



*Fourth Judicial District of the State of
Minnesota*

*Report on the Judicial
Development Survey*

May, 2005

*Marcy R. Podkopacz, Ph.D.
Director, Research Division
Fourth Judicial District
Hennepin County*

Table of Contents

Introduction	3
Fairness Questions	5
Review of Data with Facilitator	6
Areas in Common across Internal and External Surveys	8
Table 1: Overall Average Rating on Scales	
Table 2: Overall Average Score Categories	
Analysis by Court	10
Punctuality and Efficiency	11
Table 3: Average Scores on Punctuality and Efficiency	
Assistance	12
Table 4: Average Scores on Assistance	
Independence	13
Table 5: Average Scores on Independence	
Courtroom Conduct	14
Table 6: Average Scores on Courtroom Conduct	
Personal Conduct	15
Table 7: Average Scores on Personal Conduct	
Legal Knowledge	16
Table 8: Average Scores on Legal Knowledge	
Fairness – Personal Perspective	17
Table 9: Average Scores on Fairness – Personal Perspective	
Judicial Training Emphasis	18
Table 10: Average Scores on Trained Items by Court	
Personal Characteristics	20
Table 11: Average Scores on Personal Characteristics	
Impartiality	21
Table 12: Average Scores on Impartiality	
Two Areas Specific to the Internal Survey	22
Table 13: Cooperation and Organizational Involvement	
Table 14: Adaptability and Management	
Demographic Analysis	24
Gender	24
Table 15: Differences by Gender of Respondents	
Interaction of Gender of Respondents and Judges	25
Table 16: Interaction of Gender of Attorneys and Judges	
Table 17: Interaction of Gender of Internal Respondents And Judges	
Table 18: Analysis of Gender Bias by Attorneys	
Racial Background	27
Table 19: Differences by Racial Background of Respondents	
Qualitative Findings on Open-Ended Questions	28
Summary	29
Survey Process	30
Quantitative Findings	30
Qualitative Findings	33
Appendix A: Open-Ended Responses Categorized	34

Introduction

During 2002, the Fourth Judicial District made a decision to provide information to all the judicial officers to help in their development as judges. The method chosen to solicit this information was to survey people who were able to give first hand knowledge of each judge's work. In the past, *external* surveys were sent to attorneys only for judges up for re-election and these attorneys were selected by the judges themselves. The judges were also able to select 25 *internal* respondents in the past and none of them were required respondents.

This year, the goal for the *external* survey was to select 150 attorneys randomly from all attorneys who had appeared in front of a judge in 2002 and to collect information on all 61 judges¹. In some specialty courts (such as Juvenile Court, Probate/Mental Health Court or Family Court), it was not possible to reach the goal of 150 randomly selected attorneys since there are fewer attorneys who routinely work in these areas. It was also not possible for some of the newly appointed judges in 2002 to select a full 150 attorney respondents. Some were appointed toward the end of the year and they began to learn their new job by shadowing another judge. In these situations, all available attorneys were selected to evaluate the judges. Of all of our judges, the average number of surveys that were sent to attorneys was 130 per judge. In total, 8,056 surveys were sent to attorneys on our 61 judges. There were 1,259 returned for a response rate of 15.6%. Although this seems like a small response rate, it is considered valid given the sensitive nature of the questions being asked (Bailey, 1987) of a population who will continue to present cases to these same judges. Bailey suggests that a return rate between 10% and 20% is acceptable for this type of sensitive, mailed survey².

¹ Although we had 61 judges at the point of the survey and sent out surveys on all 61, one judge left the bench during the process and was replaced through an election in 2004. The results of this judge were not included in these analyses.

² Bailey, Kenneth D. *Methods of Social Research*, The Free Press, New York, New York, 1987.

In addition, this year the judges could include up to 31 different people for the *internal* staff surveys that included fellow judges, court staff and key stakeholders (justice partners). About half of the 31 were *required* respondents for each judge including: the Chief Judge, Assistant Chief Judge, Presiding Judges (2), District Administrator, Deputy District Administrators (2), Administrative Managers (2), Administrative Supervisors (2), Division Supervisors (2), Court Reporter, and Law Clerk. In addition, judges could select 5 fellow judges, 3 court clerks and 8 justice partners (such as probation officers, deputies, social workers, court administrative personnel not already required, psychologists, etc.) to evaluate them as well. Most judges took advantage of the opportunity to participate in the *internal* survey (52 of the 60) although a few selected less than the maximum number of respondents. Of all of the judges, the average number of internal surveys sent per judge was about 20. A total of 1,450 *internal* surveys were sent to respondents and 830 were returned – accounting for a 57.2% return rate.

Many questions were similar between the two surveys but each survey included a few items that the particular respondents would be able to answer best. For example, we asked a series of questions on legal knowledge to the attorneys but these questions were only partially included on the *internal* survey to justice partners and court staff. On the flip side, we asked questions about cooperation and organizational level involvement on the *internal* survey that were not included for attorneys on the *external* survey. Instructions on each survey asked respondents to leave blank any item for which they did not have a direct experience or opinion.

The External Survey created a bit of suspicion from the Minnesota bar members based on the number of phone calls we received and the types of comments that the attorneys made. The attorneys were concerned that if we sent a survey to them, by name, that we would be able to trace back their particular responses and give that information to the judge. This was not the

case. The surveys that were returned indicated which judge was being evaluated but included no information that would have identified the survey respondent. Our cover letter assured them of anonymity and we reiterated that in any phone conversations we had with them.

One choice that definitely affected our response rates for both the *external* and *internal* surveys was the decision to solicit information on all 61 of our judges. Some attorneys who practice in a Specialty Court (Juvenile Court, Probate/Mental Health Court, and Family Court) or who are in court fairly often reported receiving too many surveys. The surveys were quite long and this created a burden for some attorneys. **Recommendation 1: Future surveys should be sent for a smaller group of judges and scheduled on a regular basis so that each judge is assessed at least once during a term of office.** At most, that would be about 1/3 of our judges and could be quite a bit lower than that for any given election year.

Another advantage of soliciting information on a fewer number of judges is that the results would be available earlier than they were for all 61 judges. This was a major criticism of the process from the judges' perspective. The attorneys were selected from appearances in 2002, the surveys were sent out during 2003, and the results were available to the judges by the fall of 2004. If there were a smaller subset of judges, this whole process could be quicker.

Recommendation 2: Results should be available within the same 12 months as the data are collected.

Fairness Questions added to Prior Questions

The Fourth Judicial District has made a commitment to testing the perceptions of court constituents whether they are litigants, attorneys, court employees or other justice partners. In particular, we are interested in perceptions of fairness, justice, satisfaction, whether people feel

they are listened to, whether court orders are understandable, and finally, whether people feel court is run in a timely manner. These elements were added to the other elements that had traditionally been asked on the Judicial Development Survey.

The work of Professors Tom Tyler (New York University) and Larry Heuer (Barnard College, Columbia University) indicates that perceptions of fair and just treatment matter more to perceptions of satisfaction than whether a person won or lost their case. Further, if litigants feel that they were treated fairly and had a chance to tell their story in court (were listened to) not only will they feel more satisfied with the result of the case but they will also report higher understanding of court orders, assign more legitimacy to the judicial officer and therefore will comply with court orders at a higher rate.

Adding these questions to an already long survey may have created too much of a burden for some respondents. **Recommendation 3: The Court should seriously consider reducing the number of questions on both the internal and external surveys. Most of the fairness questions should be kept but some of the other procedural questions should be reduced.**

Review of the Data with a Facilitator

After the surveys were returned and analyzed, each judge selected a facilitator to go through their particular findings³. The facilitators included former and current judges from the Fourth Judicial District, judges from other jurisdictions, psychologists, and private attorneys. Two separate training sessions were held for the facilitators to help them understand the data that they would be reviewing. At the facilitation, each facilitator and judge signed a confidentiality agreement for the data being discussed, went through the data, filled out an evaluation of the

³ Two of the sixty judges chose not to select a facilitator and wished to review the data themselves.

facilitated session and put together an individual development plan. Ninety-seven percent of the judges reported having completed their facilitated meetings as of the end of April, 2005.

Each packet of data, provided for the facilitated meeting, included the results of the *external* surveys for each judge and, as a comparison, the results from the bench as a whole. Similarly, the packets included the individual judge's *internal* results and the comparison results for the entire bench. The data included means, medians and modes as well as minimum scores and maximum scores on each question grouped by specific categories. This allowed each judge to see their average scores (means) plus the score they received most often (modes), where 50% of the respondents scored them (medians) and where the lowest and highest score fell. In addition, each packet included the overall category scale by demographic indicators of interest.

For the *external* survey, the demographic variables were 1) where the attorneys practiced (i.e., just in Hennepin County or in multiple counties in the State of Minnesota), 2) type of practice for each attorney (i.e., private practice, working for the government or some other type of practice (legal aid, etc.)), and 3) race of attorney (i.e., no-answer, white or non-white). For the *internal* surveys, the demographic variables included 1) position of respondent (i.e., judge, court staff, to justice partners), 2) Length of time worked in Hennepin County (i.e., less than 2 years, 2-10 years, more than 10 years), 3) race of respondent (i.e., no answer, white or non-white), and 4) age of respondent (i.e., under 35 years old, 35-55 years, or over 55 years old). Each demographic table included the mean for each category by the grouped scale and an indication of whether the differences between the categories were statistically significant or not.

Areas in Common across Both the Internal and External Surveys

The following major areas were included in both surveys although a shorter version was included in the *internal* survey: Punctuality and Efficiency, Assistance, Independence, Personal Conduct, Courtroom Conduct, Personal Characteristics and a series of questions on Impartiality or Bias. In addition, the *external* survey included more questions on Legal Knowledge and Ability and the *internal* survey included two other sections on Adaptability and Management, and Cooperation and Organizational Involvement.

The survey also asked general questions on Confidence in the Courts and Global Fairness of the Courts questions. These two areas are not included in this report since they are not asking specific questions about judges in the Fourth Judicial District of Minnesota. The questions on Personal Characteristics and Impartiality will be presented later in this report since these items do not lend themselves well to scales.

Table 1: Overall Average Results of Scales from External Survey and Internal Survey

Overall Results of Bench	Average Scores from the <i>External</i> Survey Results	Average Scores from the <i>Internal</i> Survey Results
Average for Bench on Questions of Punctuality and Efficiency	7.10	6.66
Average for Bench on Questions of Assistance	7.01	7.49
Average for Bench on Questions of Independence	6.63	6.76
Average for Bench on Questions of Legal Knowledge	7.25	7.55
Average for Bench on Questions on Courtroom Conduct	7.51	7.96
Average for Bench on Questions on Personal Conduct	7.44	7.88
Average for Bench on Questions on Fairness – Personal	7.22	7.77
Minimum score by Judge	4.93	3.84
Maximum score by Judge	8.11	7.74
Range of individual scores	3.18	3.90

The correlation coefficient between the External and Internal Survey results is +.413 (p=.002). This indicates that there is a positive, moderate relationship between the results from the random sample of attorneys and the internal respondents. A correlation coefficient that is positive indicates that if the external survey results are high there is a moderately strong, statistically significant likelihood that the internal survey results will be high.

Seven areas of questions were scaled to provide an overall idea of how our judges were rated by both sets of respondents: the attorneys on the external survey and the internal respondents. On one of the seven common areas across the two surveys, our judges were rated higher by attorneys on the *external* survey than by the respondents on the *internal* survey (judges, court staff and justice partners). This one area was Punctuality and Efficiency (for example; the judge allots the appropriate amount of time for each case, s/he keeps the cases moving promptly, explains reasons for delays, etc.). In the other six areas: Assistance, Independence, Legal Knowledge, Courtroom Conduct, Personal Conduct and Questions on Fairness, respondents on the *internal* survey rated the judges higher than the attorneys who had appeared before the judge on a case. The range of scores on the *internal* survey was broader than on the external survey, which is to be expected since the respondents are comprised of a broader set of jobs: fellow judges, employees of the particular judge, and people who do not work for District Court. The lowest average score received by any one judge on these items was an average of 4.93 from the attorneys and 3.84 on the *internal* survey. The highest average score for an individual judge was 8.11 on the *external* survey and 7.74 on the *internal* survey.

For the most part, scores on the *external* and *internal* survey for individual judges were highly related to one another; meaning that when a judge received a high score on the *internal* survey it was very likely that he/she would also receive a high score on the *external* survey. The correlation coefficient between the two surveys results was $r=+.413$ meaning a moderate, positive relationship ($p=.002$, statistically significant).

Another method of viewing the congruity across judges between surveys is to compare the number of judges that fall into different average groupings. Table 2 below shows how many judges are in each of the categories. Clearly, the *external* surveys produced higher scores than

the *internal* surveys as Table 1 indicated as well but there is marked similarity in the two samples findings. It is not surprising that the *external* survey produced higher average scores. The respondents are from similar backgrounds (all lawyers), play similar roles in the court with regard to the judge and experience a highly structured environment. With the *internal* surveys, on the other hand, we have respondents who are peers, people who work directly for the judge, people who work with the judge and people who peripherally work in the same setting as the judge and these different roles mean respondents experience a much broader range of behaviors.

Table 2. Overall Average Scores and the Number of Judges in each Category

<i>Average Score Category</i>	<i>External Survey</i>	<i>Internal Survey</i>
Above 8.0	7	0
7.99-7.50	14	15
7.49-7.00	22	23
6.99-6.50	11	11
6.49-6.00	2	1
5.99 or below	4	2
Total number of Judges	60	52

Analysis by Court

Judges in Hennepin County rotate through different courts. At the point of this survey we had 8 judges in Juvenile Court, 4 judges in Family Court, 1 judge in Probate/Mental Health Court, 20 judges that handled criminal cases only and another 28 who have a Criminal Court/Civil Court mixed caseload. Results from Probate/Mental Health Court were removed from the following tables since we have only one judge in this court. These data are confidential and were collected to help individual judges in their personal development as a judge. If we added the Probate/Mental Health Court data, we would be giving out confidential data.

As you review the data in the following tables, recall that attorneys from specific courts were asked about the judges in that particular court. Therefore the data are a function of the judges in that particular court during 2002 and the attorneys who practice in that area as well.

Punctuality and Efficiency

Impressions of Punctuality and Efficiency were higher for attorneys than for internal staff (7.10 and 6.65). Attorneys answering the survey felt that judges in Juvenile Court had the most problems with Punctuality and Efficiency and that judges in Family Court had the fewest problems in these areas (see Table 3 below). By comparison, the judges, court staff or justice partners reported statistically significant differences between the courts but in a different direction than the attorneys. The internal respondents rated judges who handle both Civil and Criminal and those that handle Family Court as having the most trouble with being efficient. They gave the highest scores to Juvenile Court judges.

Table 3: Average Scale Score on Punctuality and Efficiency by Court Type

Scale on the questions of Punctuality and Efficiency	Type of Court Judge Assigned during Survey+				
	Juvenile Court	Family Court	Criminal Only	Criminal/Civil Mix	Total
Attorney Respondents* (N=1,259)	6.78	7.25	7.18	7.07	7.10
Internal Respondents* (N=812)	7.01	6.54	6.81	6.44	6.65

Significant at * = .05, ** = .01, *** = .001

+ Probate / Mental Health Court was removed from this table

Assistance

The Assistance questions refer to elements of helping parties reach consensus during a court appearance (see Table 4). They include whether the judge provided the appropriate demeanor during settlement, assists the parties in narrowing issues, was responsive during working hours, recognized when settlement was not possible, and was creative in reaching agreements. Attorneys rated our judges lower than the internal respondents and they did not report any statistical differences between courts. The internal respondents reported significant differences across the various courts, rating Family Court lowest in Assistance and Juvenile Court and Criminal Court highest on Assistance.

Table 4: Average Scale Score on Assistance by Court Type

Scale on the questions of Assistance	Type of Court Judge Assigned during Survey+				
	Juvenile Court	Family Court	Criminal Only	Criminal/Civil Mix	Total
Attorney Respondents (N=1,259)	6.98	7.01	7.18	6.90	7.01
Internal Respondents** (N=812)	7.72	6.84	7.63	7.48	7.47

Significant at * = .05, ** = .01, *** = .001

+ Probate/Mental Health Court was removed from this table

Independence

The questions on Independence (see Table 5 below) provided very similar overall scores for each group of respondents (range is 6.64 to 6.75). These questions examined respondents' view of whether the judge refrained from outside influence, conducted the courtroom neutrally, prohibited unprofessional behavior and based decisions on evidence.

Even though the overall results were very similar across respondent groups, the results display very different views. Attorneys show a statistically significant difference between the courts – with judges who handled criminal cases having the lowest score on Independence and judges handling family cases having the highest score. Internal respondents also reported statistically significant differences between courts but their view of the highest versus the lowest was quite different than the attorneys. Internal staff scored the judges handling family cases lowest on the Independence questions while they scored judges handling juvenile and criminal cases highest.

Table 5: Average Scale Score on Independence by Court Type

Scale on the questions of Independence	Type of Court Judge Assigned during Survey+				
	Juvenile Court	Family Court	Criminal Only	Criminal/Civil Mix	Total
Attorney Respondents*** (N=1,259)	7.01	7.27	6.14	6.64	6.64
Internal Respondents** (N=812)	6.94	6.13	6.81	6.74	6.75

Significant at * = .05, ** = .01, *** = .001

+ Probate/Mental Health Court was removed from this table

Courtroom Conduct

Some of the highest scores received from all respondents were received on questions of conduct – including Courtroom Conduct (see Table 6). Courtroom Conduct reflects responses to issues such as: allowing participants an opportunity to be heard, giving reasons for rulings, presenting a neutral presence on the bench, etc. The range of overall scores is from 7.5 for attorneys to 7.98 for our *internal* respondents. Judges, Court Staff and Justice Partners reported statistically significant differences between judges based on the court in which they worked. Internal staff reported a lower score on family cases while they reported very high scores for judges in Juvenile Court and Criminal and Civil court.

Table 6: Average Scale Score on Courtroom Conduct by Court Type

Scale on the questions of Courtroom Conduct	Type of Court Judge Assigned during Survey+				
	Juvenile Court	Family Court	Criminal Only	Criminal/Civil Mix	Total
Attorney Respondents (N=1,259)	7.55	7.62	7.54	7.44	7.50
Internal Respondents*** (N=812)	8.17	7.02	8.15	7.94	7.98

Significant at * = .05, ** = .01, *** = .001

+ Probate/Mental Health Court was removed from this table

Personal Conduct

Much like the Courtroom Conduct, the conduct questions related to Personal Conduct showed very high scores – 7.44 to 7.90 (see Table 7). Indeed the scores on these questions are some of the highest scores received by our judges. Personal Conduct questions include issues such as: using clear, understandable language, treating participants with respect and politeness, maintaining eye contact with the person to whom the judge is talking, telling inappropriate jokes or behaving erratically⁴.

Attorneys reported no significant differences between judges in our different courts on these issues. Staff responding to the Internal survey reported statistically significantly lower scores on questions of Personal Conduct on judges handling Family Court matters while they assessed judges in the other courts quite highly. The low scores on this scale are still quite positive, however.

Table 7: Average Scale Score on Personal Conduct by Court Type

Scale on the questions of Personal Conduct	Type of Court Judge Assigned during Survey+				
	Juvenile Court	Family Court	Criminal Only	Criminal/Civil Mix	Total
Attorney Respondents (N=1,259)	7.62	7.19	7.53	7.41	7.44
Internal Respondents*** (N=812)	7.95	7.15	8.05	7.88	7.90

Significant at * = .05, ** = .01, *** = .001

+ Probate/Mental Health Court was removed from this table

⁴ All negatively worded questions have been reversed to reflect a positive score. Therefore the scales are composed of items that are all in the same direction.

Legal Knowledge

Questions related to Legal Knowledge also produced very high scores across all respondents – the range in overall averages was 7.23 to 7.54 (see Table 8). Legal Knowledge includes such issues as: the judge has knowledge of relevant, substantive law, uses good judgment in the application of the law, knows the rules of evidence, does the necessary homework on the case at hand, provides solid findings, and applies laws and rules consistently.

On this set of issues, attorneys working in Hennepin County reported significant differences between our courts. Criminal and Family Court judges received the highest scores on Legal Knowledge and those judges that handle a mix of Criminal and Civil Court cases received the lowest average score. These questions did not produce any significantly different scores from any of the other respondents – they reported no differences between our judges in different courts on Legal Knowledge.

Table 8: Average Scale Score on Legal Knowledge by Court Type

Scale on the questions of Legal Knowledge	Type of Court Judge Assigned during Survey+				
	Juvenile Court	Family Court	Criminal Only	Criminal/Civil Mix	Total
Attorney Respondents ** (N=1,259)	7.27	7.41	7.43	7.05	7.23
Internal Respondents (N=812)	7.60	7.04	7.68	7.49	7.54

Significant at * = .05, ** = .01, *** = .001

+ Probate/Mental Health Court was removed from this table

Fairness – Personal Perspective

This section of the questionnaire included items that broadly define the fairness perspective of the particular judge being assessed, such as: this judge treats litigants in a fair manner, this judge decides cases in a just manner, clients feel they were treated fairly and that justice was done when they leave this judge’s courtroom (see Table 9). The range in scores on this scale was from 7.22 to 7.77.

Statistically significant differences were reported from our *internal* staff on judges across the courts. Juvenile Court judges and Criminal Court judges were rated the highest of all the judges whereas Family Court judges were ranked the lowest among internal respondents. Attorneys rated our judges highly and similarly across each of the courts in which our judges were assigned.

Table 9: Average Scale Score on Fairness – Personal Perspective by Court Type

Scale on the questions of Fairness – Personal Perspective	Type of Court Judge Assigned during Survey+				
	Juvenile Court	Family Court	Criminal Only	Criminal/ Civil Mix	Total
Attorney Respondents (N=1,259)	7.27	7.21	7.25	7.20	7.22
Internal Respondents*** (N=812)	8.00	6.95	8.06	7.60	7.77

Significant at * = .05, ** = .01, *** = .001

+ Probate/Mental Health Court was removed from this table

Judicial Training Emphasis

During 2002 through 2003, Hennepin County's Fourth Judicial District of Minnesota spent quite a bit of effort training judges on the fairness issues. This training focused on areas that are mainly represented in Courtroom Conduct, Personal Conduct and Fairness – the Personal Perspective although there are questions that are interspersed in other scales as well. The training included hiring different professionals to teach our bench about procedural justice, about non-verbal communication, about speaking at appropriate levels to the litigants and to use non-jargon verbiage, and we offered them the opportunity to be videotaped during a live appearance so that they could see themselves on the bench. In order to test to see if our training efforts have worked, we separated the individual items of the entire survey into a 'trained' scale or 'not trained' scale.

Areas on which District Court has specifically trained our bench include such survey items as: treating litigants fairly, politely and with respect; being unbiased, just, caring, and presenting a neutral presence; speaking clearly, at the appropriate level of the litigant, speaking directly to the litigant, and maintaining eye contact; being considerate to all parties (witnesses, attorneys and staff); and running the courtroom punctually or explaining reasons for delays if they are necessary. In theory, if our bench has taken the training to heart, there should be no differences between the different courts on the trained scale, and the trained scale should receive higher scores than the items that have not been trained on yet.

No statistical differences were reported on the *external* survey on the trained items. Attorneys reported no differences across our courts and for each of the courts the trained items rated a higher score than the untrained items.

A different trend emerges for our own employees. For the *internal* respondents, there were statistically significant differences between courts on trained items and non-trained items. Trained items were all higher for each court than non-trained items. In addition, in both scales, judges in Family Court ranked lowest while both groups rated the bench handling only criminal cases highest on trained items, with the rating for the Juvenile Court judges close behind. This could be a function of exposure to the training. New judges begin their judicial work in Criminal Court and these issues were mandatory for them as part of their training for the bench. Hennepin County had five new judges in 2002 and all of them would have spent most of that year in Criminal Court.

**Table 10: Fourth Judicial District Trained Items
by Court and Type of Respondent**

Type of Survey/Respondent	Type of Court Judge Assigned during Survey+				
	Juvenile Court	Family Court	Criminal Only	Criminal/Civil Mix	Total
External Survey of Attorneys					
Average for Trained Items	7.37	7.39	7.45	7.42	7.42
Average for Items Not Trained	7.14	7.14	7.17	7.05	7.11
Internal Respondents					
Average for Trained Items***	7.44	6.74	7.59	7.19	7.33
Average for Items Not Trained***	6.77	6.04	6.92	6.45	6.64

Significant at: * = .05, ** = .01, *** = .001

+ Probate/Mental Health Court was removed from this table

Personal Characteristics of the Bench

Issues of personal characteristics were also included on the survey. These characteristics tapped the respondents’ view of various personality nuances. Table 11 shows how each of our respondent groups rated our bench as a whole on these characteristics. Attorneys rated our bench highest on attentiveness, trustworthiness, calmness, decisiveness, and being considerate to witnesses. Our *internal* survey respondents rated our judges highest on attentiveness, fairness, being unbiased, being caring, being trustworthy, and for being considerate to lawyers and witnesses.

The lowest ratings for both respondent groups was the area of being modest versus arrogant. Attorneys and our *internal* respondents also rated our bench lower on adaptability and patience. Each of these lower ratings was close to or over 6.0 so that even though they were the lowest scores received, they were still positive.

***Table 11: Individual Questions on Judges’ Personal Characteristics
(scale of 1-9, where 9 is the more positive response)***

Please rate this judge on:	Number of Attorneys that Responded	Mean – Average	Number of Internal Respondents	Mean – Average
Modesty (Arrogance)	1,205	5.95	778	6.36
Attentiveness (Inattentive)	1,208	7.46	751	7.79
Fairness (Unfair)	1,199	7.23	724	7.97
Dignity (Undignified)	1,201	7.14	764	7.44
Composure (Explosive)	1,195	7.21	760	7.43
Being concise (Rambling)	1,195	7.23	726	7.17
Being unbiased (Biased)	1,191	7.06	686	7.74
How caring they seem (Uncaring)	1,180	7.17	735	7.71
How secure they seem (Insecure)	1,176	7.39	709	7.45

Trustworthiness (Untrustworthy)	1,176	7.48	711	7.83
Calmness (Nervous)	1,187	7.42	744	7.31
Patience (Impatient)	1,197	6.80	735	7.03
Decisiveness (Indecisive)	1,195	7.43	704	7.54
Being clear (Unclear)	1,187	7.39	713	7.49
Adaptability (Rigid)	1,166	6.41	725	6.89
Being approachable (Distant)	1,182	6.87	749	7.27
Being considerate to lawyers (Inconsiderate)	1,198	7.26	593	7.71
Being considerate to court staff (Inconsiderate)	1,101	7.26	702	7.41
Being considerate to witnesses (Inconsiderate)	1,111	7.47	529	7.97

Shaded cells are the highest responses for each respondent group.

Impartiality

Table 12 provides a look at a series of questions from both the *external* and *internal* surveys that tap into the perception of bias toward different groups. On this table, the goal is to be as close to the middle of the scale (5.0) as possible. The closer the average is to the end points of 1 and 9, the more bias the respondents attribute to the judges. The good news is that none of the assessments is more than 0.3 away from the neutral position. The score that is the furthest from 5.0 is the attorney assessment of whether the judges favor the state’s attorney or the defense attorney. A score of 4.78 would indicate a small tendency toward the state’s attorney.

Table 12: Individual Questions on Impartiality
(Scale of 1-9, where 5 would indicate NO bias in either direction)

Does this judge favor:	Number of Attorneys That Responded	Mean - Average	Number of Internal Respondents	Mean - Average
(1=state's attorney, 9=defense attorney)	964	4.78	+	+
(1=plaintiff's attorney, 9=defendant's attorney)	951	4.95	+	+
(1=women, 9=men)	1,081	5.00	632	5.01
(1=whites, 9=persons of color)	1,045	5.01	628	5.03
(1=own ethnic group, 9=ethnic group different than self)	1,018	4.93	526	4.98
(1=poor defendants, 9=wealthy defendants)	1,035	5.06	626	5.00

+ not asked on this survey

Two Areas Specific to the Internal Survey

There were two areas that were added to the *internal* survey that tapped whether or not the judge was cooperative with the court as an organization; Cooperation and Organizational Involvement, and Adaptability and Management. These elements asked about him/her as an employee, as a committee member, and as a member of an organization with changing needs. Table 13 shows the results of how the *internal* respondent groups rated the judges on Cooperation and Organizational Involvement. The highest item score indicated that the judges are willing to be involved in policy issues. Additionally, promoting a positive attitude and having effective working relationships were also ranked fairly high. The lowest score was for accepting constructive criticism.

Table 13: Individual Questions on Cooperation and Organizational Involvement

Individual Questions	Number of Attorneys that Responded	Mean - Average	Number of Internal Respondents	Mean – Average
Promotes a positive attitude	+	+	747	7.55
Gives constructive criticism	+	+	640	7.26
Can accept constructive criticism	+	+	632	7.03
Has effective working relationships	+	+	713	7.52
Promotes a team approach	+	+	690	7.46
Is willing to be involved in policy issues	+	+	671	7.91
Listens to feedback	+	+	684	7.47
Responds to feedback	+	+	662	7.40

+ not asked on this survey

The final area unique to the *internal* survey includes questions on Adaptability and Management (see Table 14). On these questions, the internal respondents rated the judges highest on adjusting to the working environment, delegating activities when necessary and providing goals and direction to the staff. Scores were lowest for the item: Takes charge of situations when inappropriate.

Table 14: Individual Questions on Adaptability and Management

	Number of Attorneys that Responded	Mean – Average	Number of Internal Respondents	Mean – Average
Adjusts to changes in workload or assignments	+	+	654	7.48
<i>Doesn't adapt to changes in the organization - reversed</i>	+	+	653	7.18
<i>Takes charge of situations when inappropriate - reversed</i>	+	+	598	5.38
Delegates activities when necessary	+	+	557	7.40
Gains acceptance of ideas through persuasion	+	+	598	6.79
Provides goals and direction to staff	+	+	544	7.37

+ not asked on this survey

Demographic Analysis

Gender

The Court is interested in assessing differences based on gender or racial background of respondents. Table 15 shows the differences by gender on the different scales we have already discussed. Male attorneys rated the judges significantly higher than female attorneys on Punctuality and Efficiency, Independence and Courtroom Conduct. No other significant differences existed for the *external* survey. Respondents on the *internal* survey did not report any significant differences on these scales.

Table 15: Comparison of Scales of Questions by Gender of Respondents

Various Scales	External Survey			Internal Survey		
	Male Respondents (N=829)	Female Respondents (N=398)	Significance	Male Respondents (N=309)	Female Respondents (N=489)	Significance
Punctuality and Efficiency	7.20	6.98	*	6.64	6.68	ns
Independence	6.72	6.51	*	6.67	6.81	ns
Courtroom Conduct	7.62	7.39	*	7.91	7.99	ns
Personal Conduct	7.54	7.39	ns	7.82	7.93	ns
Legal Knowledge	7.34	7.17	ns	7.61	7.47	ns
Personal Fairness	7.34	7.11	ns	7.78	7.78	ns
Adaptability and Management	+	+	+	6.80	6.92	ns
Cooperation and Organizational Involvement	+	+	+	7.31	7.46	ns

+ not asked in this survey

ns = not significant

* = significant at .05

** = significant at .01

*** = significant at .001

Interaction of Gender of Respondent and Judge

Below, table 16 analyzes the interaction effect of gender of the attorney respondents and gender of the judge being assessed. Male attorneys rated our male judges significantly higher than female judges in each category. Female attorneys did not report any significant differences between the male or female judges they appeared in front of during 2002. Once again, both sets of respondents (male and female attorneys) rated all of our judges highest in Courtroom Conduct, Personal Conduct and Fairness.

Table 16: Comparison of Scales by Gender of Attorneys and Gender of Judge – External Survey Only

	Male Attorneys Assessing our Judges			Female Attorneys Assessing our Judges		
	Male Judges (N=494)	Female Judges (N=334)	Significance	Male Judges (N=251)	Female Judges (N=147)	Significance
Punctuality and Efficiency	7.40	6.90	***	7.06	6.85	ns
Assistance	7.46	6.62	***	6.99	6.71	ns
Independence	6.97	6.51	**	6.59	6.36	ns
Courtroom Conduct	7.86	7.27	***	7.47	7.25	ns
Personal Conduct	7.70	7.30	**	7.35	7.45	ns
Legal Knowledge	7.65	6.87	***	7.26	7.01	ns
Personal Fairness	7.71	6.78	***	7.23	6.90	ns

ns = not significant

* =significant at .05

** = significant at .01

*** = significant at .001

Table 17 presents the information on the *internal* respondents. There were no significant differences for the respondents separated by gender. Internal respondents rated all of our judges highest on Courtroom Conduct, Personal Conduct, Legal Knowledge, Fairness and Cooperation and Organizational Involvement.

Table 17: Comparison of Scales by Gender of Attorneys and Gender of Judge – Internal Survey Only

	Internal Males Assessing our Judges			Internal Females Assessing our Judges		
	Male Judges (N=182)	Female Judges (N=127)	Significance	Male Judges (N=254)	Female Judges (N=235)	Significance
Punctuality and Efficiency	6.72	6.50	ns	6.62	6.74	ns
Assistance	7.32	7.27	ns	7.69	7.55	ns
Independence	6.64	6.72	ns	6.85	6.77	ns
Courtroom Conduct	7.88	7.96	ns	8.01	7.96	ns
Personal Conduct	7.86	7.77	ns	7.92	7.95	ns
Legal Knowledge	7.57	7.66	ns	7.39	7.56	ns
Personal Fairness	7.83	7.70	ns	7.79	7.76	ns
Adaptability and Management	6.85	6.73	ns	6.91	6.93	ns
Cooperation and Organizational Involvement	7.34	7.25	ns	7.51	7.40	ns

ns = not significant

One additional area that we explored on this subject included the individual question about favoring males or females on the Impartiality scale: Indicate whether this judge exhibits any bias toward women or men (Table 18 below). Any score lower than 5.0 would indicate a bias toward females and any score higher than 5.0 would indicate favoring males. Male attorneys rated our judges, as a whole, as favoring females (4.92), while female attorneys rated our judges, as a whole, as favoring males (5.13).

When we separated our judges by gender we found no difference among female attorneys on their assessment of our judges. In other words, female Attorneys did not report any significant differences among male or female judges; they reported that all the judges favored men. Male attorneys did report significant differences among our judges: they reported that female judges were more likely to favor women than male judges. Neither male nor female *internal* employees believed that there was any gender bias by Hennepin County Judges – the overall score was 5.03 for male employees and 5.00 for female *internal* respondents. In addition, our *internal* respondents did not report any differences in gender bias by the gender of the judge.

Table 18: Comparison of Gender Bias by Gender of Respondent and Gender of Judge
(Scale of 1-9, where 5 would indicate NO bias in either direction)

Indicate whether this judge exhibits bias towards females or males	Male Attorneys Assessing our Judges			Female Attorneys Assessing our Judges		
	Male Judges (N=494)	Female Judges (N=334)	Significance	Male Judges (N=251)	Female Judges (N=147)	Significance
(1=females, 5=no bias, 9=males)	4.99	4.82	***	5.13	5.12	ns
Indicate whether this judge exhibits bias towards females or males	Male Internal Respondents			Female Internal Respondents		
	Male Judges (N=182)	Female Judges (N=127)	Significance	Male Judges (N=254)	Female Judges (N=235)	Significance
(1=females, 5=no bias, 9=males)	5.03	5.05	ns	4.99	5.01	ns

ns = not significant
 * =significant at .05
 ** = significant at .01
 *** = significant at .001

Racial Background

There were no significant differences between white and non-white groups of attorneys on their assessment of these scales (see Table 19). On the *internal* survey, every scale but three (Punctuality, Assistance, and Adaptability) showed a difference by racial background of the

respondent. In each case, non-white respondents rated the judges higher than the white respondents. No further analysis was possible on this group because of the low number of non-white respondents.

Table 19: Comparison of Scales of Questions by Racial Background of Respondents

	External Survey			Internal Survey		
	White (N=1,157)	Non-white (N=34)	Significance	White (N=746)	Non-white (N=84)	Significance
Punctuality and Efficiency	7.15	7.11	ns	6.63	6.90	ns
Assistance	7.07	6.75	ns	7.48	7.55	ns
Independence	6.66	6.56	ns	6.72	7.09	**
Courtroom Conduct	7.55	7.42	ns	7.90	8.51	***
Personal Conduct	7.50	7.61	ns	7.84	8.28	**
Legal Knowledge	7.29	7.29	ns	7.48	8.13	***
Personal Fairness	7.28	7.15	ns	7.72	8.34	***
Adaptability and Management	+	+	+	6.85	7.08	ns
Cooperation and Organizational Involvement	+	+	+	7.34	8.06	***

+ not asked in this survey
 ns = not significant
 * = significant at .05
 ** = significant at .01
 *** = significant at .001

Qualitative Findings on Open-Ended Questions

Each survey allowed the respondents to provide answers to open-ended questions in their own words. The questions we asked were: What would you tell a friend who was assigned this judge? What are the strengths and weaknesses of this judge’s case management ability? Have you ever had a reason to doubt this judge’s integrity? What are the strengths and weaknesses of this judge’s legal ability? Do you recall any instances that demonstrate this judge’s bias? What are the strengths and weaknesses of this judge’s courtroom demeanor? What aspects of this judge’s performance do you believe to be particularly commendable? What aspect of this

judge's performance do you believe needs improvement? Finally, we asked the respondents to tell us anything else they wanted to say. Appendix A includes all the open-ended responses categorized into major groupings. Each response was captured and sorted into a category. In other words, if a respondent wrote three sentences – all three were captured and categorized.

The vast majority of respondents provided positive responses across both surveys. For example, on the question: 'what would you tell a friend who was assigned to this judge?' over 79% of the attorneys and 90% of the respondents on the *internal* survey offered positive responses. For every open-ended question, the positive responses were at least three quarters of all responses if not much higher. Although Appendix A provides the responses that were received across all judges, perhaps the most useful part of the open-ended responses were those provided to each judge from their own respondents.

Summary

The Fourth Judicial District set forth an ambitious goal of providing all 61 of our judges with information to help them develop goals for improvement. Attorneys who had appeared in front of our judges were randomly selected to provide information to each judge. In addition, up to 31 *internal* respondents (fellow judges, court staff and justice partners) provided similar types of information to each judge. Our judges then selected a trained facilitator who went through their specific data and compared their results to the bench as a whole. Together, the judge and the facilitator, developed goals and issues to address over the next years.

Survey Process

Three recommendations are offered to improve the process of providing the bench with feedback from the professionals that they interact with on a daily basis. The three recommendations are:

- ❖ Future surveys should be sent for a smaller group of judges and scheduled on a regular basis so that each judge is assessed at least once during a term of office;
- ❖ Results should be available within the same 12 months as the data are collected;
- ❖ The Court should seriously consider reducing the number of questions on both the internal and external surveys. Most of the fairness questions should be kept but some of the other procedural questions should be reduced.

These recommendations should help improve the response rates as well.

Quantitative Findings

The overall results of the surveys were quite positive from both the attorney's survey (*external*) and the respondents on the *internal* survey (Judges, Court Staff, and Justice Partners). The attorneys rated the judges higher in general than the internal respondents, and varied less among themselves than the other groups of respondents. Judges who received a high score on the *external* survey were highly likely to receive a high score on the *internal* survey.

The analysis by court provided interesting information on the different scales. Recall that the data are a function of the judges in a particular court during 2002 and by the attorneys who practice in that area as well as the staff and justice partners that work there.

For Punctuality and Efficiency, attorneys reported significant differences for Juvenile Court compared to Family Court. They felt that Juvenile Court was less punctual and efficient

than the other courts, and they rated Family Court as the most punctual and efficient. The internal staff rated Juvenile Court as the most Punctual and Efficient and the judges that handle both criminal and civil cases as the least Punctual and Efficient.

Judges rated their colleagues significantly different on Assistance by court: they rated Criminal Court and Juvenile Court the highest on Assistance and Family Court the lowest in Assistance questions. None of the other respondent groups reported significantly different scores by court.

Internal respondents and attorneys reported significant differences on the Independence scale, but in different directions. Our internal staff rated Family Court lowest while they rated the other three courts all higher (judges in Juvenile Court the highest) and similar to each other. Attorneys rated judges in Criminal Court the lowest on Independence, and they rated Family Court the highest on Independence.

Some of the highest scores received of all the scales were on Courtroom Conduct, Personal Conduct and Fairness. In each of these scales, attorneys reported no differences between our courts. However, on these same three scales, our own personnel did report significant differences between the different courts. Internal respondents rated Criminal Court quite highly and Family Court was rated lowest on all three scales. These three areas contain most of the items that were included in our Fourth District training as well. One possible explanation of these results could be related to the fact that our new judges (five of them in 2002 and six others in 2001) were mandated to attend the training and new judges all begin their work in Criminal Court.

Attorneys were the only respondents to report significant differences between our courts on Legal Knowledge. In this area, judges in Criminal Court and Family Court were rated the highest and the judges that handled both criminal and civil cases were rated the lowest.

Each of the respondent groups rated our judges very highly on presenting positive personal characteristics while on the job, and they also rated these same judges as showing very little bias toward any one group of litigants.

Male attorneys found our judges to be more Punctual, to have higher Independence and to conduct their courtroom better than female attorneys. We wondered if there was an interaction between the gender of the attorney and the gender of the judge. What we found was that male attorneys rated our male judges significantly higher than they rated our female judges in every category of analysis. Female attorneys did not report any differences between our male judges and female judges on any of the scales in the survey. No significant differences existed on the *internal* survey for the other three respondent groups.

On the specific issue of whether our judges exhibit bias toward females or males we reviewed the male attorneys separate from the female attorneys. We found that male attorneys believed that our female judges favored females significantly more than the male judges. Female attorneys believed that all of our judges favored males but they did not report any differences between our male and female judges.

Attorneys of different racial backgrounds reported no significant differences on any of the scales. On the *internal* survey, non-whites rated our judges higher on every scale but three: Punctuality and Efficiency, Assistance, and Adaptability and Management.

Qualitative Findings

The open-ended responses on the surveys were overwhelmingly positive from both the *internal* and *external* survey. In each case, three quarters or more of the respondents had positive comments to make about our judges. All responses are represented in Appendix A.

APPENDIX A

<i>What would you tell a friend who was assigned to this judge?</i>	External	Internal
Response Category in Bold <i>Examples of actual responses below</i>	Number of Responses	Number of Responses
POSITIVE COMMENTS	1,758 (78.6%)	1,491 (89.5%)
Positive comments about the judge Puts public safety first. He follows straight procedure so there is no question in the courtroom what he expects.	416	422
Judge is fair Very fair. Fair judge.	429	344
Judge is excellent/great Great. You were assigned to one of the bench's future stars.	150	67
Judge has good people skills. Judge is considerate. Kind spirit. Great sense of humor.	135	187
Judge is smart Very bright man. That the friend has been assigned to an intelligent man.	129	96
Be prepared I would tell him/her to come prepared.	96	45
Judge has good legal knowledge Well versed in the law. Knowledgeable about the law.	78	50
Judge listens Will listen to you. Go talk to him- he will listen!	70	59
This judge is one of the best One of the best judges on the bench. Is one of the best civil judges on the bench.	60	28
Judge can make good decisions Decisions are fair and well thought out. Decisive	54	31
Judge is a hard worker Is hard working. Committed to doing a good job.	37	47
You're lucky I would tell them how lucky they were. He or she is very lucky to be working for this judge.	24	48
Judge is good at settling cases Will work with you to settle your case. Is open to help lawyers settle.	21	8
Judge is prepared Prepared. He will listen and read material you give him.	21	10
Keep this judge Don't remove him. I would not remove this judge.	14	0
Judge decides cases based on facts Takes all things into consideration. Conducts her own thorough analysis before making decisions.	14	19
Judge is good in certain areas	7	12

Is excellent at settlement. Is a good trial judge in either a civil or criminal case.		
Judge is thorough Thorough. Very thorough.	3	4
Judge is fair but tough Fair but firm. Reasonable but firm.	0	6
This judge has a lot of experience Has experience handling many cases. Experienced.	0	8
NEUTRAL COMMENTS	14 (0.06%)	56 (3.4%)
Follow the judge's orders Do exactly what she orders.	0	6
I don't know enough about judge I don't know. I have not had an opportunity to observe her in the courtroom.	0	10
Neutral comments about the judge I think it would be fine. He has matured as a judge.	7	12
Be honest with the judge Just be honest. Honesty is best.	7	4
Other Not inclined to extreme positions. Follow the rules. Is conservative.	0	24
NEGATIVE COMMENTS	463 (20.7%)	119 (7.1%)
Negative comments about the judge Disorganized. Rigid, too rule oriented, filed on by both sides in criminal case.	320	98
File on judge/remove judge I might recommend filing a notice to remove.	56	3
Judge has a bad temper Can have an explosive temper. May have a quick temper.	24	0
Judge doesn't know the law very well He is not a strong legal mind. Knowledge of law weak.	12	0
Judge favors sides Tough on defendants in criminal case filed by defense.	48	3
Do not make this judge mad Don't cross her! Do not argue with him. Do not upset him.	0	9
Judge is weak in certain areas Is quite inexperienced and unsure of self in criminal matters. Could grow a bit on ability to settle cases.	3	3
Judge is unpredictable Her behavior is unpredictable. Unpredictable.	0	3

<i>What are the strengths and weaknesses of this judge's overall case management ability?</i>	External	Internal
<i>Response Category in Bold Examples of actual responses below</i>	Number of Responses	Number of Responses
POSITIVE COMMENTS	673 (67.7%)	639 (78.3%)
Judge strengths Able to keep attorneys on task. Pays the best attention to details I've come across with any courts.	307	236
Judge is smart Smart. Is a quick learner.	5	5
Judge is good at case management Handles cases efficiently. Moves cases along confidently.	182	204
Judge is fair You'll be heard fairly.	38	31
Judge is knowledgeable Her knowledge. Knows a lot about a lot of areas in Family Law.	28	20
Judge has good people skills Patient with people.	23	27
Judge takes too long Slow work speed.	21	10
Judge is a hard worker Hardworking.	20	51
Judge has no weaknesses I have not seen any evidence of weakness in this area.	16	18
Positive staff comments Great staff. Excellent staff.	13	8
Judge listens Willingness to listen. Takes enough time to listen.	10	12
Judge is organized Organized.	7	11
Judge is excellent/great He is an excellent judge. One of the top judges.	3	0
Delegates well Ability to delegate. Delegates a lot to her staff.	0	6

NEUTRAL COMMENTS	92 (9.3%)	87 (10.7%)
Other comments Follows his own agenda. I have so little experience with this judge.	82	53
Don't know Don't know.	0	26
Judge has too many cases Too many cases. Too many cases on the block	10	8
NEGATIVE COMMENTS	229 (23.0%)	90 (11.0%)
Judge is not very good as settling cases I don't think she has well-developed settlement skills. Tries to get cases settled at almost any cost.	6	0
Judge is weak in certain areas Very poor in criminal. He is better at civil case management than criminal.	5	6
Negative staff comments Clerks never seem to get along well.	5	3
Judge weaknesses Orders don't make good sense. Reluctant about accepting new ideas.	209	81
Judge has a poor work ethic The judge is extremely lazy. This poor work ethic makes case management extremely difficult and poor.	4	0

<i>Have you ever had reason to doubt this judge's integrity?</i>	External	Internal
Response Category in Bold <i>Examples of actual responses below</i>	Number of Responses	Number of Responses
POSITIVE COMMENTS	723 (90.1%)	556 (94.6%)
No No. No doubts about this judge's integrity.	687	513
Judge is of highest integrity Has always shown the highest integrity. High integrity.	13	9
Judge is honest He is honest. I believe Judge X is honest.	3	0
Positive comments about the judge Willingness to hear all sides. I think this office is very important to this judge.	11	33
Judge makes rulings based on the facts Understands the parties' positions before making decisions. Well thought out decisions after hearing all facts.	6	0

I trust this judge I have always trusted this judge.	3	1
NEUTRAL COMMENTS	11 (1.4%)	12 (2.0%)
Other comments In my last case I was defending against a 6 count complaint. Initially told me they would deny my summary judgment motion because my client would not move on settlement.	8	11
Political Issues Lets her politics get in the way of resolving cases sometimes. Is political. Is a Republican.	3	1
NEGATIVE COMMENTS	68 (8.5%)	20 (3.4%)
Negative comments about the judge Used stronger than necessary language in a court order to point out that an attorney made a mistake of law. At times refused to perform or participate in basic important court functions.	27	11
Yes Yes.	15	5
Judge is biased This judge should be avoided by the criminal defendant. This judge consistently ruled against defendants.	13	0
Judge does not follow the law Made decisions that had no legal basis. Made rulings obviously contrary to well establish law.	6	0
Judge is rude to attorneys Disrespectful to attorneys. Hard on attorneys.	3	0
Judge is incompetent It's his ability to do this job—he is not qualified. This isn't an integrity issue, it's about competence.	2	0
Judge can't stand up to people He is too insecure and weak to stand up to bullying prosecutors. This judge knuckles under to them and makes terrible decisions out of fear.	2	0
Judge's treatment of staff Treatment of staff. Favoritism of staff.	0	4

<i>What are the strengths and weaknesses of this judge's legal ability?</i>	External	Internal
Response Category in Bold <i>Examples of actual responses below</i>	Number of Responses	Number of Responses
POSITIVE COMMENTS	659 (72.5%)	583 (87.2%)
Judge is knowledgeable Good legal knowledge. Very knowledgeable in the law.	284	258
Positive comments about the judge I hope this judge remains on the bench. I would be happy to have this judge decide a legal issue in one of my cases.	171	132
Judge is smart Very smart.	32	32
Judge has no weaknesses No weaknesses.	28	26
Judge is fair Ruled fairly. Does a thorough job of reviewing the law and applies fairly.	24	8
Judge is competent Appears very capable.	18	20
Judge has good people skills Is polite to all. Strength is their kindness.	11	9
Judge is listens Will listen.	9	4
Judges look up what they don't know Is willing to review the law. Knows a lot, if they don't, they are willing to ask or look it up.	61	65
Judge has good experience Judge is learned in the law having clerked in different courts. Diverse background and experience.	6	5
Judge is well prepared Always prepared. He will review the entire record and all submissions before him.	6	0
Judge is a hard worker A hard worker. Willingness to work very hard.	4	13
Judge is great in certain areas Best on criminal. Stronger in civil than in criminal law.	3	3
Judge is good at case management Case management is strong.	2	3
Judge communicates well Can relate well to the "common" person in the courtroom. Can translate into understandable terms.	0	5

NEUTRAL COMMENTS	85 (9.4%)	52 (8.9%)
Other comments Talks too much. May have made too many of the same decisions.	59	28
I Don't know Don't know.	20	24
Neutral comments about the judge Seems about average.	6	0
NEGATIVE COMMENTS	165 (18.2%)	33 (4.9%)
Judge is weak in certain areas Limited knowledge in certain areas of the law.	59	11
Negative comments about the judge Does what they please, regardless of the facts or law. Orders sometimes lack adequate findings.	106	22

<i>Do you recall any incidents that demonstrate the judge's bias?</i>	External	Internal
Response Category in Bold <i>Examples of actual responses below</i>	Number of Responses	Number of Responses
POSITIVE COMMENTS	531 (77.3%)	397 (92.3%)
No None. Absolutely none.	511	374
Positive comments about the judge If he had any question, he would remove himself immediately! His order proved his intelligence.	15	20
Judge is fair Willing to be fair even to unpopular defendants. This is a fair judge.	5	3
NEUTRAL COMMENTS	38 (5.5%)	12 (0.03%)
Other comments It's hard to tell if they're simply ineffective lawyers. I don't feel comfortable sharing this information.	38	12
NEGATIVE COMMENTS	118 (17.5%)	19 (0.04%)
Yes Yes.	18	2
Judge does not apply law well The judge made repeated evidentiary rulings that were not grounded in the law (even by admission of the attorney who made the objections). This judge totally ignores clear facts and law.	4	0
Judge is biased Bends over backwards for father's rights. I felt the judge gave better	36	10

treatment to a white middle class juvenile than to a juvenile who was of color. Challenges the state in a somewhat haughty way.		
Negative comments about the judge This judge is less patient with pro se parties. The judge did not consider this situation at the defendant's sentencing (she was informed of what happened).	58	7
Judge decides the outcome of a case before hearing facts Prejudges cases based on insufficient information. Without receiving background information on defendant issued a sentencing order based on assumptions- not facts.	2	0

<i>What are the strengths and weaknesses of this judge's courtroom demeanor?</i>	External	Internal
<i>Response Category in Bold</i> <i>Examples of actual responses below</i>	Number of Responses	Number of Responses
POSITIVE COMMENTS	642 (71.4%)	508 (76.2%)
Judge's strengths Sets a good tone for everyone else. Always able to grasp the issues.	145	99
Judge has a good demeanor She has fabulous courtroom demeanor. Judicial demeanor.	99	0
Judge is polite/respectful Always courteous. Judge X has a reputation for being respectful.	86	53
Judge maintains control of courtroom Good courtroom control. Keeps great control of the people in the courtroom.	59	42
Judge is fair Impartial. Fair to everyone who comes before this judge.	54	38
Judge is dignified Very dignified in the courtroom. Maintains dignity.	29	14
Judge is a good listener Listens attentively. He listens.	24	49
Judge is efficient He keeps cases moving. Handles courtroom calendars very well.	22	23
Judge is caring/compassionate His caring for people. He is a caring person.	21	36
Judge is professional Maintains professionalism. Always professional.	21	29
Judge is calm Composes herself in a calm controlled manner. Very calm.	18	10
Judge communicates well Speaks clearly and uses terms everyone can understand. Easy to understand.	17	10
Judge is patient	17	11

Very patient with witnesses. Patient.		
Judge has no weaknesses None. Nothing.	10	0
Judge has good people skills Excellent courtroom demeanor. Very nice to all people in the courtroom.	0	69
Judge is on time Is consistently on time. Judge is prompt.	0	13
Judge treats attorneys well Gives attorneys the ability to make a necessary record. Is also fair to attorneys.	7	0
Judge is approachable Approachable style. Openly approachable.	5	7
Judge can make good decisions He can make decisions. Makes prompt in court rulings.	5	0
Judge has a good sense of humor Often displays a good sense of humor. Displays good humor.	3	5
NEUTRAL COMMENTS	41 (4.6%)	47 (7.0%)
Neutral comments about judge He's a little casual but that's not all bad. Average.	13	0
I don't know I don't know. I don't recall.	0	29
Other comments Sends message about their values. Good.	28	18
NEGATIVE COMMENTS	215 (23.9%)	112 (16.8%)
Judge does not hold attorneys accountable Too friendly to PD's. Needs to control some of the downright unprofessional and abusive conduct by lawyers.	5	0
Judge's weaknesses You can sometimes tell when he is bored. Can be intimidating.	94	36
Judge is late Always late! Will show up to a court calendar late due to overbooking cases.	2	4
Judge doesn't listen Does not listen well to others. It constantly happens that witness will say a fact and a minute later he'll ask them to repeat it because he wasn't listening the first time.	2	6
Judge talks too much Too many explanations. Too much on the record discussion.	0	4
Judge is too informal Maybe a little too informal. Too informal.	5	0
Judge does not have good control over courtroom Doesn't give a strong enough sense of being in control of the courtroom. Could control more.	3	6

Judge has poor time management Does not manage time on the bench properly. Terrible on time management.	0	13
Judge is timid She does not project she is very confident. Sometimes nervous.	0	6
Judge is erratic Inability to control anger. He is out of control on a regular basis.	10	0
Judge has poor case management She gets so lengthy in her explanations to defendants- so long that I'm certain they tune her out. Is slow moving a big calendar.	9	0
Judge doesn't communicate well Weakness—getting thoughts out clearly. People have to strain to hear this judge.	8	5
Judge is impatient Can be impatient with attorneys. A little abrupt.	27	12
Judge is rude/mean Can seem "cold" at times. Can come across as uncaring at times.	50	20

<i>What aspects of this judge's performance do you believe to be particularly commendable?</i>	External	Internal
<i>Response Category in Bold</i> <i>Examples of actual responses below</i>	Number of Responses	Number of Responses
POSITIVE COMMENTS	796 (94.1%)	876 (98.0%)
Positive comments about the judge Always striving to make this bench better. Judge has always made time for administration staff and their questions, never makes you feel like a question wasn't worth his time to answer.	172	260
Judge has good people skills I like the way she handles the people while I am in court. He's a down to earth judge that I wouldn't hesitate to refer someone to. Patient.	102	52
Judge is fair Ability to remain impartial. Carries a strong reputation for fairness.	90	80
Judge is knowledgeable Overall knowledge of the trial courts. Has a great deal of wisdom	87	56
Judge is good at making decisions Is fearless in making decisions. His ability to make good decisions.	56	27
Judge is respectful I think he will always be respectful. Her ability to treat everyone with respect.	51	58
Judge is a hard worker	38	102

Hard worker. He has worked hard to make HCDC better. Very hard working judge.		
Judge is caring She cares very much about the people she works with. He cares.	35	74
Judge has good case management skills Commitment to case management system. Moves court cases through the system effectively.	31	29
Judge listens Willing to listen. Ability to listen (calmly) to all parties involved.	24	28
Judge maintains good control over courtroom She is in charge and everyone knows it. She takes charge.	20	8
Judge communicates well Explaining things as they occur and making sure everyone understands what is going on.	18	22
Judge is good at settling cases Strong encouragement to settle. Very good at settling cases.	13	7
Judge is approachable Approachable demeanor. She is very approachable.	11	13
Judge is dignified Very dignified.	10	9
Judge is smart Her intelligence. He has a fine mind.	8	5
Judge holds attorneys accountable Dislikes unprepared lawyers. Expects attorneys to have their jobs done.	4	0
Judge has a positive attitude Up-beat attitude. Promotes a positive attitude.	2	4
Judge has a good sense of humor Has a great sense of humor. Her good humor is a great contribution.	2	9
Judge is professional Professional. His professional demeanor in the courtroom.	7	8
Judge is honest His sincerity. Honesty.	6	0
Judge gets to the heart of the case Willing to address underlying issues regardless of scope or complexity. Ability to get to heart of dispute without getting mired in details.	5	5
Judge is on time She's on time. On time.	4	0
Judge has good leadership qualities Judge has extraordinary leadership qualities and skills. Shows great leadership.	0	9
Judge is dedicated Dedicated to improving the court system. Her dedication.	0	3
Judge cares about children Cares about the children who are victims of abuse. Understands needs	0	8

and issues for children.		
NEUTRAL COMMENTS	34 (0.04%)	15 (1.7%)
Don't know Unknown.	0	2
Other comments Is involved in bench management. N/A.	34	13
NEGATIVE COMMENTS	16 (0.02%)	3 (0.03%)
Negative comments about the judge Not a thing. Lack of clear explanation of expectations and how to accomplish such.	7	3
Nothing about the judge's performance is commendable None. Nothing.	9	0

<i>What aspect of this judge's performance do you believe needs improvement?</i>	External	Internal
<i>Response Category in Bold</i> <i>Examples of actual responses below</i>	Number of Responses	Number of Responses
POSITIVE COMMENTS	558 (29.7%)	424 (26.4%)
No improvements needed Nothing	129	89
Positive comments about the judge I think all new judges should be sent to her for training on how to become an outstanding finding of fact. There has been praise of him outside the courtroom. There has never been an "ego trip" that inflamed parties, never a ridicule of a party in a weak position.	37	23
NEUTRAL COMMENTS	99 (17.7%)	133 (31.4%)
Neutral comments about the judge Performance is adequate.	2	0
Other comments He should replace <u>his</u> values with <u>my</u> values. Speak to staff about expectations. Better communication. Talking too much and too loud about cases in front of others.	90	119
I don't know I don't know	7	14
NEGATIVE COMMENTS	293 (52.5%)	179 (42.2%)
Judge's demeanor Appears arrogant and demeaning at times. This judge manages to upset attorneys who appear in front of him by his demeanor.	53	46

Negative comments For the good of the court she should quit. Is not very willing to listen to other's opinions if they differ from hers.	42	16
Judge needs to be more decisive Could work on being more decisive when the situation calls for it. She could be more decisive. She isn't new to the system and needs to trust herself more when making decisions.	22	14
Judge needs to be on time Lateness.	20	9
Judge needs to be less biased Sometimes appears to be an advocate for judicial staff. Ideas tend to lean toward a political benefit for the judges.	19	3
Judge needs more legal knowledge Needs more education could improve knowledge of evidence.	17	2
Judge needs to treat people better Treatment of staff. To show the same care and understanding she demonstrates to her colleagues to all staff not just her own staff.	15	24
Just needs to speed up cases Maybe just a more effective way to move along his arraignment calendars. Finding different ways to resolve more issues in chambers prior to the case being called.	14	11
Judge needs to be more fair No sense of fairness.	11	0
Judge needs to pay more attention Give each case a little more attention. Pay a little more attention to details.	10	0
Judge needs to listen more Not willing to listen to feedback. Listening.	8	12
Judge needs to be more patient A little short with people. Impatience with people. Shortness with others.	7	9
Judge needs to be more respectful Respect for litigants and parties.	7	0
Judge needs to have better control of the courtroom Judge X could take more control of the courtroom at times. He could do a better job of prohibiting attorneys from engaging in unprofessional practices in court.	6	2
Judge needs more compassion Has no compassion. Needs compassion.	6	0
Judge needs to maintain better control of courtroom Maintain control of proceedings.	6	0
Judge should not work so hard Use resources so judge does not have to take on so much. More vacation and time off.	5	7
Judge needs to be more prepared Needs to read files. Prepare for hearings ahead of time.	5	4

Judge needs to control temper He has a tendency (which has gotten better in last few years) to have a temper. At some meetings loses his cool and attacks the speaker.	4	7
Judge needs to work harder Work harder.	4	3
Judge needs more confidence Needs more self confidence. Confidence.	3	4
Judge needs more experience I would say he only needs experience.	3	0
Judge needs better staff Helpful if clerks were trained to do common order forms. Judge's staff may be the cause of delays.	3	0
Judge needs to help cases settle I would like to see him expend more effort and creativity in resolving cases. But I don't think that he understands the plea negotiation process at all.	3	0
Judge needs to stop inappropriate behavior He often speaks with a mouthful of food. He raises his voice when not necessary and pounds on the table to emphasize points.	0	6

<i>Do you have any additional comments?</i>	External	Internal
<i>Response Category in Bold</i> <i>Examples of actual responses below</i>	Number of Responses	Number of Responses
POSITIVE COMMENTS	195 (49.7%)	355 (84.5%)
Positive comments about the judge I genuinely respect this Judge. Hardworking judge.	111	132
Judge is excellent/great An excellent trial judge. Excellent human being/judge!	59	37
This judge treats people well Treats attorneys and litigants with respect. His compassion is evident in family and criminal law matters.	2	15
This judge is a good person Wonderful person.	2	12
This judge is great to work with A pleasure to work with.	2	28
I like appearing before this judge It has been my honor to appear in front of this judge and to try a case in her courtroom.	19	5
We need more judges like this one If only she could be cloned. Hennepin County could use more like	19	17

him.		
One of the best Easily one of the <u>best</u> judges in Hennepin County. Judge X is one of the best judges on the bench!	17	12
Judge is fair He is a fair and hardworking judge. He is fair.	15	7
Judge has good people skills Just plain nice! Judge was patient.	13	59
This judge is an asset I am pleased that he is on the Hennepin Bench. An asset to the Hennepin County Bench.	11	29
Judge does a great job He does a good job. Tell her to keep up the good work!	7	0
Positive Comments about staff Her clerk is great, too!! Her court staff is great.	6	0
Keep this judge I hope he stays on the family bench. Extend the retirement age for this one.	4	0
This judge is my favorite My favorite judge on the Hennepin County Bench!	4	0
Judge is smart Top notch legal mind. He is smart.	4	2
NEUTRAL COMMENTS	81 (20.7%)	53 (12.6%)
Neutral comments about judge He is ok- not excellent, but ok.	2	0
Other comments Most Hennepin County judges are worthless. I have only had one case before this judge in the past 5 years. It settled before there were any substantive proceedings before her.	52	27
No Comments No.	27	26
NEGATIVE COMMENTS	116 (29.6%)	12 (2.9%)
Negative comments about the judge Rude behavior towards attorneys is inexcusable. He is arrogant, full of himself.	109	12
Negative comments about staff The law clerk is immature and overbearing.	2	0
Get rid of this judge Get her off the bench. If the Judge's Board doesn't remove her from office they should be removed.	5	0