

**Survey:  
Attorney Respondent**

**SECTION I: Introduction**

*Please check the following statements that apply to you (may check more than one):*

- ☐ I use appellate opinions extensively in my practice.
- ☐ I have appeared before this judge in oral argument.
- ☐ This judge has written an opinion in one of my cases.

***[If at least one of these options is selected]***

*Please answer the following demographic questions. Your responses to the demographic questions will NOT be associated with your answers to the evaluative questions. Rather, aggregate demographic information about attorney respondents will be provided to the evaluated judge.*

1. Which of the following best describes your legal practice?
  - a. Private, solo
  - b. Private, 2-5 attorneys
  - c. Private, 6+ attorneys
  - d. Private, corporate employee
  - e. Government
  - f. Public service agency or organization (not government)
  - g. Other
2. How long have you practiced law in this state?
  - a. 5 years or fewer
  - b. 6 to 10 years
  - c. 11 to 15 years
  - d. 16 to 20 years
  - e. 21 years or more
3. In what county is your practice based? \_\_\_\_\_
4. What types of cases do you primarily handle?
  - a. Mainly criminal
  - b. Mainly civil
  - c. Mixed criminal & civil
  - d. Other
5. In the most recent case in which you appeared before this judge, did you represent the winning party or the losing party?
  - a. Winning party
  - b. Losing party
  - c. Mixed outcome
  - d. Case not yet decided

## SECTION II: Structured Free Recall

Research has shown that people make better and more accurate performance evaluations when they take a few minutes to think about specific aspects of the person's performance rather than simply relying on their general impressions of the person.

*To help you make a better performance evaluation, please take a few moments to recall some **positive** aspects of the evaluated judge's performance. In your experience with the judge, what did s/he do well? If it is helpful in organizing your thoughts, you may list these positive aspects here. Anything you record here will be discarded once you submit your survey; it will not be shared with the evaluated judge [or the evaluation commission].*

1.	
2.	
3.	

*Now, please take a few moments to recall some **negative** aspects of the evaluated judge's performance. In your experience with the judge, what did s/he do poorly? If it is helpful in organizing your thoughts, you may list these negative aspects here. Anything you record here will be discarded once you submit your survey; it will not be shared with the evaluated judge [or the evaluation commission].*

1.	
2.	
3.	

**SECTION III: Survey**

*Rate the evaluated judge's performance as described in the statements below, using the rating scale provided. Please use N/A if you have not had the opportunity to experience the behavior described.*

	<b>1</b> <i>Strongly Disagree</i>	<b>2</b> <i>Disagree</i>	<b>3</b> <i>Neither Agree nor Disagree</i>	<b>4</b> <i>Agree</i>	<b>5</b> <i>Strongly Agree</i>	<b>N/A</b> <i>Not Applicable</i>
<b>Legal Ability</b>						
1. Writes opinions that adequately explain the basis of the court's decision.						
2. Writes opinions that follow an applicable standard of review for the case.						
3. Writes opinions that clearly set forth any rules of law to be used in future cases.						
4. Writes opinions that decide only those issues that need to be decided in the case before the court.						
<b>Impartiality/Fairness</b>						
5. Writes opinions that address the issues raised by both parties fairly.						
<b>Temperament/Demeanor</b>						
6. Writes separate opinions that are appropriate in tone and substance.						
<b>Communication Skills</b>						
7. Writes opinions that are clear.						
8. Writes opinions that are concise.						
9. Writes opinions that adequately summarize the relevant facts in the case.						
10. Writes opinions in which the legal reasoning is easy to follow.						
<b>If the attorney has appeared before the judge in oral argument:</b>						
<b>Impartiality/Fairness</b>						
11. Is attentive to the arguments of all parties during oral argument.						
<b>Temperament/Demeanor</b>						
12. Is punctual for proceedings.						
13. Is attentive to the differing opinions of colleagues during oral argument.						
<b>If the judge has written an opinion for the court in one of the attorney's cases:</b>						
<b>Legal Ability</b>						
14. Writes opinions that accurately reflect the evidence in the record.						

**SECTION IV: Narrative Comments**

Please provide any additional comments you have about the evaluated judge's performance. These comments will be shared with the judge, with any identifying information removed.