

King County Bar Association

1999 Judicial Evaluation Survey

Evaluations of the Judges and Commissioners of the King County Superior Court

November 10, 1999

Prepared by:

Judicial Evaluation Committee
King County Bar Association

With Assistance From:

Salisbury Research Group
6820 43rd Street Court Northwest
Gig Harbor, Washington 98335

(253) 265-6062

Table of Contents

	<i>Page</i>
Introduction.....	1
Survey Framework.....	1
The Respondents	
Aggregate Evaluations	
Judges	
Commissioners.....	
Response Rate.....	
Conclusion.....	
Bibliography	
Appendix A: Questionnaire	A-1
Appendix B: Results of Individual Judges	B-1
Appendix C: Results of Individual Commissioners.....	C-1
Appendix D: “Other” Principal Practice Types	D-1

Introduction

The results of the 1999 Judicial Evaluation Survey present a strongly favorable assessment of the judges and commissioners of the King County Superior Court. Overall, judges and commissioners received positive ratings (satisfactory and above) more than 80% of the time. The overall evaluations of the judges and commissioners are consistent across respondent years of active practice, principal types of practice, and type and number of appearances before the Court. And, while there are a few individual exceptions, the individual judges and commissioners received positive ratings seven to eight times out of every ten ratings they received.

The low response rate of 9.2% for the 1999 Survey raises concerns over the reliability of the results. A low response rate, however, does not necessarily mean results are unreliable. The representativeness of the sample is a more crucial factor, and several factors suggest that the survey is representative of the attorneys who appeared in the Superior Court over the past four years. First, respondents are relatively homogeneous, at least where legal and courtroom experience are concerned. Second, the respondents of mail surveys are more motivated than nonrespondents, which bodes well for the quality of the ratings. Third, respondents are strongly admonished to base their evaluations on personal experience, including the requirement of certifying their responses with their signature. And fourth, the overall results of the survey are consistent with past evaluation surveys of the Superior Court.

The low response rate may also be the result of environmental factors which have no direct bearing on reliability. For example, the survey population for 1999 was over-identified. All attorneys in King County were included in the original mailing, even though many of these attorneys have no contact with the Superior Court. Their inclusion served only to depress the response rate. Also, the nature of attorney interaction with the Superior Court has changed over time. With the implementation of mediation and alternative dispute resolution programs, and the dropping of automatic oral arguments for motions, fewer attorneys may be exposed to the Superior Court. It would be helpful to further explore the impact of these factors.

The low response rate is still a concern, and efforts should be undertaken within the financial constraints of the survey to improve the rate. One method that may raise the response rate is to better define the survey population. All attorneys in King County were included in the original mailing even though they all don't practice in the Superior Court. These excess attorneys should be eliminated. Furthermore, the number of attorneys who appear before the judges and commissioners varies. If Court records permit, identification of these individual evaluative populations should be made.

Besides bolstering the response rate, efforts to substantiate survey reliability can be by comparing them with outside information should be undertaken. Other potential ratings of judicial performance, such as the Bar Association's rating of judicial candidates, the number of affidavits of prejudice filed against a judge or commissioner, or the number of decisions reversed by appellate courts, could be employed for this purpose. If the results of the survey compare favorably to these other sources of information on judicial capability or performance, faith in the reliability of the results of the survey is strengthened.

Survey Framework

The 1999 evaluation survey of the judges and commissioners of the King County Superior Court took place during the months of September and October of 1999. Eleven thousand, one hundred and eighty-two surveys were mailed to attorneys in King County on August 30th. An additional 1,284 were mailed to attorneys outside of King County on October 1st. (This latter set of names was provided by the Clerk's Office of the Superior Court.) A follow-up reminder postcard was mailed to the original 11,182 attorneys on September 28th. The final date for surveys to be returned was October 22nd. Surveys received after this date are not included in the results.

Also, for a returned survey to be accepted for analysis it must possess an attorney signature. This signature attests to the attorney's compliance with the instructions of the survey and agreement to respect the personal experience criteria for each judge or

commissioner evaluated. The signature appears on a page separate from the demographic and evaluation questions. To ensure respondent confidentiality this page is removed prior to processing the questionnaire for analysis .

Questionnaires were mailed to attorneys with a cover letter containing an explanation of the purpose of the survey and a set of instructions for completing the survey. The most important part of the instructions is that evaluations be based on “personal experience and not on reputation or information received from others.” The questionnaire followed-up on this with the inclusion of questions regarding the type and number of appearances before each judge evaluated. Evaluations without an indication of an appearance are excluded from the analysis.

Respondents are asked to evaluate judges on four dimensions:

- | | |
|----------------------|--|
| Decision Making | <ul style="list-style-type: none"> • Capably identifies and analyzes factual and legal issues; • Articulates a ruling and grounds for it in a clear and concise manner; • Capably applies rules of evidence and procedure. |
| Courtroom Efficiency | <ul style="list-style-type: none"> • Fairly expedites hearings and trials; • Makes efficient use of court time; • Appropriately enforces court rules and deadlines; • Demonstrates an ability to control the courtroom; • Renders decisions in a timely manner. |
| Judicial Demeanor | <ul style="list-style-type: none"> • Treats all participants fairly, courteously and respectfully; • Does not demonstrate gender, racial or any other kind of bias. |
| Overall Performance | <ul style="list-style-type: none"> • The overall performance of this individual considering all of the attributes above. |

This evaluation is made on a 5-point scale with points labeled: unsatisfactory, less than satisfactory, satisfactory, more than satisfactory and excellent. (A copy of the survey instrument is presented in Appendix A.)

The questionnaires were processed by the Salisbury Research Group, which also undertook the data analysis and provided methodological and statistical consultation to the Judicial Evaluation Committee.

The Respondents

Attorneys are asked to provide two pieces of information about their practice: how many years have they been active in their practice; and what is the principal nature of their practice in the Superior Court. On average, responding attorneys have 16.6 years of experience, ranging from six months to 52 years. When broken down into five year intervals the majority of the respondents (67.3%) have more than 10 years of experience (see Table 2). The respondents appear to have the experience necessary to provide competent evaluations of judicial performance.

Table 2: Years of Active Practice

	<u>Number</u>	<u>Percent</u>
= 5 years	142	12.3%
> 5 years, = 10 years	196	17.0%
> 10 years, = 15 years	230	19.9%

> 15 years, = 20 years	204	17.6%
> 20 years, = 25 years	167	14.4%
> 25 years, = 30 years	93	8.0%
> 30 years,	85	7.4%
No Response	39	3.4%
Total	1,156	100.0%

Respondents are presented with nine categories for principal nature of their practice in the Superior Court, and are asked to select no more than two. All but 32 of the respondents provided this information, with 533 (46.1%) indicating a single primary practice before the Superior Court and 559 (48.4%) indicating two primary practices. Twenty-eight respondents indicated more than two primary practices, with the bulk of these (22) registering three.

Table 3: Primary Nature of Practice in Subject Courts
(N = 1,144)

	<u>Number</u>	<u>Percent</u>
Civil Tort-Plaintiff	324	28.0%
Civil Tort-Defense	216	18.7%
Commercial & General Civil	403	34.9%
Criminal-Defense	150	13.0%
Criminal-Prosecution	72	6.2%
Other Government Practice	56	4.8%
Domestic Relations/Family Law	246	21.3%
Estate/Probate	137	11.9%
Other	138	11.9%

The results for primary practice are well distributed across the categories offered (see Table 3). The highest single category is “Commercial & General Civil” at 35.1%, but it is out-weighted by the combined civil tort categories (47.0%). The criminal bar is also well represented, with 19.1% of respondents involved in either defense or prosecution. For the 138 respondents who checked “Other,” guardianship, juvenile dependency, land use, real estate and employment are frequently mentioned. (The complete list of “Other” practice areas is presented in Appendix D.)

For each judge rated the respondent is asked to indicate the type and number of appearances made before that judge. The types of appearance are: motion and hearing, trial, and appeal. The number of each is categorized as: none, one, or multiple. For the 15,142 valid evaluations rendered most are based, at least in part, on motions and hearings (92.9%), followed by trials (34.6%), then appeals (3.5%)(see Table 4).

Table 4: Types and Number of Appearances

	<i>None</i>		<i>One</i>		<i>Multiple</i>	
	<u>Nmbr</u>	<u>Pct</u>	<u>Nmbr</u>	<u>Pct</u>	<u>Nmbr</u>	<u>Pct</u>
Motions & Hearings	1,078	7.1%	4,393	29.0%	9,671	63.9%
Trials	9,902	65.4%	3,192	21.1%	2,048	13.5%
Appeals	14,610	96.5%	378	2.5%	154	1.0%

Almost two-thirds of the evaluations are based on experiences gained exclusively during motions and/or hearings (see Table 5). A quickly reached criticism of the judicial evaluation survey is that ratings are based on too few meaningful experiences. The fact that most ratings are based on motions and/or hearings would tend to support this. However, 62% of the motions and/or hearings

evaluations are based on multiple experiences (6,003 of the 9,600 evaluations). Ratings based on a single motion or trial, therefore, amount to less than one-quarter of all valid evaluations. Furthermore, given the stress placed on the personal experience criteria in the instructions that accompanied the survey, it is likely that even single instance motion or hearing exposure of a judge or commissioner is a sufficient basis for a meaningful evaluation.

Table 5: Appearance Combinations

<u>Motions & Hearings</u>	<u>Trials</u>	<u>Appeals</u>	<u>Evaluations</u>	<u>Percent</u>
X	—	—	9,600	63.4%
X	X	—	4,077	26.9%
X	—	X	177	1.2%
X	X	X	210	1.4%
—	X	—	933	6.2%
—	X	X	20	0.1%
—	—	X	125	0.8%

Aggregate Evaluations

The rating scale for the 1999 survey consists of five categories: unsatisfactory, less than satisfactory, satisfactory, more than satisfactory, and excellent. Overall, and by judge and commissioner subgroupings, most evaluations fell into the two highest categories (see Table 7). Two-thirds or better of the evaluations for decision making, courtroom efficiency, judicial demeanor and overall preference fell into the categories “more than satisfactory” and “excellent.” Furthermore, the percent of “positive” ratings (satisfactory or better) ranged from 83% (commissioners—judicial demeanor) to 90% (commissioners—courtroom efficiency). Overall, respondents see the Superior Court to be well above average on each of the evaluative criteria.

Table 7: Aggregate Results

	Decision Making											
	<u>Total</u>	<i>Unsatisfactory</i>		<i>Less Than Satisfactory</i>		<i>Satisfactory</i>		<i>More Than Satisfactory</i>		<i>Excellent</i>		
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	
Judges	11,625	463	4%	802	7%	2,436	21%	4,140	36%	3,784	33%	
Commissioners	2,839	96	3%	198	7%	685	24%	1,020	36%	840	30%	
Overall	14,464	559	4%	1,000	7%	3,121	22%	5,160	36%	4,624	32%	

	Courtroom Efficiency											
	<u>Total</u>	<i>Unsatisfactory</i>		<i>Less Than Satisfactory</i>		<i>Satisfactory</i>		<i>More Than Satisfactory</i>		<i>Excellent</i>		
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	
Judges	11,691	575	5%	845	7%	1,988	17%	3,650	31%	4,633	40%	
Commissioners	2,854	191	7%	299	10%	632	22%	888	31%	844	30%	
Overall	14,545	766	5%	1,144	8%	2,620	18%	4,538	31%	5,477	38%	

Judicial Demeanor

Less Than *More Than*

	<u>Total</u>	<i>Unsatisfactory</i>		<i>Satisfactory</i>		<i>Satisfactory</i>		<i>Satisfactory</i>		<i>Excellent</i>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Judges	11,700	570	5%	1,057	9%	2,377	20%	4,060	35%	3,636	31%
Commissioners	2,835	128	5%	274	10%	696	25%	1,012	36%	725	26%
Overall	14,535	698	5%	1,331	9%	3,073	21%	5,072	35%	4,361	30%

Overall Performance

	<u>Total</u>	<i>Unsatisfactory</i>		<i>Less Than Satisfactory</i>		<i>Satisfactory</i>		<i>More Than Satisfactory</i>		<i>Excellent</i>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Judges	11,814	692	6%	1,158	10%	2,443	21%	4,013	34%	3,508	30%
Commissioners	2,852	146	5%	260	9%	671	24%	1,045	37%	730	26%
Overall	14,666	838	6%	1,418	10%	3,114	21%	5,058	34%	4,238	29%

This result comes as no surprise: attorneys have evaluated the Superior Court well above average throughout the decade (see Table 8). Data available from surveys since 1986 show that this high assessment of the Superior Court, at least for overall performance, extends back into the 1980s.

Table 8: Aggregate “Positive” Evaluations, 1986 to 1999

<u>Year</u>	<u>Decision Making</u>	<u>Courtroom Efficiency</u>	<u>Judicial Demeanor</u>	<u>Overall Performance</u>
1986	—	—	—	85%
1987	—	—	—	85%
1989	—	—	—	82%
1991	82%	88%	88%	86%
1995	81%	87%	86%	85%
1999	85%	89%	87%	86%

Positive evaluations are “satisfactory,” “adequate” or higher.

Judges

The results for the 49 judges of the King County Superior Court are presented in Table 16, which appears on the following four pages. The table provides total number of valid evaluations, and the number and percent of evaluations for each of the five rating categories. (A more detailed breakdown of the evaluations of individual judges is presented in Appendix B.)

When assessing the evaluations keep in mind that they cover performance for the past four years. Results that have low variability (e.g. tend to favor one or two rating categories) would suggest consistency in performance over time. Results that have high variability (e.g., are more evenly distributed among the rating categories) may indicate either an inconsistent performance over time, or a steady change in performance over time. It is not possible to differentiate between these two possibilities with the information on hand. (Future surveys may consider asking respondents with multiple appearances to render an assessment of consistency across time, or improvement across time, as a means to answer this question.)

One temptation when viewing individual results is to rank the judges from high to low. This practice is not recommended for a variety of reasons, including differing evaluation populations and the low level of specificity possible in attitude measurement. The judges are assessed by different subgroups of attorneys who, although they share some general characteristics, combine to create a

unique evaluation environment. How similar these environments are to each other is not presently known, making inter-judge comparisons a shaky proposition. In regards to measurement, it is possible to calculate very precise values, but this does not mean that similarly precise distinctions exist between or among judges. For example, an average of 4.2 for overall performance is higher than an average of 4.1, but does the difference of 0.1 points justify ranking one judge ahead of another? For this survey the answer is no. In fact, it is not known what constitutes a meaningful difference for this survey, which suggests that definitive comparisons not be undertaken using this data.

Furthermore, any method for ranking judges is inherently arbitrary. Rankings based on averages, percentages of particularly rating categories, or deviations from a specified standard will probably produce different results. Each set of these results would be indefensible, since no one method is quantifiably superior to another.

Table 16: Results for Individual Judges

	<u>Total</u>	Decision Making									
		<i>Unsatisfactory</i>		<i>Less Than Satisfactory</i>		<i>Satisfactory</i>		<i>More Than Satisfactory</i>		<i>Excellent</i>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Aitken, Patricia	204	1	0%	3	1%	37	18%	65	32%	98	48%
Alsdorf, Robert	399	11	3%	24	6%	50	13%	110	28%	204	51%
Armstrong, Sharon	296	4	1%	12	4%	58	20%	103	35%	119	40%
Barnett, Suzanne	159	7	4%	26	16%	55	35%	46	29%	25	16%
Bates, Jim	469	43	9%	68	14%	98	21%	158	34%	102	22%
Bridge, Bobbe	152	1	1%	7	5%	25	16%	53	35%	66	43%
Burrage, Jeanette	245	74	30%	60	24%	65	27%	29	12%	17	7%
Clark, Patricia	153	13	8%	26	17%	48	31%	45	29%	21	14%
Cody, Harriett	255	26	10%	46	18%	86	34%	64	25%	33	13%
Darrah, John	231	19	8%	42	18%	74	32%	78	34%	18	8%
Downing, William	324	6	2%	11	3%	45	14%	128	40%	134	41%
DuBuque, Joan	283	13	5%	26	9%	44	16%	109	39%	91	32%
Eadie, Richard	284	15	5%	32	11%	59	21%	105	37%	73	26%
Finkle, George	346	6	2%	15	4%	29	8%	113	33%	183	53%
Fleck, Deborah	189	9	5%	18	10%	30	16%	67	35%	65	34%
Fox, Michael	392	15	4%	26	7%	86	22%	153	39%	112	29%
Gain, Brian	211	4	2%	10	5%	35	17%	90	43%	72	34%
Haley, Donald	311	45	14%	72	23%	81	26%	80	26%	33	11%
Hall, Glenna	252	18	7%	35	14%	66	26%	84	33%	49	19%
Hayden, Michael	250	9	4%	26	10%	64	26%	95	38%	56	22%
Hubbard, Philip	241	22	9%	28	12%	58	24%	83	34%	50	21%
Huggins, Norma	161	6	4%	15	9%	37	23%	64	40%	39	24%
Inveen, Laura	188	2	1%	8	4%	47	25%	62	33%	69	37%
Ishikawa, Richard	219	7	3%	31	14%	69	32%	72	33%	40	18%
Jarvis, Peter	327	52	16%	48	15%	56	17%	96	29%	75	23%
Jones, Richard	199	5	3%	11	6%	36	18%	65	33%	82	41%
Jordan, Larry	302	5	2%	6	2%	31	10%	107	35%	153	51%
Kessler, Ronald	103	2	2%	2	2%	23	22%	37	36%	39	38%
Lau, Linda	216	14	6%	17	8%	54	25%	78	36%	53	25%
Learned, J. Kathleen	314	11	4%	28	9%	57	18%	114	36%	104	33%
Lukens, Terry	48	1	2%	3	6%	13	27%	21	44%	10	21%
Lum, Dean S.	137	6	4%	11	8%	41	30%	45	33%	34	25%
MacInnes, Nicole	133	11	8%	10	8%	27	20%	44	33%	41	31%
Mattson, George	222	6	3%	8	4%	33	15%	95	43%	80	36%
McCullough, LeRoy	223	16	7%	32	14%	63	28%	80	36%	32	14%
Mertel, Charles	320	22	7%	34	11%	71	22%	101	32%	92	29%
Niemi, Janice	191	39	20%	50	26%	49	26%	37	19%	16	8%
Pechman, Marsha	304	18	6%	23	8%	40	13%	98	32%	125	41%
Ramerman, Dale B.	312	9	3%	15	5%	65	21%	121	39%	102	33%
Ramsdell, Jeffrey	169	8	5%	13	8%	28	17%	61	36%	59	35%
Schapira, Carol	369	39	11%	65	18%	96	26%	111	30%	58	16%
Schindler, Ann	220	4	2%	17	8%	48	22%	75	34%	76	35%
Scott, Steven	267	4	1%	12	4%	26	10%	91	34%	134	50%
Spearman, Michael	178	4	2%	19	11%	32	18%	64	36%	59	33%
Street, Jim	135	12	9%	15	11%	41	30%	36	27%	31	23%
Trickey, Michael	207	5	2%	7	3%	32	15%	85	41%	78	38%
Wartnik, Anthony	202	9	4%	9	4%	48	24%	86	43%	50	25%

Wesley, R. Joseph	298	7	2%	20	7%	44	15%	117	39%	110	37%
White, Jay	204	7	3%	16	8%	43	21%	92	45%	46	23%

Table 16: Results for Individual Judges, continued

	Courtroom Efficiency										
	Total	Unsatisfactory		Less Than Satisfactory		Satisfactory		More Than Satisfactory		Excellent	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Aitken, Patricia	202	0	0%	4	2%	22	11%	68	34%	108	53%
Alsdorf, Robert	395	5	1%	7	2%	40	10%	121	31%	222	56%
Armstrong, Sharon	295	3	1%	10	3%	41	14%	110	37%	131	44%
Barnett, Suzanne	152	2	1%	16	11%	48	32%	50	33%	36	24%
Bates, Jim	461	18	4%	42	9%	128	28%	155	34%	118	26%
Bridge, Bobbe	149	4	3%	2	1%	19	13%	47	32%	77	52%
Burrage, Jeanette	235	40	17%	52	22%	74	31%	50	21%	19	8%
Clark, Patricia	150	4	3%	19	13%	45	30%	48	32%	34	23%
Cody, Harriett	252	27	11%	41	16%	87	35%	61	24%	36	14%
Darrah, John	225	16	7%	32	14%	71	32%	82	36%	24	11%
Downing, William	317	3	1%	6	2%	38	12%	122	38%	148	47%
DuBuque, Joan	280	8	3%	15	5%	43	15%	110	39%	104	37%
Eadie, Richard	281	10	4%	19	7%	67	24%	103	37%	82	29%
Finkle, George	340	3	1%	8	2%	29	9%	112	33%	188	55%
Fleck, Deborah	183	20	11%	15	8%	37	20%	56	31%	55	30%
Fox, Michael	386	7	2%	17	4%	80	21%	161	42%	121	31%
Gain, Brian	208	2	1%	4	2%	35	17%	90	43%	77	37%
Haley, Donald	307	35	11%	57	19%	102	33%	68	22%	45	15%
Hall, Glenna	243	9	4%	29	12%	64	26%	85	35%	56	23%
Hayden, Michael	246	5	2%	12	5%	62	25%	109	44%	58	24%
Hubbard, Philip	229	10	4%	15	7%	47	21%	91	40%	66	29%
Huggins, Norma	160	5	3%	11	7%	32	20%	68	43%	44	28%
Inveen, Laura	184	1	1%	6	3%	31	17%	80	43%	66	36%
Ishikawa, Richard	216	5	2%	24	11%	60	28%	81	38%	46	21%
Jarvis, Peter	321	21	7%	25	8%	68	21%	107	33%	100	31%
Jones, Richard	196	6	3%	6	3%	31	16%	63	32%	90	46%
Jordan, Larry	298	1	0%	2	1%	32	11%	113	38%	150	50%
Kessler, Ronald	100	2	2%	4	4%	17	17%	44	44%	33	33%
Lau, Linda	213	10	5%	10	5%	47	22%	78	37%	68	32%
Learned, J. Kathleen	303	3	1%	14	5%	66	22%	110	36%	110	36%
Lukens, Terry	46	1	2%	1	2%	13	28%	21	46%	10	22%
Lum, Dean S.	134	4	3%	7	5%	31	23%	57	43%	35	26%
MacInnes, Nicole	130	5	4%	5	4%	30	23%	50	38%	40	31%
Mattson, George	222	3	1%	10	5%	42	19%	91	41%	76	34%
McCullough, LeRoy	223	23	10%	34	15%	59	26%	72	32%	35	16%
Mertel, Charles	317	13	4%	23	7%	66	21%	107	34%	108	34%
Niemi, Janice	190	24	13%	40	21%	64	34%	45	24%	17	9%
Pechman, Marsha	304	15	5%	11	4%	36	12%	106	35%	136	45%
Ramerman, Dale B.	309	7	2%	8	3%	69	22%	110	36%	115	37%
Ramsdell, Jeffrey	161	5	3%	3	2%	27	17%	69	43%	57	35%
Schapira, Carol	364	41	11%	46	13%	108	30%	110	30%	59	16%
Schindler, Ann	219	4	2%	13	6%	49	22%	79	36%	74	34%
Scott, Steven	261	2	1%	4	2%	30	11%	98	38%	127	49%
Spearman, Michael	176	2	1%	14	8%	35	20%	64	36%	61	35%
Street, Jim	133	9	7%	15	11%	34	26%	44	33%	31	23%
Trickey, Michael	204	2	1%	4	2%	43	21%	88	43%	67	33%
Wartnik, Anthony	203	6	3%	21	10%	48	24%	82	40%	46	23%

Wesley, R. Joseph	298	6	2%	4	1%	43	14%	117	39%	128	43%
White, Jay	204	6	3%	15	7%	46	23%	87	43%	50	25%

Table 16: Results for Individual Judges, continued

	<u>Total</u>	Judicial Demeanor									
		<i>Unsatisfactory</i>		<i>Less Than Satisfactory</i>		<i>Satisfactory</i>		<i>More Than Satisfactory</i>		<i>Excellent</i>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Aitken, Patricia	204	0	0%	3	1%	26	13%	51	25%	124	61%
Alsdorf, Robert	394	12	3%	11	3%	37	9%	83	21%	251	64%
Armstrong, Sharon	297	2	1%	4	1%	34	11%	82	28%	175	59%
Barnett, Suzanne	152	4	3%	14	9%	35	23%	48	32%	51	34%
Bates, Jim	460	34	7%	52	11%	94	20%	143	31%	137	30%
Bridge, Bobbe	150	3	2%	8	5%	24	16%	43	29%	72	48%
Burrage, Jeanette	238	55	23%	47	20%	60	25%	43	18%	33	14%
Clark, Patricia	153	24	16%	31	20%	30	20%	34	22%	34	22%
Cody, Harriett	252	17	7%	36	14%	67	27%	79	31%	53	21%
Darrah, John	227	16	7%	14	6%	56	25%	90	40%	51	22%
Downing, William	321	4	1%	11	3%	35	11%	115	36%	156	49%
DuBuque, Joan	281	6	2%	29	10%	49	17%	87	31%	110	39%
Eadie, Richard	277	7	3%	17	6%	42	15%	89	32%	122	44%
Finkle, George	342	2	1%	3	1%	36	11%	90	26%	211	62%
Fleck, Deborah	186	6	3%	7	4%	22	12%	52	28%	99	53%
Fox, Michael	385	14	4%	28	7%	64	17%	148	38%	131	34%
Gain, Brian	208	3	1%	7	3%	22	11%	83	40%	93	45%
Haley, Donald	312	25	8%	37	12%	76	24%	86	28%	88	28%
Hall, Glenna	249	18	7%	24	10%	58	23%	89	36%	60	24%
Hayden, Michael	248	20	8%	25	10%	60	24%	89	36%	54	22%
Hubbard, Philip	231	11	5%	9	4%	32	14%	90	39%	89	39%
Huggins, Norma	162	3	2%	11	7%	17	10%	45	28%	86	53%
Inveen, Laura	183	3	2%	5	3%	24	13%	72	39%	79	43%
Ishikawa, Richard	217	11	5%	21	10%	66	30%	69	32%	50	23%
Jarvis, Peter	326	66	20%	46	14%	61	19%	73	22%	80	25%
Jones, Richard	197	2	1%	7	4%	21	11%	57	29%	110	56%
Jordan, Larry	300	1	0%	1	0%	24	8%	87	29%	187	62%
Kessler, Ronald	102	13	13%	27	26%	20	20%	23	23%	19	19%
Lau, Linda	212	12	6%	9	4%	42	20%	66	31%	83	39%
Learned, J. Kathleen	305	6	2%	18	6%	50	16%	94	31%	137	45%
Lukens, Terry	47	1	2%	2	4%	9	19%	19	40%	16	34%
Lum, Dean S.	136	3	2%	6	4%	31	23%	42	31%	54	40%
MacInnes, Nicole	133	8	6%	8	6%	19	14%	47	35%	51	38%
Mattson, George	223	5	2%	16	7%	45	20%	75	34%	82	37%
McCullough, LeRoy	223	3	1%	22	10%	48	22%	82	37%	68	30%
Mertel, Charles	320	15	5%	23	7%	37	12%	105	33%	140	44%
Niemi, Janice	190	27	14%	44	23%	54	28%	48	25%	17	9%
Pechman, Marsha	305	31	10%	26	9%	37	12%	81	27%	130	43%
Ramerman, Dale B.	311	6	2%	14	5%	55	18%	99	32%	137	44%
Ramsdell, Jeffrey	165	4	2%	5	3%	17	10%	63	38%	76	46%
Schapira, Carol	362	31	9%	42	12%	91	25%	113	31%	85	23%
Schindler, Ann	221	9	4%	24	11%	43	19%	66	30%	79	36%
Scott, Steven	265	7	3%	8	3%	32	12%	73	28%	145	55%
Spearman, Michael	176	6	3%	7	4%	26	15%	58	33%	79	45%
Street, Jim	133	7	5%	14	11%	30	23%	42	32%	40	30%
Trickey, Michael	203	0	0%	3	1%	24	12%	78	38%	98	48%
Wartnik, Anthony	203	4	2%	2	1%	37	18%	80	39%	80	39%

Wesley, R. Joseph	302	5	2%	10	3%	38	13%	98	32%	151	50%
White, Jay	202	3	1%	7	3%	31	15%	81	40%	80	40%

Table 16: Results for Individual Judges, continued

	<u>Total</u>	Overall Performance									
		<i>Unsatisfactory</i>		<i>Less Than Satisfactory</i>		<i>Satisfactory</i>		<i>More Than Satisfactory</i>		<i>Excellent</i>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Aitken, Patricia	203	1	0%	2	1%	31	15%	64	32%	105	52%
Alsdorf, Robert	397	11	3%	20	5%	45	11%	107	27%	214	54%
Armstrong, Sharon	297	1	0%	14	5%	41	14%	111	37%	130	44%
Barnett, Suzanne	154	5	3%	22	14%	47	31%	48	31%	32	21%
Bates, Jim	462	33	7%	77	17%	92	20%	161	35%	99	21%
Bridge, Bobbe	150	1	1%	9	6%	25	17%	53	35%	62	41%
Burrage, Jeanette	239	64	27%	64	27%	68	28%	25	10%	18	8%
Clark, Patricia	153	13	8%	33	22%	39	25%	40	26%	28	18%
Cody, Harriett	251	23	9%	48	19%	87	35%	62	25%	31	12%
Darrah, John	228	19	8%	31	14%	75	33%	79	35%	24	11%
Downing, William	323	5	2%	10	3%	41	13%	128	40%	139	43%
DuBuque, Joan	282	5	2%	26	9%	48	17%	108	38%	95	34%
Eadie, Richard	276	7	3%	24	9%	60	22%	107	39%	78	28%
Finkle, George	342	4	1%	8	2%	30	9%	105	31%	195	57%
Fleck, Deborah	183	7	4%	13	7%	35	19%	63	34%	65	36%
Fox, Michael	386	10	3%	29	8%	73	19%	165	43%	109	28%
Gain, Brian	210	4	2%	5	2%	34	16%	92	44%	75	36%
Haley, Donald	311	36	12%	64	21%	86	28%	78	25%	47	15%
Hall, Glenna	248	19	8%	29	12%	68	27%	85	34%	47	19%
Hayden, Michael	247	9	4%	23	9%	67	27%	96	39%	52	21%
Hubbard, Philip	232	17	7%	20	9%	49	21%	96	41%	50	22%
Huggins, Norma	160	5	3%	12	8%	24	15%	66	41%	53	33%
Inveen, Laura	186	2	1%	10	5%	36	19%	72	39%	66	35%
Ishikawa, Richard	216	7	3%	28	13%	69	32%	72	33%	40	19%
Jarvis, Peter	323	51	16%	52	16%	65	20%	89	28%	66	20%
Jones, Richard	197	2	1%	12	6%	26	13%	73	37%	84	43%
Jordan, Larry	298	1	0%	5	2%	27	9%	106	36%	159	53%
Kessler, Ronald	102	2	2%	5	5%	38	37%	38	37%	19	19%
Lau, Linda	212	11	5%	17	8%	46	22%	77	36%	61	29%
Learned, J. Kathleen	308	10	3%	22	7%	54	18%	112	36%	110	36%
Lukens, Terry	48	1	2%	1	2%	16	33%	18	38%	12	25%
Lum, Dean S.	138	5	4%	12	9%	33	24%	49	36%	39	28%
MacInnes, Nicole	135	8	6%	6	4%	32	24%	51	38%	38	28%
Mattson, George	219	6	3%	5	2%	37	17%	93	42%	78	36%
McCullough, LeRoy	224	10	4%	29	13%	71	32%	82	37%	32	14%
Mertel, Charles	318	18	6%	29	9%	54	17%	118	37%	99	31%
Niemi, Janice	190	33	17%	49	26%	52	27%	43	23%	13	7%
Pechman, Marsha	304	17	6%	22	7%	45	15%	93	31%	127	42%
Ramerman, Dale B.	311	7	2%	12	4%	68	22%	114	37%	110	35%
Ramsdell, Jeffrey	167	6	4%	9	5%	30	18%	64	38%	58	35%
Schapira, Carol	362	34	9%	52	14%	104	29%	113	31%	59	16%
Schindler, Ann	220	4	2%	19	9%	51	23%	74	34%	72	33%
Scott, Steven	265	5	2%	9	3%	30	11%	79	30%	142	54%
Spearman, Michael	177	3	2%	12	7%	33	19%	68	38%	61	34%
Street, Jim	132	10	8%	13	10%	38	29%	40	30%	31	23%
Trickey, Michael	207	1	0%	5	2%	36	17%	84	41%	81	39%
Wartnik, Anthony	203	5	2%	8	4%	44	22%	91	45%	55	27%

Wesley, R. Joseph	299	6	2%	15	5%	37	12%	116	39%	125	42%
White, Jay	205	6	3%	16	8%	40	20%	92	45%	51	25%

Commissioners

The results for the 11 commissioners of the King County Superior Court are presented in Table 17. The table provides total number of valid evaluations, and the number and percent of evaluations for each of the five rating categories. (A more detailed breakdown of the evaluations of individual commissioners is presented in Appendix C.)

When assessing the evaluations keep in mind that they cover performance for the past four years. Results that have low variability (e.g. tend to favor one or two rating categories) would suggest consistency in performance over time. Results that have high variability (e.g., are more evenly distributed among the rating categories) may indicate either an inconsistent performance over time, or a steady change in performance over time. It is not possible to differentiate between these two possibilities with the information on hand. (Future surveys may consider asking respondents with multiple appearances to render an assessment of consistency across time, or improvement across time, as a means to answer this question.)

One temptation when viewing individual results is to rank the commissioners from high to low. This practice is not recommended for a variety of reasons, including differing evaluation populations and the low level of specificity possible in attitude measurement. The commissioners are assessed by different subgroups of attorneys who, although they share some general characteristics, combine to create a unique evaluation environment. How similar these environments are to each other is not presently known, making inter-commissioner comparisons a shaky proposition. In regards to measurement, it is possible to calculate very precise values, but this does not mean that similarly precise distinctions exist between or among commissioners. For example, an average of 4.2 for overall performance is higher than an average of 4.1, but does the difference of 0.1 points justify ranking one commissioner ahead of another? For this survey the answer is no. In fact, it is not known what constitutes a meaningful difference for this survey, which suggests that definitive comparisons not be undertaken using this data.

Furthermore, any method for ranking commissioners is inherently arbitrary. Rankings based on averages, percentages of particularly rating categories, or deviations from a specified standard will probably produce different results. Each set of these results would be indefensible, since no one method is quantifiably superior to another.

Table 17: Results for Individual Commissioners

	<u>Total</u>	Decision Making									
		<i>Unsatisfactory</i>		<i>Less Than Satisfactory</i>		<i>Satisfactory</i>		<i>More Than Satisfactory</i>		<i>Excellent</i>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Bradburn-Johnson, N.	160	16	10%	23	14%	48	30%	49	31%	24	15%
Canada-Thurston, B.	261	14	5%	31	12%	70	27%	86	33%	60	23%
Doerty, Jim	79	1	1%	1	1%	9	11%	32	41%	36	46%
Gaddis, Stephen	580	17	3%	47	8%	109	19%	219	38%	188	32%
Holman, Hollis	211	33	16%	25	12%	50	24%	60	28%	43	20%
Middaugh, L. Gene	68	9	13%	6	9%	18	26%	29	43%	6	9%
Ponomarchuk, L.	187	6	3%	11	6%	36	19%	84	45%	50	27%
Prochnau, K.	199	5	3%	27	14%	53	27%	75	38%	39	20%
Sellers, Marilyn	378	28	7%	43	11%	105	28%	130	34%	72	19%
Velategui, Carlos	351	12	3%	31	9%	116	33%	123	35%	69	20%
Watness, Eric	378	5	1%	15	4%	57	15%	158	42%	143	38%

Table 17: Results for Individual Commissioners, continued

	Courtroom Efficiency										
	<u>Total</u>	<i>Unsatisfactory</i>		<i>Less Than Satisfactory</i>		<i>Satisfactory</i>		<i>More Than Satisfactory</i>		<i>Excellent</i>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Bradburn-Johnson, N.	158	12	8%	27	17%	52	33%	43	27%	24	15%
Canada-Thurston, B.	259	13	5%	22	8%	67	26%	76	29%	81	31%
Doerty, Jim	78	1	1%	1	1%	10	13%	31	40%	35	45%
Gaddis, Stephen	578	12	2%	34	6%	101	17%	205	35%	226	39%
Holman, Hollis	209	12	6%	14	7%	67	32%	61	29%	55	26%
Middaugh, L. Gene	67	4	6%	6	9%	23	34%	25	37%	9	13%
Ponomarchuk, L.	185	4	2%	7	4%	42	23%	79	43%	53	29%
Prochnau, K.	197	3	2%	14	7%	51	26%	88	45%	41	21%
Sellers, Marilyn	382	20	5%	35	9%	104	27%	137	36%	86	23%
Velategui, Carlos	350	9	3%	29	8%	104	30%	123	35%	85	24%
Watness, Eric	376	6	2%	9	2%	64	17%	152	40%	145	39%

	Judicial Demeanor										
	<u>Total</u>	<i>Unsatisfactory</i>		<i>Less Than Satisfactory</i>		<i>Satisfactory</i>		<i>More Than Satisfactory</i>		<i>Excellent</i>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Bradburn-Johnson, N.	158	8	5%	19	12%	39	25%	48	30%	44	28%
Canada-Thurston, B.	261	31	12%	48	18%	77	30%	59	23%	46	18%
Doerty, Jim	79	1	1%	0	0%	12	15%	25	32%	41	52%
Gaddis, Stephen	580	35	6%	57	10%	99	17%	183	32%	206	36%
Holman, Hollis	211	30	14%	36	17%	55	26%	46	22%	44	21%
Middaugh, L. Gene	68	8	12%	5	7%	17	25%	26	38%	12	18%
Ponomarchuk, L.	184	11	6%	19	10%	39	21%	65	35%	50	27%
Prochnau, K.	198	8	4%	20	10%	44	22%	75	38%	51	26%
Sellers, Marilyn	383	22	6%	39	10%	93	24%	119	31%	110	29%
Velategui, Carlos	351	31	9%	53	15%	103	29%	97	28%	67	19%
Watness, Eric	381	6	2%	3	1%	54	14%	145	38%	173	45%

	Overall Performance										
	<u>Total</u>	<i>Unsatisfactory</i>		<i>Less Than Satisfactory</i>		<i>Satisfactory</i>		<i>More Than Satisfactory</i>		<i>Excellent</i>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Bradburn-Johnson, N.	156	9	6%	27	17%	46	29%	51	33%	23	15%
Canada-Thurston, B.	256	14	5%	35	14%	76	30%	79	31%	52	20%
Doerty, Jim	78	1	1%	0	0%	8	10%	30	38%	39	50%
Gaddis, Stephen	577	20	3%	54	9%	115	20%	208	36%	180	31%
Holman, Hollis	210	23	11%	27	13%	68	32%	48	23%	44	21%
Middaugh, L. Gene	66	6	9%	8	12%	17	26%	27	41%	8	12%
Ponomarchuk, L.	183	7	4%	14	8%	35	19%	84	46%	43	23%
Prochnau, K.	197	7	4%	21	11%	52	26%	79	40%	38	19%
Sellers, Marilyn	383	25	7%	38	10%	104	27%	138	36%	78	20%
Velategui, Carlos	348	11	3%	39	11%	119	34%	111	32%	68	20%
Watness, Eric	381	5	1%	11	3%	56	15%	157	41%	152	40%

Response Rate

A total of 12,466 surveys were mailed to attorneys, with 1,204 returned by the October 22nd deadline (see Table 1). The return rate for the survey is 9.7%. When unqualified surveys are removed (i.e., surveys without signature pages), 1,144 usable surveys remain. The response rate for usable surveys is 9.2%.

Table 1: Response Rate

<u>Year</u>	<u>Courts</u>	<u>Number Mailed</u>	<u>Number Returned</u>	<u>Response Rate</u>	<u>Usable Surveys</u>	<u>Usable Response Rate</u>
1999	King County Superior Court	12,466	1,204	9.7%	1,144	9.2%

Response rate is one indicator of the possible reliability of the survey results. A nine percent response rate is not unusual for a mail survey but this is the lowest response rate for a Superior Court survey included in Table 1. The last two Superior Court surveys, for example, averaged a ‘healthier’ response rate of 16.9% .

The low response rate is puzzling in light of the efforts made by the Judicial Evaluation Committee and the King County Bar Association to publicize and encourage response to the survey. Notices were published in the Bar Bulletin and the newsletters of the Washington State Trial Lawyers Association and the Washington Defense Trial Lawyers Association. A reminder postcard was mailed to attorneys within King County. Other efforts were also made to publicize the survey, such as e-mail and personal contact.

For any survey a high response rate is desirable since higher response rates imply higher reliability for the results. However, there are mitigating factors in this survey that suggest reliance on the response rate as the sole indicator of reliability is misguided. To begin with, a low response rate is not necessarily indicative of unreliable results. John A. Krosnick (1999) explains that the representativeness of a sample is more important than response rate. If the sample is reflective of the overall population, even if obtained with a low response rate, it still stands as a reliable basis for making generalizations. For example, a study of the predictive error of mail and telephone surveys for Ohio state elections over a 15-year period showed that a mail survey, with a response rate of about 20%, was more accurate (average error of 1.6%) than a telephone survey with a response rate of about 60% (average error of 5.2%). Furthermore, Krosnick says, the substantive findings of some surveys are not altered when their response rate increases.

Keeping in mind the results of the judicial evaluation survey are based on a self-selected sample (making it a nonprobability sample), there are several factors that speak to the representativeness of the respondents and the reliability of the results:

1. *Respondent Homogeneity.* It is fair to state that attorneys have similarities in education and employment, and, to a lesser degree, in race, gender, and economic status. Because they share a core experience relative to the task at hand, fewer of them may be needed to produce the same level of reliability as a larger sample from a heterogeneous population.
2. *Replication.* Most surveys are one-shot affairs. Judicial Evaluation Survey have been conducted since at least 1982, with the Superior Court subject to assessment eight times between 1982 and 1999. The overall results for each survey are highly supportive of each other, with the general conclusions being the same. The stability of the results over time, even in light of methodological changes, is supportive of the reliability of the survey.
3. *Personal Experience Criteria.* The personal experience criteria is strongly emphasized in the survey instructions. Attorneys are requested to make evaluations only if there exists a sufficient level of experience to do so. This is a self-limiting factor that may dissuade unreliable evaluations from being rendered and submitted. Further bolstering this is the requirement that attorneys certify their adherence to the personal experience criteria by signing the instruction sheet to the survey. (Surveys without this attorney certification are excluded from analysis.)

4. *Self-Selection.* Self-selection is normally viewed as a problem, but in this survey it may be beneficial. In mail surveys, for example, the effort it takes to complete and return the survey tends to limit responses to those who are truly interested in the survey topic. This is an advantage for the judicial evaluation survey, which seeks ratings only from qualified attorneys.
5. *Reasonable Outcomes.* Anecdotal evidence suggests that over the history of the survey the results, in general, make sense to attorneys who appear in the Superior Court.

The preceding discussion, however, fails to explain why the response rate for this survey is so low. Some possibilities for this include:

1. *Over-Identification of the Survey Population.* Surveys are mailed to all attorneys in King County, regardless of whether they appeared in the Superior Court over the past four years. This will produce an artificially low response rate.
2. *Lack of Identification of Evaluation Populations.* It is not possible to uniquely identify the attorneys who appeared before a judge or commissioner over the past four years. These attorneys properly comprise the true evaluation population for a judge or commissioner. Individual response rates for judges and commissioners may be much higher. For example, if 400 attorneys appeared before Judge Aitken during the evaluation period, and 208 of them rendered an evaluation, Judge Aitken's response rate would be 52%. Unfortunately, this information is not available.
3. *Changing Nature of Court Exposure.* Several changes in the legal environment have worked to reduced the number of attorneys who appear before judges and commissioners of the Superior Court, and the number of times they've appeared. The increased use of mediation and alternative dispute resolution, for example, have lessened attorney exposure to the courtroom environment, as has the elimination of automatic oral argument for motions.

Even though the 1999 Judicial Evaluation Survey has a low response rate a variety of factors argue in favor of the reliability of the results. At the minimum the results represent the attitudes of the attorneys who rated these judges and commissioners. And, even though the results of this survey come from a nonprobability sample, it is possible to argue that the findings may be safely generalized to all attorneys who appeared in the Superior Court during this four year period.

Conclusion

The results of the 1999 Judicial Evaluation Survey present a strongly favorable assessment of the judges and commissioners of the King County Superior Court. Overall, judges and commissioners received positive ratings (satisfactory and above) more than 80% of the time. The overall evaluations of the judges and commissioners are consistent across respondent years of active practice, principal types of practice, and type and number of appearances before the Court. And, while there are a few individual exceptions, the individual judges and commissioners received positive ratings seven to eight times out of every ten ratings they received.

The low response rate of 9.2% for the 1999 Survey raises concerns over the reliability of the results. A low response rate, however, does not necessarily mean results are unreliable. The representativeness of the sample is a more crucial factor, and several factors suggest that the survey is representative of the attorneys who appeared in the Superior Court over the past four years. First, respondents are relatively homogeneous, at least where legal and courtroom experience are concerned. Second, the respondents of mail surveys are more motivated than nonrespondents, which bodes well for the quality of the ratings. Third, respondents are strongly admonished to base their evaluations on personal experience, including the requirement of certifying their responses with their signature. And fourth, the overall results of the survey are consistent with past evaluation surveys of the Superior Court.

The low response rate may also be the result of environmental factors which have no direct bearing on reliability. For example, the survey population for 1999 was over-identified. All attorneys in King County were included in the original mailing, even though many of these attorneys have no contact with the Superior Court. Their inclusion served only to depress the response rate. Also, the nature of attorney interaction with the Superior Court has changed over time. With the implementation of mediation and alternative dispute

resolution programs, and the dropping of automatic oral arguments for motions, fewer attorneys may be exposed to the Superior Court. It would be helpful to further explore the impact of these factors.

The low response rate is still a concern, and efforts should be undertaken within the financial constraints of the survey to improve the rate. One method that may raise the response rate is to better define the survey population. All attorneys in King County were included in the original mailing even though they all don't practice in the Superior Court. These excess attorneys should be eliminated. Furthermore, the number of attorneys who appear before the judges and commissioners varies. If Court records permit, identification of these individual evaluative populations should be made.

Besides bolstering the response rate, efforts to substantiate survey reliability can by comparing them with outside information should be undertaken. Other potential ratings of judicial performance, such as the Bar Association's rating of judicial candidates, the number of affidavits of prejudice filed against a judge or commissioner, or the number of decisions reversed by appellate courts, could be employed for this purpose. If the results of the survey compare favorably to these other sources of information on judicial capability or performance, faith in the reliability of the results of the survey is strengthened.

Bibliography

Krosnick, John A. (1999). "Survey Research," *Annual Review of Psychology*, 50:537-67. Annual Reviews.

Appendix A: Questionnaire

The following four pages contain a copy of the questionnaire for the 1999 Judicial Evaluation Survey.

Appendix B: “Other” Principal Practice Types

Unedited, the responses for “other” principal practice are:

Administrative Appeals	Employment/Class Action
Admiralty/Transportation Litigation	Employment/Discrimination Defense
Adoption	Employment/Labor Law-Defense
Adoption	Environmental
Adoptions	ERISA/Labor
Appeals from Administrative Agency Decisions	Eviction/Landlord-Tenant
Appellate	GAL
Appellate	General Civil Litigation Practice
Bankruptcy	General Practice
Bankruptcy	Guardianship/Elder Abuse
Board of Industrial Insurance Appeals	Guardian Ad Litem Registry; MAR Arbitration
CASA-Dependency/Guardian Ad Litem	Guardianship
Child Dependency	Guardianship
Civil Appeals	Guardianship
Civil Asset Forfeiture	Guardianship
Civil Commitment	Guardianship
Civil Commitment Law	Guardianship
Civil Commitment-Defense	Guardianship
Civil Commitments & Dependencies	Guardianship
Civil Law Proceedings	Guardianship
Civil-Labor/Employment	Guardianship/Disability
Civil/Employment	Housing Justice Project
Complex Litigation/Class Action	Insurance
Corporate-Business	Insurance Coverage
Creditor Rights	Insurance Coverage-Complex
Criminal Forfeitures	Insurance Coverage-Plaintiff
Dependencies, Termination of Parental Rights	Insurance Coverage/Bad Faith/Fraud
Dependency	Insurance-Defense
Dependency Law	Intellectual Property
Dependency Law	Juvenile Court
Dependency, ????? Youth, CHIWS, Truancy	Juvenile Court Dependency
Elder Law/ Guardianship	Juvenile Court Dependency/Termination
Eminent Domain	Juvenile Dependencies/Termination of Parental
Employee Benefits	Rights/Guardianships
Employment	Juvenile Dependency
Employment	Juvenile Dependency
Employment	Juvenile Offender/Dependency
Employment	Juvenile-Dependency & Becca Cases
Employment	Labor
Employment Law	Labor & Employment
Employment Law-Defense/Civil Rights	Labor & Employment-Plaintiff
Employment Law-Plaintiff	Labor & Employment-Union/Employee Side
Employment Law-Plaintiff	Labor, Employment, Discrimination-Public & Private
Employment Law/Workers’ Compensation	Sector
Employment Litigation	Land Use
Employment Litigation-Defense	Land Use
Employment-Defense	Land Use
Employment-Plaintiff	Land Use Law
Employment-Plaintiff	Land Use Litigation-Plaintiff
Employment/ Discrimination	Land Use/Administration

Land Use/Environment
Land Use/Environmental
Land Use/Environmental
Land Use/Real Estate
Landlord-Tenant
Landlord-Tenant
Landlord-Tenant/Real Estate
Law Clerk/Bailiff—All Superior Court areas
Malpractice
Mediation
Motions Practice-Lawyers
Motions related to civil appellate practice
Municipal
Municipal Defense-Land Use Petitions
Municipal Litigation
Municipal Tax
Municipal/Land Use/Condemnation
Pro Bono of many types
RAJL appeals; Writs from Municipal Court
RALJ
Real Estate
Real Estate
Real Estate
Real Estate
Real Estate & Business
Real Estate/Landlord-Tenant
Real Property
Real Property Litigation
Real Property-Litigation
Review of local govt. and state agency actions regarding
land use and environmental law
Social Security & Worker's Compensation
Superior Court Staff
Surety Defense
Tax
Tax
Unlawful Detainer Defense
Workers' Compensation Appeals
Workers' Compensation-Plaintiff