



Chief Justice Christine M. Durham
Utah Supreme Court
Chair, Utah Judicial Council

Daniel J. Becker
State Court Administrator
Myron K. March
Deputy Court Administrator

Dear Counsel:

The Judicial Council is conducting a survey of lawyers on the performance of Utah's judges and commissioners. I seek your assistance in this important program to improve the judiciary.

The survey(s) accompanying this letter ask questions regarding the performance of a particular judge or court commissioner. You have been selected to give us your perceptions of this officer of the court because court records indicate this judge or commissioner conducted at least one hearing within the last two years in which you appeared. Rate the judge or commissioner by filling the appropriate circle for each criterion. If you feel you do not have enough experience to evaluate the judge or commissioner on a criterion, mark "No Personal Knowledge." If you do not have personal experience with this particular judge or commissioner, check the box below the name at the top of the page and return the survey.

Your evaluation of the judges and commissioners is important. Please complete the questionnaires personally. Be candid in your responses; your anonymity will be protected. The surveyor is a member of the American Association of Public Opinion Research, which prohibits identifying survey participants. Do not write your name on this form.

We have tried to spread the opportunity for this evaluation as broadly as possible, both to reduce the burden on any individual attorney and to increase participation. It may be, because you appear regularly before many judges and commissioners, you are asked to complete several questionnaires.

The perceptions of practicing attorneys give valuable insight into the performance of judges and commissioners, and this survey is a fundamental element in the Judicial Council's performance evaluation process. Tabulated survey results are provided to the individual judge or commissioner to help identify any weaknesses perceived by the Bar. The Judicial Council uses the results to certify to the public whether the judges standing for retention election meet minimum performance standards. The results of the survey are published in the voter information pamphlet to assist voters in casting informed votes.

When complete, place the survey forms in the business reply mail provided with this packet. Please do not write your name on the reply return envelope. Then mail the business reply envelope (The postage has been pre-paid.) to Market Decisions. If you have any questions, call the survey consultant, Brian Robertson at 800-293-1538 x102.

Thank you for your participation,

A handwritten signature in black ink that reads "Christine M. Durham". The signature is written in a cursive, flowing style.

Christine M. Durham
Chief Justice
Utah Supreme Court



Draft

Utah Judicial Council Survey of Judicial Performance for _____

Responses are due on or before _____

My appearances before this justice or judge within the last two years have been insufficient to enable me to make an informed evaluation. (Without responding to the criteria, return the survey in the envelope provided or fax it to the survey consultant, Brian Robertson at 207-767-8158.)

| Rate this justice or judge on the following criteria: | Excellent | More Than Adequate | Adequate | Less Than Adequate | Inadequate | No Personal Knowledge |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| 1) Behavior is free from impropriety and the appearance of impropriety. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 2) Behavior is free from bias and favoritism. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 3) Avoids ex parte communications. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 4) Understands the rules of procedure and evidence. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 5) Understands the substantive law. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 6) Perceives legal and factual issues. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 7) Maintains the quality of questions and comments during oral argument. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 8) Demonstrates appropriate demeanor. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 9) Opinions are scholarly and well written. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 10) Overall, the performance of this justice or judge is: | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Add any comment you wish. Write clearly. These will be retyped by the survey consultant and sent anonymously and in confidence to the judge.

