

Response Rate

The practices of the lawyers in the SJCBA are diverse, so the number of lawyers who actually appear in court is much smaller than the number of lawyers in the SJCBA. Consequently, only a small percentage of the lawyers who received the survey could be expected to respond. Further, the St. Joseph County Superior Court judges are assigned to either a civil docket or a criminal docket. Many lawyers who represent clients in civil cases do not often represent clients in criminal cases, and many lawyers appearing in criminal court, including prosecutors and public defenders, do not often represent clients in civil cases. Consequently many attorneys with the personal experience needed to respond to the survey may have been qualified to evaluate only some of the judges listed, or only some of the criteria.

The total number of surveys returned for each judge follow:

Hon. David Chapleau	74
Hon. J. Jerome Frese	53
Hon. Jenny Pitts Manier	75
Hon. John Marnocha	59
Hon. Jane Woodward Miller	55
Hon. Margot F. Reagan	71

Results

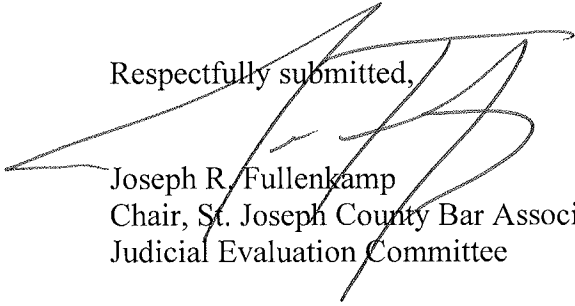
The responses from the individual surveys were collected and summary results were compiled. Two tables were created for each judge.

Table 1 contains the number of surveys returned for that judge. It identifies the number of SJCBA members that chose each rating category for each criteria. It also includes an “average score.” The average for each criteria was calculated by multiplying the number of responses for the rating by its numerical value, adding the products for those values and dividing the sum by the number of responses (not including the “cannot rate” responses).

Table 2 contains the percentage of responses for each rating for each criteria (including “cannot rate”).

The tables with survey results follow in alphabetical order. The results can also be viewed on the SJCBA website at www.sjcba.org. Survey results from 2008 through 2012 are also located at www.sjcba.org under the “Judiciary” tab.

Respectfully submitted,



Joseph R. Fullenkamp
Chair, St. Joseph County Bar Association
Judicial Evaluation Committee

Hon. David Chapleau, 2013 Judicial Evaluation Survey - Retention System Judges - Table 1

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Legal Reasoning	2	9	21	23	11	8	3.48	74
Knowledge and Understanding of Substantive Law	2	7	18	22	17	8	3.68	74
Knowledge of Rules of Procedure and Evidence	2	6	17	25	17	7	3.73	74
Keeping Current on Developments in Law, Procedure and Evidence	1	4	11	22	22	14	4.00	74
Clear and Logical Communications and Decisions	4	11	17	20	14	8	3.44	74
							<i>answered question</i>	74
							<i>skipped question</i>	0

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Avoidance of Impropriety and the Appearance of Impropriety	2	3	11	18	33	7	4.15	74
Acts Fairly by Giving People Individual Consideration	3	3	14	21	26	7	3.96	74
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	2	9	15	15	26	7	3.81	74
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	4	12	8	20	23	7	3.69	74
Ability to Make Difficult or Unpopular Decisions	1	14	13	18	14	14	3.50	74
							<i>answered question</i>	74
							<i>skipped question</i>	0

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Acts in a Dignified Manner	1	2	14	23	28	6	4.10	74
Treats All People with Courtesy	1	1	16	20	30	6	4.13	74
Acts with Patience and Self-Control	2	4	12	20	30	6	4.06	74
Deals with Pro Se Litigants and Litigation Fairly and Effectively	3	1	10	12	21	27	4.00	74
Promotes Public Understanding of and Confidence in the Courts	2	6	11	19	27	9	3.97	74
							<i>answered question</i>	74
							<i>skipped question</i>	0

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Punctuality and Preparation for Court	0	2	19	23	23	7	4.00	74
Maintains Control Over the Courtroom	0	9	16	23	19	7	3.78	74
Appropriate Enforcement of Court Rules, Orders and Deadlines	2	9	15	21	19	8	3.70	74
Makes Decisions and Rulings in a Timely Manner	2	7	16	23	18	8	3.73	74
Manages Cases to an Expedient Conclusion	2	11	16	19	18	8	3.61	74
							<i>answered question</i>	74
							<i>skipped question</i>	0

Hon. David Chapleau, 2013 Judicial Evaluation Survey - Retention System Judges - Table 2

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Legal Reasoning	2.7%	12.2%	28.4%	31.1%	14.9%	10.8%
Knowledge and Understanding of Substantive Law	2.7%	9.5%	24.3%	29.7%	23.0%	10.8%
Knowledge of Rules of Procedure and Evidence	2.7%	8.1%	23.0%	33.8%	23.0%	9.5%
Keeping Current on Developments in Law, Procedure and Evidence	1.4%	5.4%	14.9%	29.7%	29.7%	18.9%
Clear and Logical Communications and Decisions	5.4%	14.9%	23.0%	27.0%	18.9%	10.8%

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Avoidance of Impropriety and the Appearance of Impropriety	2.7%	4.1%	14.9%	24.3%	44.6%	9.5%
Acts Fairly by Giving People Individual Consideration	4.1%	4.1%	18.9%	28.4%	35.1%	9.5%
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	2.7%	12.2%	20.3%	20.3%	35.1%	9.5%
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	5.4%	16.2%	10.8%	27.0%	31.1%	9.5%
Ability to Make Difficult or Unpopular Decisions	1.4%	18.9%	17.6%	24.3%	18.9%	18.9%

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Acts in a Dignified Manner	1.4%	2.7%	18.9%	31.1%	37.8%	8.1%
Treats All People with Courtesy	1.4%	1.4%	21.6%	27.0%	40.5%	8.1%
Acts with Patience and Self-Control	2.7%	5.4%	16.2%	27.0%	40.5%	8.1%
Deals with Pro Se Litigants and Litigation Fairly and Effectively	4.1%	1.4%	13.5%	16.2%	28.4%	36.5%
Promotes Public Understanding of and Confidence in the Courts	2.7%	8.1%	14.9%	25.7%	36.5%	12.2%

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Punctuality and Preparation for Court	0.0%	2.7%	25.7%	31.1%	31.1%	9.5%
Maintains Control Over the Courtroom	0.0%	12.2%	21.6%	31.1%	25.7%	9.5%
Appropriate Enforcement of Court Rules, Orders and Deadlines	2.7%	12.2%	20.3%	28.4%	25.7%	10.8%
Makes Decisions and Rulings in a Timely Manner	2.7%	9.5%	21.6%	31.1%	24.3%	10.8%
Manages Cases to an Expedient Conclusion	2.7%	14.9%	21.6%	25.7%	24.3%	10.8%

This table identifies the percentage of responses for each rating in each criteria

Hon. J. Jerome Frese, 2013 Judicial Evaluation Survey - Retention System Judges - Table 1

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Legal Reasoning	3	4	13	6	3	24	3.07	53
Knowledge and Understanding of Substantive Law	3	6	7	10	3	24	3.14	53
Knowledge of Rules of Procedure and Evidence	3	4	9	10	3	24	3.21	53
Keeping Current on Developments in Law, Procedure and Evidence	5	7	7	7	3	25	2.89	53
Clear and Logical Communications and Decisions	9	6	7	1	3	24	2.31	53
							<i>answered question</i>	53
							<i>skipped question</i>	0

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Avoidance of Impropriety and the Appearance of Impropriety	5	6	8	7	5	22	3.03	53
Acts Fairly by Giving People Individual Consideration	2	7	5	10	7	22	3.42	53
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	6	7	10	3	5	22	2.81	53
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	6	7	11	3	4	22	2.74	53
Ability to Make Difficult or Unpopular Decisions	4	6	7	6	7	23	3.20	53
							<i>answered question</i>	53
							<i>skipped question</i>	0

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Acts in a Dignified Manner	11	6	8	2	3	23	2.33	53
Treats All People with Courtesy	3	4	10	5	8	23	3.37	53
Acts with Patience and Self-Control	6	7	12	2	3	23	2.63	53
Deals with Pro Se Litigants and Litigation Fairly and Effectively	2	4	5	5	5	32	3.33	53
Promotes Public Understanding of and Confidence in the Courts	12	5	8	2	4	22	2.39	53
							<i>answered question</i>	53
							<i>skipped question</i>	0

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Punctuality and Preparation for Court	11	9	3	4	1	25	2.11	53
Maintains Control Over the Courtroom	6	12	4	3	4	24	2.55	53
Appropriate Enforcement of Court Rules, Orders and Deadlines	7	7	8	3	4	24	2.66	53
Makes Decisions and Rulings in a Timely Manner	9	6	9	1	3	25	2.39	53
Manages Cases to an Expedient Conclusion	11	8	5	2	3	24	2.24	53
							<i>answered question</i>	53
							<i>skipped question</i>	0

Hon. J. Jerome Frese, 2013 Judicial Evaluation Survey - Retention System Judges - Table 2

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Legal Reasoning	5.7%	7.5%	24.5%	11.3%	5.7%	45.3%
Knowledge and Understanding of Substantive Law	5.7%	11.3%	13.2%	18.9%	5.7%	45.3%
Knowledge of Rules of Procedure and Evidence	5.7%	7.5%	17.0%	18.9%	5.7%	45.3%
Keeping Current on Developments in Law, Procedure and Evidence	9.4%	11.3%	13.2%	13.2%	5.7%	47.2%
Clear and Logical Communications and Decisions	17.0%	17.0%	13.2%	1.9%	5.7%	45.3%

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Avoidance of Impropriety and the Appearance of Impropriety	9.4%	11.3%	15.1%	13.2%	9.4%	41.5%
Acts Fairly by Giving People Individual Consideration	3.8%	13.2%	9.4%	18.9%	13.2%	41.5%
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	11.3%	13.2%	18.9%	5.7%	9.4%	41.5%
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	11.3%	13.2%	20.8%	5.7%	7.5%	41.5%
Ability to Make Difficult or Unpopular Decisions	7.5%	11.3%	13.2%	11.3%	13.2%	43.4%

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Acts in a Dignified Manner	20.8%	11.3%	15.1%	3.8%	5.7%	43.4%
Treats All People with Courtesy	5.7%	7.5%	18.9%	9.4%	15.1%	43.4%
Acts with Patience and Self-Control	11.3%	13.2%	22.6%	3.8%	5.7%	43.4%
Deals with Pro Se Litigants and Litigation Fairly and Effectively	3.8%	7.5%	9.4%	9.4%	9.4%	60.4%
Promotes Public Understanding of and Confidence in the Courts	22.6%	9.4%	15.1%	3.8%	7.5%	43.4%

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Punctuality and Preparation for Court	20.8%	17.0%	5.7%	7.5%	1.9%	47.2%
Maintains Control Over the Courtroom	11.3%	22.6%	7.5%	5.7%	7.5%	45.3%
Appropriate Enforcement of Court Rules, Orders and Deadlines	13.2%	13.2%	15.1%	5.7%	7.5%	45.3%
Makes Decisions and Rulings in a Timely Manner	17.0%	11.3%	17.0%	1.9%	5.7%	47.2%
Manages Cases to an Expedient Conclusion	20.8%	15.1%	9.4%	3.8%	5.7%	45.3%

This table identifies the percentage of responses for each rating in each criteria

Total Surveys Returned = 53

Hon. Jenny Pitts Manier, 2013 Judicial Evaluation Survey - Retention System Judges - Table 1

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Legal Reasoning	1	4	13	27	25	5	4.01	75
Knowledge and Understanding of Substantive Law	1	4	14	22	29	5	4.06	75
Knowledge of Rules of Procedure and Evidence	1	4	11	24	30	5	4.11	75
Keeping Current on Developments in Law, Procedure and Evidence	1	3	9	25	29	8	4.16	75
Clear and Logical Communications and Decisions	0	5	13	20	30	7	4.10	75
							<i>answered question</i>	75
							<i>skipped question</i>	0

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Avoidance of Impropriety and the Appearance of Impropriety	1	4	11	10	43	6	4.30	75
Acts Fairly by Giving People Individual Consideration	2	4	9	14	40	6	4.25	75
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	3	5	8	18	35	6	4.12	75
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	3	7	8	20	31	6	4.00	75
Ability to Make Difficult or Unpopular Decisions	1	4	13	14	35	8	4.16	75
							<i>answered question</i>	75
							<i>skipped question</i>	0

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Acts in a Dignified Manner	0	2	6	22	40	5	4.43	75
Treats All People with Courtesy	0	6	9	16	39	5	4.26	75
Acts with Patience and Self-Control	1	2	13	20	33	6	4.19	75
Deals with Pro Se Litigants and Litigation Fairly and Effectively	1	3	6	19	24	22	4.17	75
Promotes Public Understanding of and Confidence in the Courts	2	3	12	14	34	10	4.15	75
							<i>answered question</i>	75
							<i>skipped question</i>	0

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Punctuality and Preparation for Court	0	2	10	17	38	8	4.36	75
Maintains Control Over the Courtroom	1	1	13	16	38	6	4.29	75
Appropriate Enforcement of Court Rules, Orders and Deadlines	2	2	12	18	34	7	4.18	75
Makes Decisions and Rulings in a Timely Manner	1	1	13	17	35	8	4.25	75
Manages Cases to an Expeditious Conclusion	1	2	12	18	33	9	4.21	75
							<i>answered question</i>	75
							<i>skipped question</i>	0

Hon. Jenny Pitts Manier, 2013 Judicial Evaluation Survey - Retention System Judges - Table 2

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Legal Reasoning	1.3%	5.3%	17.3%	36.0%	33.3%	6.7%
Knowledge and Understanding of Substantive Law	1.3%	5.3%	18.7%	29.3%	38.7%	6.7%
Knowledge of Rules of Procedure and Evidence	1.3%	5.3%	14.7%	32.0%	40.0%	6.7%
Keeping Current on Developments in Law, Procedure and Evidence	1.3%	4.0%	12.0%	33.3%	38.7%	10.7%
Clear and Logical Communications and Decisions	0.0%	6.7%	17.3%	26.7%	40.0%	9.3%

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Avoidance of Impropriety and the Appearance of Impropriety	1.3%	5.3%	14.7%	13.3%	57.3%	8.0%
Acts Fairly by Giving People Individual Consideration	2.7%	5.3%	12.0%	18.7%	53.3%	8.0%
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	4.0%	6.7%	10.7%	24.0%	46.7%	8.0%
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	4.0%	9.3%	10.7%	26.7%	41.3%	8.0%
Ability to Make Difficult or Unpopular Decisions	1.3%	5.3%	17.3%	18.7%	46.7%	10.7%

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Acts in a Dignified Manner	0.0%	2.7%	8.0%	29.3%	53.3%	6.7%
Treats All People with Courtesy	0.0%	8.0%	12.0%	21.3%	52.0%	6.7%
Acts with Patience and Self-Control	1.3%	2.7%	17.3%	26.7%	44.0%	8.0%
Deals with Pro Se Litigants and Litigation Fairly and Effectively	1.3%	4.0%	8.0%	25.3%	33.3%	29.3%
Promotes Public Understanding of and Confidence in the Courts	2.7%	4.0%	16.0%	18.7%	45.3%	13.3%

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Punctuality and Preparation for Court	0.0%	2.7%	13.3%	22.7%	50.7%	10.7%
Maintains Control Over the Courtroom	1.3%	1.3%	17.3%	21.3%	50.7%	8.0%
Appropriate Enforcement of Court Rules, Orders and Deadlines	2.7%	2.7%	16.0%	24.0%	45.3%	9.3%
Makes Decisions and Rulings in a Timely Manner	1.3%	1.3%	17.3%	22.7%	46.7%	10.7%
Manages Cases to an Expeditious Conclusion	1.3%	1.3%	16.0%	24.0%	44.0%	12.0%

This table identifies the percentage of responses for each rating in each criteria

Total Surveys Returned = 75

Hon. John Marnocha, 2013 Judicial Evaluation Survey - Retention System Judges - Table 1

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Legal Reasoning	0	0	7	17	8	27	4.03	59
Knowledge and Understanding of Substantive Law	0	0	5	13	14	27	4.28	59
Knowledge of Rules of Procedure and Evidence	0	2	4	13	12	28	4.13	59
Keeping Current on Developments in Law, Procedure and Evidence	0	1	4	13	11	30	4.17	59
Clear and Logical Communications and Decisions	0	2	9	12	9	27	3.88	59
							<i>answered question skipped question</i>	59 0

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Avoidance of Impropriety and the Appearance of Impropriety	0	1	6	10	17	25	4.26	59
Acts Fairly by Giving People Individual Consideration	1	8	3	11	11	25	3.68	59
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	1	7	7	10	9	25	3.56	59
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	0	3	10	8	12	26	3.88	59
Ability to Make Difficult or Unpopular Decisions	0	4	3	11	15	26	4.12	59
							<i>answered question skipped question</i>	59 0

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Acts in a Dignified Manner	1	1	4	13	15	25	4.18	59
Treats All People with Courtesy	2	5	4	9	14	25	3.82	59
Acts with Patience and Self-Control	2	8	3	9	12	25	3.62	59
Deals with Pro Se Litigants and Litigation Fairly and Effectively	0	1	4	7	8	39	4.10	59
Promotes Public Understanding of and Confidence in the Courts	0	2	7	9	15	26	4.12	59
							<i>answered question skipped question</i>	59 0

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Punctuality and Preparation for Court	0	4	5	10	11	29	3.93	59
Maintains Control Over the Courtroom	1	0	4	13	13	28	4.19	59
Appropriate Enforcement of Court Rules, Orders and Deadlines	1	1	10	8	11	28	3.87	59
Makes Decisions and Rulings in a Timely Manner	0	0	8	11	12	28	4.13	59
Manages Cases to an Expedient Conclusion	0	1	5	10	14	29	4.23	59
							<i>answered question skipped question</i>	59 0

Hon. John Marnocha, 2013 Judicial Evaluation Survey - Retention System Judges - Table 2

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Legal Reasoning	0.0%	0.0%	11.9%	28.8%	13.6%	45.8%
Knowledge and Understanding of Substantive Law	0.0%	0.0%	8.5%	22.0%	23.7%	45.8%
Knowledge of Rules of Procedure and Evidence	0.0%	3.4%	6.8%	22.0%	20.3%	47.5%
Keeping Current on Developments in Law, Procedure and Evidence	0.0%	1.7%	6.8%	22.0%	18.6%	50.8%
Clear and Logical Communications and Decisions	0.0%	3.4%	15.3%	20.3%	15.3%	45.8%

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Avoidance of Impropriety and the Appearance of Impropriety	0.0%	1.7%	10.2%	16.9%	28.8%	42.4%
Acts Fairly by Giving People Individual Consideration	1.7%	13.6%	5.1%	18.6%	18.6%	42.4%
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	1.7%	11.9%	11.9%	16.9%	15.3%	42.4%
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	0.0%	5.1%	16.9%	13.6%	20.3%	44.1%
Ability to Make Difficult or Unpopular Decisions	0.0%	6.8%	5.1%	18.6%	25.4%	44.1%

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Acts in a Dignified Manner	1.7%	1.7%	6.8%	22.0%	25.4%	42.4%
Treats All People with Courtesy	3.4%	8.5%	6.8%	15.3%	23.7%	42.4%
Acts with Patience and Self-Control	3.4%	13.6%	5.1%	15.3%	20.3%	42.4%
Deals with Pro Se Litigants and Litigation Fairly and Effectively	0.0%	1.7%	6.8%	11.9%	13.6%	66.1%
Promotes Public Understanding of and Confidence in the Courts	0.0%	3.4%	11.9%	15.3%	25.4%	44.1%

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Punctuality and Preparation for Court	0.0%	6.8%	8.5%	16.9%	18.6%	49.2%
Maintains Control Over the Courtroom	1.7%	0.0%	6.8%	22.0%	22.0%	47.5%
Appropriate Enforcement of Court Rules, Orders and Deadlines	1.7%	1.7%	16.9%	13.6%	18.6%	47.5%
Makes Decisions and Rulings in a Timely Manner	0.0%	0.0%	13.6%	18.6%	20.3%	47.5%
Manages Cases to an Expedient Conclusion	0.0%	1.7%	8.5%	16.9%	23.7%	49.2%

This table identifies the percentage of responses for each rating in each criteria

Total Surveys Returned = 59

Hon. Margot F. Reagan, 2013 Judicial Evaluation Survey - Retention System Judges - Table 1

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Legal Reasoning	3	8	19	21	5	15	3.30	71
Knowledge and Understanding of Substantive Law	4	10	18	20	5	14	3.21	71
Knowledge of Rules of Procedure and Evidence	5	8	15	22	6	15	3.29	71
Keeping Current on Developments in Law, Procedure and Evidence	4	6	14	20	5	22	3.33	71
Clear and Logical Communications and Decisions	4	8	20	17	6	16	3.24	71
							<i>answered question</i>	71
							<i>skipped question</i>	0

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Avoidance of Impropriety and the Appearance of Impropriety	3	5	11	14	23	15	3.88	71
Acts Fairly by Giving People Individual Consideration	2	3	13	14	24	15	3.98	71
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	4	3	14	16	17	17	3.72	71
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	4	5	17	13	18	14	3.63	71
Ability to Make Difficult or Unpopular Decisions	3	7	12	14	9	26	3.42	71
							<i>answered question</i>	71
							<i>skipped question</i>	0

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Acts in a Dignified Manner	0	2	14	15	25	15	4.13	71
Treats All People with Courtesy	0	0	11	16	29	15	4.32	71
Acts with Patience and Self-Control	0	1	12	17	26	15	4.21	71
Deals with Pro Se Litigants and Litigation Fairly and Effectively	0	4	8	12	10	37	3.82	71
Promotes Public Understanding of and Confidence in the Courts	4	3	12	11	15	26	3.67	71
							<i>answered question</i>	71
							<i>skipped question</i>	0

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Punctuality and Preparation for Court	2	5	15	21	11	17	3.63	71
Maintains Control Over the Courtroom	1	6	16	19	11	18	3.62	71
Appropriate Enforcement of Court Rules, Orders and Deadlines	2	6	14	18	10	21	3.56	71
Makes Decisions and Rulings in a Timely Manner	1	2	16	21	13	18	3.81	71
Manages Cases to an Expedient Conclusion	2	1	22	16	11	19	3.63	71
							<i>answered question</i>	71
							<i>skipped question</i>	0

Hon. Margot F. Reagan, 2013 Judicial Evaluation Survey - Retention System Judges - Table 2

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Legal Reasoning	4.2%	11.3%	26.8%	29.6%	7.0%	21.1%
Knowledge and Understanding of Substantive Law	5.6%	14.1%	25.4%	28.2%	7.0%	19.7%
Knowledge of Rules of Procedure and Evidence	7.0%	11.3%	21.1%	31.0%	8.5%	21.1%
Keeping Current on Developments in Law, Procedure and Evidence	5.6%	8.5%	19.7%	28.2%	7.0%	31.0%
Clear and Logical Communications and Decisions	5.6%	11.3%	28.2%	23.9%	8.5%	22.5%

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Avoidance of Impropriety and the Appearance of Impropriety	4.2%	7.0%	15.5%	19.7%	32.4%	21.1%
Acts Fairly by Giving People Individual Consideration	2.8%	4.2%	18.3%	19.7%	33.8%	21.1%
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	5.6%	4.2%	19.7%	22.5%	23.9%	23.9%
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	5.6%	7.0%	23.9%	18.3%	25.4%	19.7%
Ability to Make Difficult or Unpopular Decisions	4.2%	9.9%	16.9%	19.7%	12.7%	36.6%

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Acts in a Dignified Manner	0.0%	2.8%	19.7%	21.1%	35.2%	21.1%
Treats All People with Courtesy	0.0%	0.0%	15.5%	22.5%	40.8%	21.1%
Acts with Patience and Self-Control	0.0%	1.4%	16.9%	23.9%	36.6%	21.1%
Deals with Pro Se Litigants and Litigation Fairly and Effectively	0.0%	5.6%	11.3%	16.9%	14.1%	52.1%
Promotes Public Understanding of and Confidence in the Courts	5.6%	4.2%	16.9%	15.5%	21.1%	36.6%

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Punctuality and Preparation for Court	2.8%	7.0%	21.1%	29.6%	15.5%	23.9%
Maintains Control Over the Courtroom	1.4%	8.5%	22.5%	26.8%	15.5%	25.4%
Appropriate Enforcement of Court Rules, Orders and Deadlines	2.8%	8.5%	19.7%	25.4%	18.3%	29.6%
Makes Decisions and Rulings in a Timely Manner	1.4%	2.8%	22.5%	29.6%	18.3%	25.4%
Manages Cases to an Expedious Conclusion	2.8%	1.4%	31.0%	22.5%	15.5%	26.8%

This table identifies the percentage of responses for each rating in each criteria

Total Surveys Returned = 71

Hon. Jane Woodward Miller, 2013 Judicial Evaluation Survey - Retention System Judges - Table 1

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Legal Reasoning	2	0	8	8	15	22	4.03	55
Knowledge and Understanding of Substantive Law	1	1	8	8	15	22	4.06	55
Knowledge of Rules of Procedure and Evidence	1	1	8	7	16	22	4.09	55
Keeping Current on Developments in Law, Procedure and Evidence	1	1	8	7	16	22	4.09	55
Clear and Logical Communications and Decisions	2	2	9	7	13	22	3.82	55
							<i>answered question</i>	55
							<i>skipped question</i>	0

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Avoidance of Impropriety and the Appearance of Impropriety	2	1	5	4	21	22	4.24	55
Acts Fairly by Giving People Individual Consideration	2	2	5	3	19	24	4.13	55
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	1	5	3	6	16	24	4.00	55
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	2	3	6	6	15	23	3.91	55
Ability to Make Difficult or Unpopular Decisions	2	6	3	4	17	23	3.88	55
							<i>answered question</i>	55
							<i>skipped question</i>	0

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Acts in a Dignified Manner	1	1	8	7	16	22	4.09	55
Treats All People with Courtesy	1	0	5	8	18	23	4.31	55
Acts with Patience and Self-Control	1	1	8	9	14	22	4.03	55
Deals with Pro Se Litigants and Litigation Fairly and Effectively	1	1	5	3	16	29	4.23	55
Promotes Public Understanding of and Confidence in the Courts	1	0	9	4	19	22	4.21	55
							<i>answered question</i>	55
							<i>skipped question</i>	0

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate	Rating Average	Response Count
Punctuality and Preparation for Court	1	1	5	10	14	24	4.13	55
Maintains Control Over the Courtroom	1	0	10	8	12	24	3.97	55
Appropriate Enforcement of Court Rules, Orders and Deadlines	1	0	7	11	12	24	4.06	55
Makes Decisions and Rulings in a Timely Manner	1	0	7	10	12	25	4.07	55
Manages Cases to an Expedient Conclusion	1	0	5	12	12	25	4.13	55
							<i>answered question</i>	55
							<i>skipped question</i>	0

Hon. Jane Woodward Miller, 2013 Judicial Evaluation Survey - Retention System Judges - Table 2

How Do You Rate This Individual on LEGAL ABILITY, Based on the Following Criteria

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Legal Reasoning	3.6%	0.0%	14.5%	14.5%	27.3%	40.0%
Knowledge and Understanding of Substantive Law	1.8%	1.8%	14.5%	14.5%	27.3%	40.0%
Knowledge of Rules of Procedure and Evidence	1.8%	1.8%	14.5%	12.7%	29.1%	40.0%
Keeping Current on Developments in Law, Procedure and Evidence	1.8%	1.8%	14.5%	12.7%	29.1%	40.0%
Clear and Logical Communications and Decisions	3.6%	3.6%	16.4%	12.7%	23.6%	40.0%

How Do You Rate This Individual on INTEGRITY AND IMPARTIALITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Avoidance of Impropriety and the Appearance of Impropriety	3.6%	1.8%	9.1%	7.3%	38.2%	40.0%
Acts Fairly by Giving People Individual Consideration	3.6%	3.6%	9.1%	5.5%	34.5%	43.6%
Considers All Sides of an Argument With an Open Mind Before Rendering a Decision	1.8%	9.1%	5.5%	10.9%	29.1%	43.6%
Bases Decisions on the Law and Facts Without Regard to the Identity of the Parties or Counsel	3.6%	5.5%	10.9%	10.9%	27.3%	41.8%
Ability to Make Difficult or Unpopular Decisions	3.6%	10.9%	5.5%	7.3%	30.9%	41.8%

How Do You Rate This Individual on PROFESSIONAL AND TEMPERAMENT, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Acts in a Dignified Manner	1.8%	1.8%	14.5%	12.7%	29.1%	40.0%
Treats All People with Courtesy	1.8%	0.0%	9.1%	14.5%	32.7%	41.8%
Acts with Patience and Self-Control	1.8%	1.8%	14.5%	16.4%	25.5%	40.0%
Deals with Pro Se Litigants and Litigation Fairly and Effectively	1.8%	1.8%	9.1%	5.5%	29.1%	52.7%
Promotes Public Understanding of and Confidence in the Courts	1.8%	0.0%	16.4%	7.3%	34.5%	40.0%

How Do You Rate This Individual on ADMINISTRATIVE CAPABILITY, Based on the Following Criteria:

Answer Options	Unacceptable	Below Average	Average/Acceptable	Above Average	Exceptional	Cannot Rate
Punctuality and Preparation for Court	1.8%	1.8%	9.1%	18.2%	25.5%	43.6%
Maintains Control Over the Courtroom	1.8%	0.0%	18.2%	14.5%	21.8%	43.6%
Appropriate Enforcement of Court Rules, Orders and Deadlines	1.8%	0.0%	12.7%	20.0%	21.8%	43.6%
Makes Decisions and Rulings in a Timely Manner	1.8%	0.0%	12.7%	18.2%	21.8%	45.5%
Manages Cases to an Expedient Conclusion	1.8%	0.0%	9.1%	21.8%	21.8%	45.5%

This table identifies the percentage of responses for each rating in each criteria

Total Surveys Returned = 55