

EXECUTIVE SECRETARY
KARL R. HADE

ASSISTANT EXECUTIVE SECRETARY &
LEGAL COUNSEL
EDWARD M. MACON

COURT IMPROVEMENT PROGRAM
LELIA BAUM HOPPER, DIRECTOR

EDUCATIONAL SERVICES
CAROLINE E. KIRKPATRICK, DIRECTOR

FISCAL SERVICES
JOHN B. RICKMAN, DIRECTOR

SUPREME COURT OF VIRGINIA



OFFICE OF THE EXECUTIVE SECRETARY
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219-2334
(804) 786-6455

HUMAN RESOURCES
RENÉE FLEMING MILLS, DIRECTOR

JUDICIAL INFORMATION TECHNOLOGY
ROBERT L. SMITH, DIRECTOR

JUDICIAL PLANNING
CYRIL W. MILLER, JR., DIRECTOR

JUDICIAL SERVICES
PAUL F. DELOSH, DIRECTOR

LEGAL RESEARCH
STEVEN L. DALLE MURA, DIRECTOR

LEGISLATIVE & PUBLIC RELATIONS
KRISTI S. WRIGHT, DIRECTOR

December 1, 2015

DELIVERED VIA E-MAIL

The Honorable Thomas K. Norment, Jr., Co-Chairman
Senate Committee on Courts of Justice
General Assembly Building
Capitol Square
Richmond, Virginia 23219

The Honorable Mark D. Obenshain, Co-Chairman
Senate Committee on Courts of Justice
General Assembly Building
Capitol Square
Richmond, Virginia 23219

The Honorable David B. Albo, Chairman
House Committee on Courts of Justice
General Assembly Building
Capitol Square
Richmond, Virginia 23219

Re: Judicial Performance Evaluation Reports Pursuant to Code § 17.1-100

Dear Chairmen Norment, Obenshain and Albo:

Virginia Code § 17.1-100 requires that

A. ... By December 1 of each year, the Supreme Court, or its designee, shall transmit a report of the evaluation in the final year of the term of each justice and judge whose term expires during the next session of the General Assembly to the Chairmen of the House and Senate Committees for Courts of Justice.

B. The reporting requirement of this section shall become effective when funds are appropriated for this program and shall apply to the evaluation of any justice or judge who has had at least one interim evaluation conducted during his term.

Legislation passed during the 2014 Session of the General Assembly further provides:

That any evaluation of a justice or judge previously conducted by the judicial performance evaluation program in the court to which the judge or justice is currently elected shall satisfy the requirements for an interim evaluation under subsection B of § 17.1-100 of the Code of Virginia as amended by this act.

(2014 Acts of Assembly, Chapter 808, enactment clause 2)

The attached document includes the evaluation reports prepared for judges, listed below, who are eligible for reelection during the 2016 session of the General Assembly. These judges previously had been evaluated in the court to which the judge is currently elected.

Circuit Court Judges

1. Honorable A. Bonwill Shockley, Judge (2nd Circuit)
2. Honorable Leslie M. Osborn, Judge (10th Circuit)
3. Honorable Gary A. Hicks, Judge (14th Circuit)
4. Honorable Bruce D. White, Judge (19th Circuit)
5. Honorable Robert J. Smith, Judge (19th Circuit)
6. Honorable Burke F. McCahill, Judge (20th Circuit)
7. Honorable Dennis Lee Hupp, Judge (26th Circuit)
8. Honorable Robert M. D. Turk, Judge (27th Circuit)

General District Court Judges

9. Honorable Gene A. Woolard, Judge (2nd District)
10. Honorable Morton V. Whitlow, Judge (3rd District)
11. Honorable Charles H. Warren, Judge (10th District)
12. Honorable David Eugene Cheek, Sr., Judge (13th District)
13. Honorable Becky J. Moore, Judge (18th District)
14. Honorable Mitchell I. Mutnick, Judge (19th District)
15. Honorable Gordon F. Saunders, Judge (25th District)
16. Honorable Randal J. Duncan, Judge (27th District)

Juvenile and Domestic Relations District Court Judges

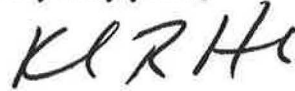
17. Honorable Deborah V. Bryan, Judge (2nd District)
18. Honorable Joseph P. Massey, Judge (4th District)
19. Honorable Ronald Everett Bensten, Judge (7th District)
20. Honorable George C. Fairbanks, IV, Judge (9th District)
21. Honorable Marvin H. Dunkum, Judge (10th District)
22. Honorable Stuart L. Williams, Jr., Judge (14th District)
23. Honorable George D. Varoutsos, Judge (17th District)
24. Honorable Dale M. Wiley, Judge (22nd District)
25. Honorable Elizabeth Kellas Burton, Judge (26th District)

The Honorable Thomas K. Norment, Jr., Co-Chairman
The Honorable Mark D. Obenshain, Co-Chairman
The Honorable David B. Albo, Chairman
December 1, 2015
Page 3

If you have any questions concerning this document, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,

A handwritten signature in black ink, appearing to read 'K R Hade', written in a cursive style.

Karl R. Hade

Attachment

cc: Division of Legislative Automated Systems
Mary Kate Felch, Division of Legislative Services

Judicial Performance Evaluation Program

Information for General Assembly Members – 2015

The following information is provided to assist General Assembly members in understanding the Judicial Performance Evaluation Reports and the methods used to conduct the evaluations.

Judges whose evaluations were sent to the Chairs of the Courts Committees on December 1 were last evaluated at least six years ago. The second enactment clause of the 2014 legislation that revived the JPE Program required that evaluation reports be provided for judges who had previously been the subject of an interim evaluation. (2014 Session, Ch. 808.)

- Please note that each judge's evaluation is unique, and is not directly comparable to other judges' evaluation reports.

Here are some factors you may wish to consider:

- Due to the nature of the court there are different respondent groups for different types of court.
 - General District Court judges were evaluated only by attorneys.
 - In addition to evaluation by attorneys, Juvenile and Domestic Relations District Court judges were evaluated by staff of local Departments of Social Services and Court Service Units.
 - Circuit Court judges were evaluated by jurors in addition to attorneys; however, some judges did not receive any juror survey responses either because they conducted no jury trials during the relevant time period, or the jurors chose not to respond. When applicable, the juror responses were submitted with attorney responses.
- Efforts are made to survey a large number of individuals; however, this is a voluntary process. While the responses received are not necessarily representative of all potential respondents, each judge's report accurately reflects the responses actually received for that judge.
- Judges receive evaluations from attorneys who have appeared before the judge. Thus, the judges may be evaluated by different attorneys, and there will be individual differences in how attorneys rate judges. Also, there may be regional differences in how groups of attorneys tend to rate judges.
- The number of attorneys surveyed is not uniform. Generally, there are fewer attorneys to survey for judges who preside in rural areas. Each judge's report lists how many total surveys were completed for that judge.
- For judges who have a very high number of potential attorney respondents, only a sample of those respondents is surveyed (approximately 250). For judges in more rural jurisdictions, all identified eligible attorneys may be surveyed if there are less than 250 potential respondents identified.
- In order to be eligible to complete an evaluation, an attorney must have appeared before the evaluated judge at least one time in the applicable time period.
- Judges preside in different environments.
 - Some sit every day in one location; others travel to several different courts during the week.
 - Judges in different districts or circuits may hear very different types of cases. Even within a single district or circuit, some judges may hear more of a certain type of case (i.e., criminal) than other judges.

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable A. Bonwill Shockley

Judge of the Circuit Court
2nd Judicial Circuit

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 134 completed surveys for Judge A. Bonwill Shockley.

Evaluation of Judge A. Bonwill Shockley: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	85	63.4%
	Frequently	38	28.4%
	Some of the Time	8	6.0%
	Rarely	1	0.8%
	Never	1	0.8%
	Not Applicable ¹	1	0.8%
The judge is courteous and dignified in the courtroom	Every Time	99	73.9%
	Frequently	25	18.7%
	Some of the Time	7	5.2%
	Rarely	1	0.8%
	Never	2	1.5%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	90	70.9%
	Frequently	24	18.9%
	Some of the Time	8	6.3%
	Rarely	3	2.4%
	Never	2	1.6%
	Not Applicable	0	0.0%
The judge shows respect for all court participants	Every Time	102	76.1%
	Frequently	21	15.7%
	Some of the Time	7	5.2%
	Rarely	3	2.2%
	Never	1	0.8%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge A. Bonwill Shockley: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge requires court participants to display respect toward one another	Every Time	93 69.4%
	Frequently	26 19.4%
	Some of the Time	5 3.7%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	10 7.5%
The judge is attentive to the proceedings	Every Time	105 78.4%
	Frequently	21 15.7%
	Some of the Time	6 4.5%
	Rarely	0 0.0%
	Never	1 0.8%
	Not Applicable	1 0.8%
The judge exhibits fairness to all parties	Every Time	91 67.9%
	Frequently	28 20.9%
	Some of the Time	8 6.0%
	Rarely	2 1.5%
	Never	2 1.5%
	Not Applicable	3 2.2%
The judge treats all parties consistently	Every Time	90 67.2%
	Frequently	24 17.9%
	Some of the Time	11 8.2%
	Rarely	3 2.2%
	Never	1 0.8%
	Not Applicable	5 3.7%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	55 42.6%
	Frequently	21 16.3%
	Some of the Time	2 1.6%
	Rarely	0 0.0%
	Never	2 1.6%
	Not Applicable	49 38.0%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge A. Bonwill Shockley: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	94	72.9%
	Frequently	29	22.5%
	Some of the Time	2	1.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	4	3.1%
The judge expects professional behavior of court participants	Every Time	102	76.1%
	Frequently	23	17.2%
	Some of the Time	1	0.8%
	Rarely	0	0.0%
	Never	1	0.8%
	Not Applicable	7	5.2%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	90	69.8%
	Frequently	25	19.4%
	Some of the Time	5	3.9%
	Rarely	5	3.9%
	Never	2	1.6%
	Not Applicable	2	1.6%
The judge displays knowledge of the law	Every Time	87	67.4%
	Frequently	25	19.4%
	Some of the Time	11	8.5%
	Rarely	3	2.3%
	Never	2	1.6%
	Not Applicable	1	0.8%
The judge is faithful to the law	Every Time	80	62.0%
	Frequently	23	17.8%
	Some of the Time	19	14.7%
	Rarely	5	3.9%
	Never	0	0.0%
	Not Applicable	2	1.6%

Evaluation of Judge A. Bonwill Shockley: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge communicates effectively	Every Time	100 75.2%
	Frequently	23 17.3%
	Some of the Time	9 6.8%
	Rarely	1 0.8%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is prompt in rendering decisions	Every Time	94 72.9%
	Frequently	30 23.3%
	Some of the Time	2 1.6%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	3 2.3%
The judge's decisions are clear	Every Time	93 72.1%
	Frequently	24 18.6%
	Some of the Time	8 6.2%
	Rarely	3 2.3%
	Never	0 0.0%
	Not Applicable	1 0.8%
The judge is competent as a judicial administrator ³	Every Time	81 63.3%
	Frequently	17 13.3%
	Some of the Time	5 3.9%
	Rarely	3 2.3%
	Never	2 1.6%
	Not Applicable	20 15.6%
The judge is free from bias for, or prejudice against, any person or group	Every Time	93 69.9%
	Frequently	19 14.3%
	Some of the Time	6 4.5%
	Rarely	4 3.0%
	Never	4 3.0%
	Not Applicable	7 5.3%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge A. Bonwill Shockley: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	64 48.1%
	Frequently	43 32.3%
	Some of the Time	12 9.0%
	Rarely	9 6.8%
	Never	0 0.0%
	Not Applicable	5 3.8%
The judge uses courtroom time efficiently	Every Time	80 59.7%
	Frequently	41 30.6%
	Some of the Time	8 6.0%
	Rarely	1 0.8%
	Never	0 0.0%
	Not Applicable	4 3.0%
Judge's overall performance	Excellent	95 70.9%
	Good	24 17.9%
	Needs Improvement	8 6.0%
	Unsatisfactory	6 4.5%
	No Opinion	1 0.8%
In general, over the last three years, has the judge's overall court-related performance become...	Better	10 7.8%
	Worse	5 3.9%
	Stayed the Same	79 61.7%
	No Opinion	34 26.6%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Leslie M. Osborn

Judge of the Circuit Court
10th Judicial Circuit

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 98 completed surveys for Judge Leslie M. Osborn.

Evaluation of Judge Leslie M. Osborn: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge displays patience in the courtroom	Every Time	68 69.4%
	Frequently	25 25.5%
	Some of the Time	3 3.1%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable ¹	2 2.0%
The judge is courteous and dignified in the courtroom	Every Time	74 76.3%
	Frequently	18 18.6%
	Some of the Time	3 3.1%
	Rarely	1 1.0%
	Never	0 0.0%
	Not Applicable	1 1.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	77 78.6%
	Frequently	16 16.3%
	Some of the Time	2 2.0%
	Rarely	2 2.0%
	Never	0 0.0%
	Not Applicable	1 1.0%
The judge shows respect for all court participants	Every Time	81 82.7%
	Frequently	11 11.2%
	Some of the Time	6 6.1%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Leslie M. Osborn: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	74	75.5%
	Frequently	16	16.3%
	Some of the Time	2	2.0%
	Rarely	1	1.0%
	Never	0	0.0%
	Not Applicable	5	5.1%
The judge is attentive to the proceedings	Every Time	82	83.7%
	Frequently	12	12.2%
	Some of the Time	2	2.0%
	Rarely	0	0.0%
	Never	1	1.0%
	Not Applicable	1	1.0%
The judge exhibits fairness to all parties	Every Time	75	76.5%
	Frequently	15	15.3%
	Some of the Time	6	6.1%
	Rarely	1	1.0%
	Never	0	0.0%
	Not Applicable	1	1.0%
The judge treats all parties consistently	Every Time	75	76.5%
	Frequently	15	15.3%
	Some of the Time	5	5.1%
	Rarely	1	1.0%
	Never	0	0.0%
	Not Applicable	2	2.0%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	60	61.2%
	Frequently	8	8.2%
	Some of the Time	0	0.0%
	Rarely	1	1.0%
	Never	1	1.0%
	Not Applicable	28	28.6%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Leslie M. Osborn: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	82	83.7%
	Frequently	12	12.2%
	Some of the Time	2	2.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	2	2.0%
The judge expects professional behavior of court participants	Every Time	79	80.6%
	Frequently	17	17.4%
	Some of the Time	1	1.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.0%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	67	68.4%
	Frequently	23	23.5%
	Some of the Time	3	3.1%
	Rarely	1	1.0%
	Never	0	0.0%
	Not Applicable	4	4.1%
The judge displays knowledge of the law	Every Time	79	80.6%
	Frequently	13	13.3%
	Some of the Time	2	2.0%
	Rarely	1	1.0%
	Never	1	1.0%
	Not Applicable	2	2.0%
The judge is faithful to the law	Every Time	79	80.6%
	Frequently	12	12.2%
	Some of the Time	4	4.1%
	Rarely	2	2.0%
	Never	0	0.0%
	Not Applicable	1	1.0%

Evaluation of Judge Leslie M. Osborn: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	77	78.6%
	Frequently	16	16.3%
	Some of the Time	4	4.1%
	Rarely	0	0.0%
	Never	1	1.0%
	Not Applicable	0	0.0%
The judge is prompt in rendering decisions	Every Time	80	81.6%
	Frequently	16	16.3%
	Some of the Time	1	1.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.0%
The judge's decisions are clear	Every Time	80	81.6%
	Frequently	16	16.3%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	1	1.0%
	Not Applicable	1	1.0%
The judge is competent as a judicial administrator ³	Every Time	78	79.6%
	Frequently	11	11.2%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	2	2.0%
	Not Applicable	7	7.1%
The judge is free from bias for, or prejudice against, any person or group	Every Time	74	75.5%
	Frequently	14	14.3%
	Some of the Time	4	4.1%
	Rarely	2	2.0%
	Never	0	0.0%
	Not Applicable	4	4.1%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Leslie M. Osborn: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge starts court on time	Every Time	75	78.1%
	Frequently	18	18.8%
	Some of the Time	2	2.1%
	Rarely	0	0.0%
	Never	1	1.0%
	Not Applicable	0	0.0%
The judge uses courtroom time efficiently	Every Time	77	78.6%
	Frequently	16	16.3%
	Some of the Time	3	3.1%
	Rarely	0	0.0%
	Never	1	1.0%
	Not Applicable	1	1.0%
Judge's overall performance	Excellent	79	80.6%
	Good	15	15.3%
	Needs Improvement	2	2.0%
	Unsatisfactory	1	1.0%
	No Opinion	1	1.0%
In general, over the last three years, has the judge's overall court-related performance become...	Better	2	2.0%
	Worse	0	0.0%
	Stayed the Same	71	72.5%
	No Opinion	25	25.5%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Gary A. Hicks

Judge of the Circuit Court
14th Judicial Circuit

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 137 completed surveys for Judge Gary A. Hicks.

Evaluation of Judge Gary A. Hicks: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	98	71.5%
	Frequently	35	25.6%
	Some of the Time	4	2.9%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	117	85.4%
	Frequently	17	12.4%
	Some of the Time	2	1.5%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	108	80.0%
	Frequently	20	14.8%
	Some of the Time	6	4.4%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge shows respect for all court participants	Every Time	118	86.1%
	Frequently	15	11.0%
	Some of the Time	3	2.2%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Gary A. Hicks: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	109	79.6%
	Frequently	21	15.3%
	Some of the Time	2	1.5%
	Rarely	1	0.7%
	Never	1	0.7%
	Not Applicable	3	2.2%
The judge is attentive to the proceedings	Every Time	109	79.6%
	Frequently	20	14.6%
	Some of the Time	7	5.1%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge exhibits fairness to all parties	Every Time	102	75.0%
	Frequently	26	19.1%
	Some of the Time	7	5.2%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge treats all parties consistently	Every Time	100	73.0%
	Frequently	22	16.1%
	Some of the Time	13	9.5%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	68	51.1%
	Frequently	12	9.0%
	Some of the Time	2	1.5%
	Rarely	0	0.0%
	Never	1	0.8%
	Not Applicable	50	37.6%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Gary A. Hicks: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	115	85.2%
	Frequently	18	13.3%
	Some of the Time	1	0.7%
	Rarely	0	0.0%
	Never	1	0.7%
	Not Applicable	0	0.0%
The judge expects professional behavior of court participants	Every Time	118	86.1%
	Frequently	17	12.4%
	Some of the Time	0	0.0%
	Rarely	1	0.7%
	Never	1	0.7%
	Not Applicable	0	0.0%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	87	64.4%
	Frequently	36	26.7%
	Some of the Time	8	5.9%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	4	3.0%
The judge displays knowledge of the law	Every Time	83	61.5%
	Frequently	32	23.7%
	Some of the Time	17	12.6%
	Rarely	2	1.5%
	Never	1	0.7%
	Not Applicable	0	0.0%
The judge is faithful to the law	Every Time	90	66.7%
	Frequently	26	19.3%
	Some of the Time	17	12.6%
	Rarely	1	0.7%
	Never	1	0.7%
	Not Applicable	0	0.0%

Evaluation of Judge Gary A. Hicks: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	62	45.3%
	Frequently	35	25.6%
	Some of the Time	32	23.4%
	Rarely	5	3.7%
	Never	3	2.2%
	Not Applicable	0	0.0%
The judge is prompt in rendering decisions	Every Time	82	60.7%
	Frequently	37	27.4%
	Some of the Time	10	7.4%
	Rarely	3	2.2%
	Never	0	0.0%
	Not Applicable	3	2.2%
The judge's decisions are clear	Every Time	66	49.3%
	Frequently	39	29.1%
	Some of the Time	25	18.7%
	Rarely	3	2.2%
	Never	1	0.8%
	Not Applicable	0	0.0%
The judge is competent as a judicial administrator ³	Every Time	87	64.4%
	Frequently	27	20.0%
	Some of the Time	6	4.4%
	Rarely	1	0.7%
	Never	1	0.7%
	Not Applicable	13	9.6%
The judge is free from bias for, or prejudice against, any person or group	Every Time	106	77.9%
	Frequently	16	11.8%
	Some of the Time	10	7.4%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	3	2.2%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Gary A. Hicks: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge starts court on time	Every Time	91	66.4%
	Frequently	32	23.4%
	Some of the Time	9	6.6%
	Rarely	1	0.7%
	Never	1	0.7%
	Not Applicable	3	2.2%
The judge uses courtroom time efficiently	Every Time	97	70.8%
	Frequently	29	21.2%
	Some of the Time	8	5.8%
	Rarely	2	1.5%
	Never	0	0.0%
	Not Applicable	1	0.7%
Judge's overall performance	Excellent	99	72.8%
	Good	25	18.4%
	Needs Improvement	9	6.6%
	Unsatisfactory	1	0.7%
	No Opinion	2	1.5%
In general, over the last three years, has the judge's overall court-related performance become...	Better	12	8.9%
	Worse	1	0.7%
	Stayed the Same	82	60.7%
	No Opinion	40	29.6%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Bruce D. White

Judge of the Circuit Court
19th Judicial Circuit

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 168 completed surveys for Judge Bruce D. White.

Evaluation of Judge Bruce D. White: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	98	58.3%
	Frequently	51	30.4%
	Some of the Time	16	9.5%
	Rarely	3	1.8%
	Never	0	0.0%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	126	75.5%
	Frequently	34	20.4%
	Some of the Time	6	3.6%
	Rarely	1	0.6%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	140	87.0%
	Frequently	19	11.8%
	Some of the Time	1	0.6%
	Rarely	1	0.6%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge shows respect for all court participants	Every Time	127	75.6%
	Frequently	30	17.9%
	Some of the Time	10	6.0%
	Rarely	1	0.6%
	Never	0	0.0%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Bruce D. White: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge requires court participants to display respect toward one another	Every Time	137 82.0%
	Frequently	20 12.0%
	Some of the Time	2 1.2%
	Rarely	0 0.0%
	Never	1 0.6%
	Not Applicable	7 4.2%
The judge is attentive to the proceedings	Every Time	146 86.9%
	Frequently	21 12.5%
	Some of the Time	1 0.6%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge exhibits fairness to all parties	Every Time	134 79.8%
	Frequently	24 14.3%
	Some of the Time	8 4.8%
	Rarely	2 1.2%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge treats all parties consistently	Every Time	128 76.2%
	Frequently	27 16.1%
	Some of the Time	10 6.0%
	Rarely	2 1.2%
	Never	0 0.0%
	Not Applicable	1 0.6%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	90 55.9%
	Frequently	10 6.2%
	Some of the Time	0 0.0%
	Rarely	1 0.6%
	Never	2 1.2%
	Not Applicable	58 36.0%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Bruce D. White: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	144	90.0%
	Frequently	13	8.1%
	Some of the Time	3	1.9%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge expects professional behavior of court participants	Every Time	151	89.9%
	Frequently	13	7.7%
	Some of the Time	2	1.2%
	Rarely	0	0.0%
	Never	1	0.6%
	Not Applicable	1	0.6%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	109	67.7%
	Frequently	36	22.4%
	Some of the Time	8	5.0%
	Rarely	2	1.2%
	Never	0	0.0%
	Not Applicable	6	3.7%
The judge displays knowledge of the law	Every Time	126	78.3%
	Frequently	31	19.3%
	Some of the Time	2	1.2%
	Rarely	1	0.6%
	Never	0	0.0%
	Not Applicable	1	0.6%
The judge is faithful to the law	Every Time	122	75.8%
	Frequently	31	19.3%
	Some of the Time	2	1.2%
	Rarely	2	1.2%
	Never	0	0.0%
	Not Applicable	4	2.5%

Evaluation of Judge Bruce D. White: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge communicates effectively	Every Time	131 78.0%
	Frequently	29 17.3%
	Some of the Time	6 3.6%
	Rarely	1 0.6%
	Never	0 0.0%
	Not Applicable	1 0.6%
The judge is prompt in rendering decisions	Every Time	133 82.6%
	Frequently	25 15.5%
	Some of the Time	0 0.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	3 1.9%
The judge's decisions are clear	Every Time	132 82.5%
	Frequently	24 15.0%
	Some of the Time	3 1.9%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	1 0.6%
The judge is competent as a judicial administrator ³	Every Time	121 75.6%
	Frequently	23 14.4%
	Some of the Time	1 0.6%
	Rarely	1 0.6%
	Never	0 0.0%
	Not Applicable	14 8.8%
The judge is free from bias for, or prejudice against, any person or group	Every Time	130 77.4%
	Frequently	17 10.1%
	Some of the Time	7 4.2%
	Rarely	4 2.4%
	Never	0 0.0%
	Not Applicable	10 6.0%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Bruce D. White: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	134 80.2%
	Frequently	31 18.6%
	Some of the Time	0 0.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	2 1.2%
The judge uses courtroom time efficiently	Every Time	138 82.1%
	Frequently	25 14.9%
	Some of the Time	1 0.6%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	4 2.4%
Judge's overall performance	Excellent	131 78.0%
	Good	30 17.9%
	Needs Improvement	3 1.8%
	Unsatisfactory	3 1.8%
	No Opinion	1 0.6%
In general, over the last three years, has the judge's overall court-related performance become...	Better	25 15.5%
	Worse	5 3.1%
	Stayed the Same	93 57.8%
	No Opinion	38 23.6%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Robert J. Smith

Judge of the Circuit Court
19th Judicial Circuit

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 168 completed surveys for Judge Robert J. Smith.

Evaluation of Judge Robert J. Smith: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge displays patience in the courtroom	Every Time	86 51.2%
	Frequently	65 38.7%
	Some of the Time	14 8.3%
	Rarely	3 1.8%
	Never	0 0.0%
	Not Applicable ¹	0 0.0%
The judge is courteous and dignified in the courtroom	Every Time	97 57.7%
	Frequently	61 36.3%
	Some of the Time	8 4.8%
	Rarely	2 1.2%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	82 54.3%
	Frequently	44 29.1%
	Some of the Time	17 11.3%
	Rarely	7 4.6%
	Never	1 0.7%
	Not Applicable	0 0.0%
The judge shows respect for all court participants	Every Time	109 65.3%
	Frequently	40 24.0%
	Some of the Time	16 9.6%
	Rarely	2 1.2%
	Never	0 0.0%
	Not Applicable	0 0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Robert J. Smith: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	97	58.4%
	Frequently	43	25.9%
	Some of the Time	10	6.0%
	Rarely	1	0.6%
	Never	0	0.0%
	Not Applicable	15	9.0%
The judge is attentive to the proceedings	Every Time	105	63.3%
	Frequently	42	25.3%
	Some of the Time	12	7.2%
	Rarely	5	3.0%
	Never	1	0.6%
	Not Applicable	1	0.6%
The judge exhibits fairness to all parties	Every Time	98	58.7%
	Frequently	38	22.8%
	Some of the Time	26	15.6%
	Rarely	3	1.8%
	Never	0	0.0%
	Not Applicable	2	1.2%
The judge treats all parties consistently	Every Time	92	55.4%
	Frequently	41	24.7%
	Some of the Time	22	13.3%
	Rarely	6	3.6%
	Never	0	0.0%
	Not Applicable	5	3.0%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	64	42.7%
	Frequently	17	11.3%
	Some of the Time	6	4.0%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	62	41.3%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Robert J. Smith: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge maintains order, decorum, and civility in the courtroom	Every Time	98 64.9%
	Frequently	45 29.8%
	Some of the Time	5 3.3%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	3 2.0%
The judge expects professional behavior of court participants	Every Time	112 67.5%
	Frequently	41 24.7%
	Some of the Time	8 4.8%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	5 3.0%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	73 48.3%
	Frequently	55 36.4%
	Some of the Time	15 9.9%
	Rarely	3 2.0%
	Never	0 0.0%
	Not Applicable	5 3.3%
The judge displays knowledge of the law	Every Time	73 48.7%
	Frequently	40 26.7%
	Some of the Time	29 19.3%
	Rarely	6 4.0%
	Never	1 0.7%
	Not Applicable	1 0.7%
The judge is faithful to the law	Every Time	71 47.0%
	Frequently	38 25.2%
	Some of the Time	32 21.2%
	Rarely	9 6.0%
	Never	1 0.7%
	Not Applicable	0 0.0%

Evaluation of Judge Robert J. Smith: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge communicates effectively	Every Time	90 53.9%
	Frequently	52 31.1%
	Some of the Time	18 10.8%
	Rarely	6 3.6%
	Never	1 0.6%
	Not Applicable	0 0.0%
The judge is prompt in rendering decisions	Every Time	90 59.6%
	Frequently	38 25.2%
	Some of the Time	13 8.6%
	Rarely	5 3.3%
	Never	0 0.0%
	Not Applicable	5 3.3%
The judge's decisions are clear	Every Time	80 53.3%
	Frequently	39 26.0%
	Some of the Time	24 16.0%
	Rarely	5 3.3%
	Never	1 0.7%
	Not Applicable	1 0.7%
The judge is competent as a judicial administrator ³	Every Time	68 45.3%
	Frequently	39 26.0%
	Some of the Time	12 8.0%
	Rarely	5 3.3%
	Never	2 1.3%
	Not Applicable	24 16.0%
The judge is free from bias for, or prejudice against, any person or group	Every Time	101 60.5%
	Frequently	32 19.2%
	Some of the Time	15 9.0%
	Rarely	4 2.4%
	Never	0 0.0%
	Not Applicable	15 9.0%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Robert J. Smith: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	101 60.8%
	Frequently	45 27.1%
	Some of the Time	10 6.0%
	Rarely	3 1.8%
	Never	1 0.6%
	Not Applicable	6 3.6%
The judge uses courtroom time efficiently	Every Time	109 65.3%
	Frequently	43 25.8%
	Some of the Time	9 5.4%
	Rarely	2 1.2%
	Never	2 1.2%
	Not Applicable	2 1.2%
Judge's overall performance	Excellent	91 54.5%
	Good	48 28.7%
	Needs Improvement	20 12.0%
	Unsatisfactory	5 3.0%
	No Opinion	3 1.8%
In general, over the last three years, has the judge's overall court-related performance become...	Better	25 16.6%
	Worse	3 2.0%
	Stayed the Same	79 52.3%
	No Opinion	44 29.1%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Burke F. McCahill

Judge of the Circuit Court
20th Judicial Circuit

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 138 completed surveys for Judge Burke F. McCahill.

Evaluation of Judge Burke F. McCahill: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	90	65.2%
	Frequently	36	26.1%
	Some of the Time	11	8.0%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	105	76.1%
	Frequently	26	18.8%
	Some of the Time	6	4.4%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	102	81.6%
	Frequently	18	14.4%
	Some of the Time	3	2.4%
	Rarely	1	0.8%
	Never	0	0.0%
	Not Applicable	1	0.8%
The judge shows respect for all court participants	Every Time	105	76.1%
	Frequently	25	18.1%
	Some of the Time	7	5.1%
	Rarely	0	0.0%
	Never	1	0.7%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:
Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Burke F. McCahill: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	105	76.1%
	Frequently	23	16.7%
	Some of the Time	3	2.2%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	7	5.1%
The judge is attentive to the proceedings	Every Time	118	86.8%
	Frequently	16	11.8%
	Some of the Time	1	0.7%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge exhibits fairness to all parties	Every Time	108	78.3%
	Frequently	21	15.2%
	Some of the Time	7	5.1%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge treats all parties consistently	Every Time	106	77.4%
	Frequently	15	11.0%
	Some of the Time	11	8.0%
	Rarely	2	1.5%
	Never	0	0.0%
	Not Applicable	3	2.2%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	60	47.6%
	Frequently	10	7.9%
	Some of the Time	1	0.8%
	Rarely	0	0.0%
	Never	2	1.6%
	Not Applicable	53	42.1%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Burke F. McCahill: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	110	86.6%
	Frequently	17	13.4%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge expects professional behavior of court participants	Every Time	122	88.4%
	Frequently	14	10.1%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	2	1.5%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	86	67.7%
	Frequently	32	25.2%
	Some of the Time	2	1.6%
	Rarely	2	1.6%
	Never	0	0.0%
	Not Applicable	5	3.9%
The judge displays knowledge of the law	Every Time	104	81.9%
	Frequently	17	13.4%
	Some of the Time	1	0.8%
	Rarely	2	1.6%
	Never	0	0.0%
	Not Applicable	3	2.4%
The judge is faithful to the law	Every Time	98	77.2%
	Frequently	18	14.2%
	Some of the Time	6	4.7%
	Rarely	2	1.6%
	Never	0	0.0%
	Not Applicable	3	2.4%

Evaluation of Judge Burke F. McCahill: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	114	82.6%
	Frequently	19	13.8%
	Some of the Time	5	3.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is prompt in rendering decisions	Every Time	98	77.8%
	Frequently	19	15.1%
	Some of the Time	3	2.4%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	6	4.8%
The judge's decisions are clear	Every Time	101	79.5%
	Frequently	20	15.8%
	Some of the Time	4	3.2%
	Rarely	0	0.0%
	Never	1	0.8%
	Not Applicable	1	0.8%
The judge is competent as a judicial administrator ³	Every Time	95	74.8%
	Frequently	15	11.8%
	Some of the Time	1	0.8%
	Rarely	0	0.0%
	Never	1	0.8%
	Not Applicable	15	11.8%
The judge is free from bias for, or prejudice against, any person or group	Every Time	109	79.0%
	Frequently	17	12.3%
	Some of the Time	2	1.5%
	Rarely	3	2.2%
	Never	0	0.0%
	Not Applicable	7	5.1%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Burke F. McCahill: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	108 78.3%
	Frequently	24 17.4%
	Some of the Time	1 0.7%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	5 3.6%
The judge uses courtroom time efficiently	Every Time	110 79.7%
	Frequently	21 15.2%
	Some of the Time	2 1.5%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	5 3.6%
Judge's overall performance	Excellent	108 78.8%
	Good	23 16.8%
	Needs Improvement	4 2.9%
	Unsatisfactory	1 0.7%
	No Opinion	1 0.7%
In general, over the last three years, has the judge's overall court-related performance become...	Better	12 9.5%
	Worse	6 4.7%
	Stayed the Same	77 60.6%
	No Opinion	32 25.2%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Dennis Lee Hupp

Judge of the Circuit Court
26th Judicial Circuit

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 141 completed surveys for Judge Dennis Lee Hupp.

Evaluation of Judge Dennis Lee Hupp: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	120	85.1%
	Frequently	16	11.4%
	Some of the Time	4	2.8%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable ¹	1	0.7%
The judge is courteous and dignified in the courtroom	Every Time	125	88.7%
	Frequently	15	10.6%
	Some of the Time	1	0.7%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	121	87.1%
	Frequently	13	9.4%
	Some of the Time	2	1.4%
	Rarely	2	1.4%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge shows respect for all court participants	Every Time	124	87.9%
	Frequently	14	9.9%
	Some of the Time	2	1.4%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Dennis Lee Hupp: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	112	79.4%
	Frequently	18	12.8%
	Some of the Time	0	0.0%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	10	7.1%
The judge is attentive to the proceedings	Every Time	123	87.2%
	Frequently	14	9.9%
	Some of the Time	2	1.4%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge exhibits fairness to all parties	Every Time	120	85.1%
	Frequently	15	10.6%
	Some of the Time	5	3.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge treats all parties consistently	Every Time	116	82.9%
	Frequently	17	12.1%
	Some of the Time	4	2.9%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	3	2.1%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	78	56.9%
	Frequently	10	7.3%
	Some of the Time	2	1.5%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	47	34.3%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Dennis Lee Hupp: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge maintains order, decorum, and civility in the courtroom	Every Time	122 87.8%
	Frequently	15 10.8%
	Some of the Time	0 0.0%
	Rarely	1 0.7%
	Never	0 0.0%
	Not Applicable	1 0.7%
The judge expects professional behavior of court participants	Every Time	123 87.2%
	Frequently	13 9.2%
	Some of the Time	1 0.7%
	Rarely	2 1.4%
	Never	0 0.0%
	Not Applicable	2 1.4%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	115 82.7%
	Frequently	19 13.7%
	Some of the Time	1 0.7%
	Rarely	1 0.7%
	Never	0 0.0%
	Not Applicable	3 2.2%
The judge displays knowledge of the law	Every Time	114 82.6%
	Frequently	17 12.3%
	Some of the Time	3 2.2%
	Rarely	2 1.5%
	Never	0 0.0%
	Not Applicable	2 1.5%
The judge is faithful to the law	Every Time	116 83.5%
	Frequently	15 10.8%
	Some of the Time	4 2.9%
	Rarely	2 1.4%
	Never	0 0.0%
	Not Applicable	2 1.4%

Evaluation of Judge Dennis Lee Hupp: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	119	84.4%
	Frequently	18	12.8%
	Some of the Time	1	0.7%
	Rarely	2	1.4%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge is prompt in rendering decisions	Every Time	104	74.8%
	Frequently	27	19.4%
	Some of the Time	4	2.9%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	3	2.2%
The judge's decisions are clear	Every Time	116	84.1%
	Frequently	17	12.3%
	Some of the Time	0	0.0%
	Rarely	2	1.5%
	Never	0	0.0%
	Not Applicable	3	2.2%
The judge is competent as a judicial administrator ³	Every Time	107	77.0%
	Frequently	14	10.1%
	Some of the Time	1	0.7%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	16	11.5%
The judge is free from bias for, or prejudice against, any person or group	Every Time	115	81.6%
	Frequently	14	9.9%
	Some of the Time	4	2.8%
	Rarely	2	1.4%
	Never	0	0.0%
	Not Applicable	6	4.3%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Dennis Lee Hupp: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge starts court on time	Every Time	115	82.1%
	Frequently	18	12.9%
	Some of the Time	3	2.1%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	3	2.1%
The judge uses courtroom time efficiently	Every Time	118	83.7%
	Frequently	16	11.4%
	Some of the Time	3	2.1%
	Rarely	1	0.7%
	Never	1	0.7%
	Not Applicable	2	1.4%
Judge's overall performance	Excellent	121	85.8%
	Good	17	12.1%
	Needs Improvement	1	0.7%
	Unsatisfactory	1	0.7%
	No Opinion	1	0.7%
In general, over the last three years, has the judge's overall court-related performance become...	Better	7	5.0%
	Worse	2	1.4%
	Stayed the Same	103	74.1%
	No Opinion	27	19.4%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Robert M. D. Turk

Judge of the Circuit Court
27th Judicial Circuit

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 150 completed surveys for Judge Robert M. D. Turk.

Evaluation of Judge Robert M. D. Turk: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	126	84.0%
	Frequently	18	12.0%
	Some of the Time	3	2.0%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable ¹	2	1.3%
The judge is courteous and dignified in the courtroom	Every Time	134	89.9%
	Frequently	12	8.1%
	Some of the Time	1	0.7%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	121	80.7%
	Frequently	24	16.0%
	Some of the Time	3	2.0%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge shows respect for all court participants	Every Time	131	87.3%
	Frequently	16	10.7%
	Some of the Time	1	0.7%
	Rarely	2	1.3%
	Never	0	0.0%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Robert M. D. Turk: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	118	79.2%
	Frequently	23	15.4%
	Some of the Time	2	1.3%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	5	3.4%
The judge is attentive to the proceedings	Every Time	124	82.7%
	Frequently	20	13.3%
	Some of the Time	4	2.7%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge exhibits fairness to all parties	Every Time	120	80.5%
	Frequently	24	16.1%
	Some of the Time	1	0.7%
	Rarely	3	2.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge treats all parties consistently	Every Time	118	78.7%
	Frequently	25	16.7%
	Some of the Time	4	2.7%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	2	1.3%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	88	58.7%
	Frequently	15	10.0%
	Some of the Time	3	2.0%
	Rarely	2	1.3%
	Never	0	0.0%
	Not Applicable	42	28.0%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Robert M. D. Turk: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	129	86.0%
	Frequently	18	12.0%
	Some of the Time	2	1.3%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge expects professional behavior of court participants	Every Time	129	86.0%
	Frequently	17	11.3%
	Some of the Time	2	1.3%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	2	1.3%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	123	82.0%
	Frequently	22	14.7%
	Some of the Time	1	0.7%
	Rarely	2	1.3%
	Never	0	0.0%
	Not Applicable	2	1.3%
The judge displays knowledge of the law	Every Time	117	78.5%
	Frequently	28	18.8%
	Some of the Time	3	2.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge is faithful to the law	Every Time	112	74.7%
	Frequently	29	19.3%
	Some of the Time	7	4.7%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	1	0.7%

Evaluation of Judge Robert M. D. Turk: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	119	79.9%
	Frequently	24	16.1%
	Some of the Time	5	3.4%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge is prompt in rendering decisions	Every Time	107	71.3%
	Frequently	35	23.3%
	Some of the Time	4	2.7%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	3	2.0%
The judge's decisions are clear	Every Time	124	82.7%
	Frequently	19	12.7%
	Some of the Time	5	3.3%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	2	1.3%
The judge is competent as a judicial administrator ³	Every Time	113	75.8%
	Frequently	22	14.8%
	Some of the Time	1	0.7%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	12	8.1%
The judge is free from bias for, or prejudice against, any person or group	Every Time	123	82.0%
	Frequently	19	12.7%
	Some of the Time	4	2.7%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	3	2.0%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Robert M. D. Turk: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge starts court on time	Every Time	120	80.0%
	Frequently	26	17.3%
	Some of the Time	1	0.7%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	2	1.3%
The judge uses courtroom time efficiently	Every Time	125	83.3%
	Frequently	22	14.7%
	Some of the Time	0	0.0%
	Rarely	2	1.3%
	Never	0	0.0%
	Not Applicable	1	0.7%
Judge's overall performance	Excellent	125	83.9%
	Good	21	14.1%
	Needs Improvement	2	1.3%
	Unsatisfactory	0	0.0%
	No Opinion	1	0.7%
In general, over the last three years, has the judge's overall court-related performance become...	Better	6	4.0%
	Worse	2	1.3%
	Stayed the Same	120	80.0%
	No Opinion	22	14.7%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Gene A. Woolard

Judge of the General District Court
2nd Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 152 completed surveys for Judge Gene A. Woolard.

Evaluation of Judge Gene A. Woolard: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge displays patience in the courtroom	Every Time	126 83.4%
	Frequently	20 13.3%
	Some of the Time	5 3.3%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable ¹	0 0.0%
The judge is courteous and dignified in the courtroom	Every Time	134 88.2%
	Frequently	16 10.5%
	Some of the Time	2 1.3%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	140 92.1%
	Frequently	11 7.2%
	Some of the Time	1 0.7%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge shows respect for all court participants	Every Time	135 88.8%
	Frequently	16 10.5%
	Some of the Time	1 0.7%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Gene A. Woolard: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	127	83.6%
	Frequently	20	13.2%
	Some of the Time	2	1.3%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	3	2.0%
The judge is attentive to the proceedings	Every Time	139	92.1%
	Frequently	9	6.0%
	Some of the Time	3	2.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge exhibits fairness to all parties	Every Time	132	86.8%
	Frequently	16	10.5%
	Some of the Time	4	2.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge treats all parties consistently	Every Time	129	84.9%
	Frequently	17	11.2%
	Some of the Time	5	3.3%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	101	66.9%
	Frequently	13	8.6%
	Some of the Time	3	2.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	34	22.5%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Gene A. Woolard: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	134	88.2%
	Frequently	14	9.2%
	Some of the Time	3	2.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge expects professional behavior of court participants	Every Time	134	88.2%
	Frequently	15	9.9%
	Some of the Time	2	1.3%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	128	84.2%
	Frequently	20	13.2%
	Some of the Time	2	1.3%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge displays knowledge of the law	Every Time	130	85.5%
	Frequently	17	11.2%
	Some of the Time	4	2.6%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is faithful to the law	Every Time	121	79.6%
	Frequently	25	16.5%
	Some of the Time	5	3.3%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	0	0.0%

Evaluation of Judge Gene A. Woolard: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge communicates effectively	Every Time	137 90.1%
	Frequently	12 7.9%
	Some of the Time	2 1.3%
	Rarely	1 0.7%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is prompt in rendering decisions	Every Time	141 92.8%
	Frequently	9 5.9%
	Some of the Time	1 0.7%
	Rarely	0 0.0%
	Never	1 0.7%
	Not Applicable	0 0.0%
The judge's decisions are clear	Every Time	137 90.1%
	Frequently	12 7.9%
	Some of the Time	2 1.3%
	Rarely	0 0.0%
	Never	1 0.7%
	Not Applicable	0 0.0%
The judge is competent as a judicial administrator ³	Every Time	126 83.4%
	Frequently	14 9.3%
	Some of the Time	2 1.3%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	9 6.0%
The judge is free from bias for, or prejudice against, any person or group	Every Time	133 87.5%
	Frequently	9 5.9%
	Some of the Time	7 4.6%
	Rarely	1 0.7%
	Never	0 0.0%
	Not Applicable	2 1.3%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Gene A. Woolard: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge starts court on time	Every Time	127	83.6%
	Frequently	20	13.2%
	Some of the Time	5	3.3%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge uses courtroom time efficiently	Every Time	132	86.8%
	Frequently	16	10.5%
	Some of the Time	3	2.0%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	0	0.0%
Judge's overall performance	Excellent	137	90.1%
	Good	12	7.9%
	Needs Improvement	2	1.3%
	Unsatisfactory	0	0.0%
	No Opinion	1	0.7%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	3	2.0%
	Worse	0	0.0%
	Stayed the Same	139	91.5%
	No Opinion	10	6.6%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Morton V. Whitlow

Judge of the General District Court
3rd Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 65 completed surveys for Judge Morton V. Whitlow.

Evaluation of Judge Morton V. Whitlow: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	53	81.5%
	Frequently	10	15.4%
	Some of the Time	2	3.1%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	59	90.8%
	Frequently	4	6.2%
	Some of the Time	1	1.5%
	Rarely	1	1.5%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	52	82.5%
	Frequently	9	14.3%
	Some of the Time	0	0.0%
	Rarely	1	1.6%
	Never	0	0.0%
	Not Applicable	1	1.6%
The judge shows respect for all court participants	Every Time	54	84.4%
	Frequently	8	12.5%
	Some of the Time	1	1.6%
	Rarely	1	1.6%
	Never	0	0.0%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Morton V. Whitlow: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	45	70.3%
	Frequently	18	28.1%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.6%
The judge is attentive to the proceedings	Every Time	53	82.8%
	Frequently	10	15.6%
	Some of the Time	1	1.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge exhibits fairness to all parties	Every Time	50	78.1%
	Frequently	10	15.6%
	Some of the Time	3	4.7%
	Rarely	1	1.6%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge treats all parties consistently	Every Time	49	76.6%
	Frequently	11	17.2%
	Some of the Time	3	4.7%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.6%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	41	64.1%
	Frequently	10	15.6%
	Some of the Time	1	1.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	12	18.8%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Morton V. Whitlow: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	51	79.7%
	Frequently	11	17.2%
	Some of the Time	1	1.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.6%
The judge expects professional behavior of court participants	Every Time	53	82.8%
	Frequently	10	15.6%
	Some of the Time	0	0.0%
	Rarely	1	1.6%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	52	81.3%
	Frequently	10	15.6%
	Some of the Time	2	3.1%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge displays knowledge of the law	Every Time	52	81.3%
	Frequently	9	14.1%
	Some of the Time	2	3.1%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.6%
The judge is faithful to the law	Every Time	48	75.0%
	Frequently	12	18.8%
	Some of the Time	3	4.7%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.6%

Evaluation of Judge Morton V. Whitlow: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	53	82.8%
	Frequently	11	17.2%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is prompt in rendering decisions	Every Time	54	84.4%
	Frequently	9	14.1%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.6%
The judge's decisions are clear	Every Time	57	89.1%
	Frequently	7	10.9%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is competent as a judicial administrator ³	Every Time	51	79.7%
	Frequently	6	9.4%
	Some of the Time	1	1.6%
	Rarely	1	1.6%
	Never	0	0.0%
	Not Applicable	5	7.8%
The judge is free from bias for, or prejudice against, any person or group	Every Time	52	81.3%
	Frequently	7	10.9%
	Some of the Time	2	3.1%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	3	4.7%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Morton V. Whitlow: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge starts court on time	Every Time	52	81.3%
	Frequently	12	18.8%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge uses courtroom time efficiently	Every Time	51	79.7%
	Frequently	13	20.3%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
Judge's overall performance	Excellent	58	90.6%
	Good	4	6.3%
	Needs Improvement	2	3.1%
	Unsatisfactory	0	0.0%
	No Opinion	0	0.0%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	2	3.1%
	Worse	0	0.0%
	Stayed the Same	59	92.2%
	No Opinion	3	4.7%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Charles H. Warren

Judge of the General District Court
10th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 66 completed surveys for Judge Charles H. Warren.

Evaluation of Judge Charles H. Warren: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	46	69.7%
	Frequently	16	24.2%
	Some of the Time	3	4.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable ¹	1	1.5%
The judge is courteous and dignified in the courtroom	Every Time	50	75.8%
	Frequently	14	21.2%
	Some of the Time	1	1.5%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	48	72.7%
	Frequently	13	19.7%
	Some of the Time	4	6.1%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge shows respect for all court participants	Every Time	43	65.2%
	Frequently	16	24.2%
	Some of the Time	6	9.1%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.5%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Charles H. Warren: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	42	63.6%
	Frequently	19	28.8%
	Some of the Time	4	6.1%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge is attentive to the proceedings	Every Time	51	77.3%
	Frequently	13	19.7%
	Some of the Time	1	1.5%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge exhibits fairness to all parties	Every Time	42	63.6%
	Frequently	16	24.2%
	Some of the Time	7	10.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge treats all parties consistently	Every Time	40	60.6%
	Frequently	14	21.2%
	Some of the Time	8	12.1%
	Rarely	2	3.0%
	Never	0	0.0%
	Not Applicable	2	3.0%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	37	56.1%
	Frequently	9	13.6%
	Some of the Time	1	1.5%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	19	28.8%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Charles H. Warren: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	47	71.2%
	Frequently	16	24.2%
	Some of the Time	2	3.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge expects professional behavior of court participants	Every Time	45	68.2%
	Frequently	16	24.2%
	Some of the Time	3	4.6%
	Rarely	1	1.5%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	44	66.7%
	Frequently	16	24.2%
	Some of the Time	3	4.6%
	Rarely	1	1.5%
	Never	0	0.0%
	Not Applicable	2	3.0%
The judge displays knowledge of the law	Every Time	39	59.1%
	Frequently	18	27.3%
	Some of the Time	6	9.1%
	Rarely	2	3.0%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge is faithful to the law	Every Time	41	62.1%
	Frequently	14	21.2%
	Some of the Time	8	12.1%
	Rarely	2	3.0%
	Never	0	0.0%
	Not Applicable	1	1.5%

Evaluation of Judge Charles H. Warren: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	49	74.2%
	Frequently	11	16.7%
	Some of the Time	5	7.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge is prompt in rendering decisions	Every Time	53	80.3%
	Frequently	12	18.2%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge's decisions are clear	Every Time	46	69.7%
	Frequently	14	21.2%
	Some of the Time	5	7.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.5%
The judge is competent as a judicial administrator ³	Every Time	33	51.6%
	Frequently	12	18.8%
	Some of the Time	6	9.4%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	13	20.3%
The judge is free from bias for, or prejudice against, any person or group	Every Time	47	71.2%
	Frequently	12	18.2%
	Some of the Time	3	4.6%
	Rarely	1	1.5%
	Never	1	1.5%
	Not Applicable	2	3.0%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Charles H. Warren: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge starts court on time	Every Time	53	81.5%
	Frequently	9	13.9%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	3	4.6%
The judge uses courtroom time efficiently	Every Time	47	71.2%
	Frequently	15	22.7%
	Some of the Time	1	1.5%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	3	4.6%
Judge's overall performance	Excellent	43	65.2%
	Good	16	24.2%
	Needs Improvement	5	7.6%
	Unsatisfactory	0	0.0%
	No Opinion	2	3.0%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	1	1.5%
	Worse	2	3.0%
	Stayed the Same	47	71.2%
	No Opinion	16	24.2%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable David Eugene Cheek, Sr.

Judge of the General District Court
13th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 133 completed surveys for Judge David Eugene Cheek, Sr.

Evaluation of Judge David Eugene Cheek, Sr.: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	85	63.9%
	Frequently	38	28.6%
	Some of the Time	7	5.3%
	Rarely	3	2.3%
	Never	0	0.0%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	94	70.7%
	Frequently	23	17.3%
	Some of the Time	11	8.3%
	Rarely	2	1.5%
	Never	3	2.3%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	85	63.9%
	Frequently	29	21.8%
	Some of the Time	12	9.0%
	Rarely	3	2.3%
	Never	4	3.0%
	Not Applicable	0	0.0%
The judge shows respect for all court participants	Every Time	99	74.4%
	Frequently	22	16.5%
	Some of the Time	7	5.3%
	Rarely	3	2.3%
	Never	2	1.5%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge David Eugene Check, Sr.: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	96	72.2%
	Frequently	25	18.8%
	Some of the Time	6	4.5%
	Rarely	3	2.3%
	Never	1	0.8%
	Not Applicable	2	1.5%
The judge is attentive to the proceedings	Every Time	90	67.7%
	Frequently	25	18.8%
	Some of the Time	13	9.8%
	Rarely	4	3.0%
	Never	1	0.8%
	Not Applicable	0	0.0%
The judge exhibits fairness to all parties	Every Time	87	65.4%
	Frequently	26	19.6%
	Some of the Time	14	10.5%
	Rarely	3	2.3%
	Never	3	2.3%
	Not Applicable	0	0.0%
The judge treats all parties consistently	Every Time	87	65.4%
	Frequently	21	15.8%
	Some of the Time	18	13.5%
	Rarely	3	2.3%
	Never	4	3.0%
	Not Applicable	0	0.0%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	64	48.9%
	Frequently	23	17.6%
	Some of the Time	7	5.3%
	Rarely	1	0.8%
	Never	3	2.3%
	Not Applicable	33	25.2%

² Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge David Eugene Cheek, Sr.: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	89	66.9%
	Frequently	24	18.1%
	Some of the Time	11	8.3%
	Rarely	5	3.8%
	Never	3	2.3%
	Not Applicable	1	0.8%
The judge expects professional behavior of court participants	Every Time	96	72.2%
	Frequently	21	15.8%
	Some of the Time	9	6.8%
	Rarely	3	2.3%
	Never	2	1.5%
	Not Applicable	2	1.5%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	93	69.9%
	Frequently	26	19.6%
	Some of the Time	8	6.0%
	Rarely	3	2.3%
	Never	3	2.3%
	Not Applicable	0	0.0%
The judge displays knowledge of the law	Every Time	72	54.1%
	Frequently	29	21.8%
	Some of the Time	21	15.8%
	Rarely	7	5.3%
	Never	3	2.3%
	Not Applicable	1	0.8%
The judge is faithful to the law	Every Time	75	56.4%
	Frequently	26	19.6%
	Some of the Time	24	18.1%
	Rarely	5	3.8%
	Never	2	1.5%
	Not Applicable	1	0.8%

Evaluation of Judge David Eugene Check, Sr.: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge communicates effectively	Every Time	80 60.6%
	Frequently	26 19.7%
	Some of the Time	20 15.2%
	Rarely	3 2.3%
	Never	3 2.3%
	Not Applicable	0 0.0%
The judge is prompt in rendering decisions	Every Time	86 64.7%
	Frequently	29 21.8%
	Some of the Time	13 9.8%
	Rarely	2 1.5%
	Never	1 0.8%
	Not Applicable	2 1.5%
The judge's decisions are clear	Every Time	79 59.4%
	Frequently	31 23.3%
	Some of the Time	18 13.5%
	Rarely	3 2.3%
	Never	2 1.5%
	Not Applicable	0 0.0%
The judge is competent as a judicial administrator ³	Every Time	69 51.9%
	Frequently	26 19.6%
	Some of the Time	17 12.8%
	Rarely	5 3.8%
	Never	5 3.8%
	Not Applicable	11 8.3%
The judge is free from bias for, or prejudice against, any person or group	Every Time	88 66.7%
	Frequently	21 15.9%
	Some of the Time	14 10.6%
	Rarely	4 3.0%
	Never	2 1.5%
	Not Applicable	3 2.3%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge David Eugene Check, Sr.: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	78 58.7%
	Frequently	39 29.3%
	Some of the Time	8 6.0%
	Rarely	3 2.3%
	Never	1 0.8%
	Not Applicable	4 3.0%
The judge uses courtroom time efficiently	Every Time	67 50.4%
	Frequently	29 21.8%
	Some of the Time	23 17.3%
	Rarely	9 6.8%
	Never	4 3.0%
	Not Applicable	1 0.8%
Judge's overall performance	Excellent	85 63.9%
	Good	28 21.1%
	Needs Improvement	13 9.8%
	Unsatisfactory	6 4.5%
	No Opinion	1 0.8%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	9 6.9%
	Worse	3 2.3%
	Stayed the Same	102 77.9%
	No Opinion	17 13.0%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Becky J. Moore

Judge of the General District Court
18th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 135 completed surveys for Judge Becky J. Moore.

Evaluation of Judge Becky J. Moore: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge displays patience in the courtroom	Every Time	95 70.4%
	Frequently	21 15.6%
	Some of the Time	15 11.1%
	Rarely	2 1.5%
	Never	2 1.5%
	Not Applicable ¹	0 0.0%
The judge is courteous and dignified in the courtroom	Every Time	107 79.9%
	Frequently	13 9.7%
	Some of the Time	11 8.2%
	Rarely	2 1.5%
	Never	1 0.8%
	Not Applicable	0 0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	102 75.6%
	Frequently	13 9.6%
	Some of the Time	12 8.9%
	Rarely	4 3.0%
	Never	4 3.0%
	Not Applicable	0 0.0%
The judge shows respect for all court participants	Every Time	108 80.6%
	Frequently	11 8.2%
	Some of the Time	8 6.0%
	Rarely	6 4.5%
	Never	1 0.8%
	Not Applicable	0 0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Becky J. Moore: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	103	76.3%
	Frequently	21	15.6%
	Some of the Time	4	3.0%
	Rarely	0	0.0%
	Never	1	0.7%
	Not Applicable	6	4.4%
The judge is attentive to the proceedings	Every Time	112	83.0%
	Frequently	10	7.4%
	Some of the Time	9	6.7%
	Rarely	3	2.2%
	Never	1	0.7%
	Not Applicable	0	0.0%
The judge exhibits fairness to all parties	Every Time	98	72.6%
	Frequently	12	8.9%
	Some of the Time	15	11.1%
	Rarely	7	5.2%
	Never	2	1.5%
	Not Applicable	1	0.7%
The judge treats all parties consistently	Every Time	100	74.1%
	Frequently	12	8.9%
	Some of the Time	9	6.7%
	Rarely	12	8.9%
	Never	1	0.7%
	Not Applicable	1	0.7%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	71	53.0%
	Frequently	15	11.2%
	Some of the Time	1	0.8%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	47	35.1%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Becky J. Moore: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	114	84.4%
	Frequently	13	9.6%
	Some of the Time	7	5.2%
	Rarely	0	0.0%
	Never	1	0.7%
	Not Applicable	0	0.0%
The judge expects professional behavior of court participants	Every Time	112	83.0%
	Frequently	14	10.4%
	Some of the Time	5	3.7%
	Rarely	0	0.0%
	Never	1	0.7%
	Not Applicable	3	2.2%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	96	71.1%
	Frequently	16	11.9%
	Some of the Time	9	6.7%
	Rarely	4	3.0%
	Never	1	0.7%
	Not Applicable	9	6.7%
The judge displays knowledge of the law	Every Time	90	66.7%
	Frequently	20	14.8%
	Some of the Time	12	8.9%
	Rarely	6	4.4%
	Never	3	2.2%
	Not Applicable	4	3.0%
The judge is faithful to the law	Every Time	88	65.2%
	Frequently	21	15.6%
	Some of the Time	9	6.7%
	Rarely	9	6.7%
	Never	4	3.0%
	Not Applicable	4	3.0%

Evaluation of Judge Becky J. Moore: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	95	70.9%
	Frequently	19	14.2%
	Some of the Time	11	8.2%
	Rarely	4	3.0%
	Never	4	3.0%
	Not Applicable	1	0.8%
The judge is prompt in rendering decisions	Every Time	101	74.8%
	Frequently	15	11.1%
	Some of the Time	5	3.7%
	Rarely	7	5.2%
	Never	2	1.5%
	Not Applicable	5	3.7%
The judge's decisions are clear	Every Time	97	71.9%
	Frequently	20	14.8%
	Some of the Time	7	5.2%
	Rarely	5	3.7%
	Never	2	1.5%
	Not Applicable	4	3.0%
The judge is competent as a judicial administrator ³	Every Time	98	72.6%
	Frequently	10	7.4%
	Some of the Time	13	9.6%
	Rarely	5	3.7%
	Never	4	3.0%
	Not Applicable	5	3.7%
The judge is free from bias for, or prejudice against, any person or group	Every Time	99	73.3%
	Frequently	16	11.9%
	Some of the Time	5	3.7%
	Rarely	6	4.4%
	Never	5	3.7%
	Not Applicable	4	3.0%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Becky J. Moore: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge starts court on time	Every Time	108	80.0%
	Frequently	23	17.0%
	Some of the Time	2	1.5%
	Rarely	0	0.0%
	Never	1	0.7%
	Not Applicable	1	0.7%
The judge uses courtroom time efficiently	Every Time	102	76.1%
	Frequently	17	12.7%
	Some of the Time	8	6.0%
	Rarely	4	3.0%
	Never	3	2.2%
	Not Applicable	0	0.0%
Judge's overall performance	Excellent	95	70.9%
	Good	16	11.9%
	Needs Improvement	13	9.7%
	Unsatisfactory	9	6.7%
	No Opinion	1	0.8%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	6	4.4%
	Worse	7	5.2%
	Stayed the Same	109	80.7%
	No Opinion	13	9.6%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Mitchell I. Mutnick

Judge of the General District Court
19th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 133 completed surveys for Judge Mitchell I. Mutnick.

Evaluation of Judge Mitchell I. Mutnick: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	43	32.3%
	Frequently	47	35.3%
	Some of the Time	32	24.1%
	Rarely	10	7.5%
	Never	1	0.8%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	56	42.1%
	Frequently	39	29.3%
	Some of the Time	32	24.1%
	Rarely	5	3.8%
	Never	1	0.8%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	66	49.6%
	Frequently	39	29.3%
	Some of the Time	23	17.3%
	Rarely	4	3.0%
	Never	1	0.8%
	Not Applicable	0	0.0%
The judge shows respect for all court participants	Every Time	61	45.9%
	Frequently	33	24.8%
	Some of the Time	30	22.6%
	Rarely	6	4.5%
	Never	3	2.3%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Mitchell I. Mutnick: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	76	57.1%
	Frequently	40	30.1%
	Some of the Time	10	7.5%
	Rarely	2	1.5%
	Never	0	0.0%
	Not Applicable	5	3.8%
The judge is attentive to the proceedings	Every Time	80	60.2%
	Frequently	38	28.6%
	Some of the Time	14	10.5%
	Rarely	0	0.0%
	Never	1	0.8%
	Not Applicable	0	0.0%
The judge exhibits fairness to all parties	Every Time	63	47.4%
	Frequently	36	27.1%
	Some of the Time	25	18.8%
	Rarely	7	5.3%
	Never	2	1.5%
	Not Applicable	0	0.0%
The judge treats all parties consistently	Every Time	64	48.5%
	Frequently	32	24.2%
	Some of the Time	24	18.2%
	Rarely	9	6.8%
	Never	3	2.3%
	Not Applicable	0	0.0%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	56	42.4%
	Frequently	25	18.9%
	Some of the Time	5	3.8%
	Rarely	0	0.0%
	Never	2	1.5%
	Not Applicable	44	33.3%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Mitchell I. Mutnick: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge maintains order, decorum, and civility in the courtroom	Every Time	81 60.9%
	Frequently	34 25.6%
	Some of the Time	13 9.8%
	Rarely	5 3.8%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge expects professional behavior of court participants	Every Time	91 68.4%
	Frequently	27 20.3%
	Some of the Time	11 8.3%
	Rarely	3 2.3%
	Never	0 0.0%
	Not Applicable	1 0.8%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	57 42.9%
	Frequently	38 28.6%
	Some of the Time	28 21.1%
	Rarely	6 4.5%
	Never	3 2.3%
	Not Applicable	1 0.8%
The judge displays knowledge of the law	Every Time	66 49.6%
	Frequently	37 27.8%
	Some of the Time	21 15.8%
	Rarely	8 6.0%
	Never	1 0.8%
	Not Applicable	0 0.0%
The judge is faithful to the law	Every Time	65 49.6%
	Frequently	37 28.2%
	Some of the Time	22 16.8%
	Rarely	5 3.8%
	Never	2 1.5%
	Not Applicable	0 0.0%

Evaluation of Judge Mitchell I. Mutnick: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge communicates effectively	Every Time	72 54.1%
	Frequently	30 22.6%
	Some of the Time	26 19.6%
	Rarely	4 3.0%
	Never	1 0.8%
	Not Applicable	0 0.0%
The judge is prompt in rendering decisions	Every Time	90 67.7%
	Frequently	34 25.6%
	Some of the Time	7 5.3%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	2 1.5%
The judge's decisions are clear	Every Time	75 56.4%
	Frequently	34 25.6%
	Some of the Time	19 14.3%
	Rarely	3 2.3%
	Never	1 0.8%
	Not Applicable	1 0.8%
The judge is competent as a judicial administrator ³	Every Time	66 49.6%
	Frequently	32 24.1%
	Some of the Time	16 12.0%
	Rarely	9 6.8%
	Never	1 0.8%
	Not Applicable	9 6.8%
The judge is free from bias for, or prejudice against, any person or group	Every Time	70 52.6%
	Frequently	30 22.6%
	Some of the Time	20 15.0%
	Rarely	2 1.5%
	Never	4 3.0%
	Not Applicable	7 5.3%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Mitchell I. Mutnick: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	81 60.9%
	Frequently	43 32.3%
	Some of the Time	7 5.3%
	Rarely	2 1.5%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge uses courtroom time efficiently	Every Time	76 57.6%
	Frequently	42 31.8%
	Some of the Time	10 7.6%
	Rarely	2 1.5%
	Never	2 1.5%
	Not Applicable	0 0.0%
Judge's overall performance	Excellent	64 48.1%
	Good	37 27.8%
	Needs Improvement	24 18.1%
	Unsatisfactory	7 5.3%
	No Opinion	1 0.8%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	13 9.9%
	Worse	8 6.1%
	Stayed the Same	97 73.5%
	No Opinion	14 10.6%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Gordon F. Saunders

Judge of the General District Court
25th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 79 completed surveys for Judge Gordon F. Saunders.

Evaluation of Judge Gordon F. Saunders: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge displays patience in the courtroom	Every Time	49 62.0%
	Frequently	24 30.4%
	Some of the Time	4 5.1%
	Rarely	1 1.3%
	Never	0 0.0%
	Not Applicable ¹	1 1.3%
The judge is courteous and dignified in the courtroom	Every Time	61 77.2%
	Frequently	13 16.5%
	Some of the Time	4 5.1%
	Rarely	1 1.3%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	62 78.5%
	Frequently	11 13.9%
	Some of the Time	5 6.3%
	Rarely	1 1.3%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge shows respect for all court participants	Every Time	59 74.7%
	Frequently	12 15.2%
	Some of the Time	4 5.1%
	Rarely	4 5.1%
	Never	0 0.0%
	Not Applicable	0 0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:
Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Gordon F. Saunders: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge requires court participants to display respect toward one another	Every Time	56 70.9%
	Frequently	17 21.5%
	Some of the Time	2 2.5%
	Rarely	1 1.3%
	Never	0 0.0%
	Not Applicable	3 3.8%
The judge is attentive to the proceedings	Every Time	64 81.0%
	Frequently	12 15.2%
	Some of the Time	3 3.8%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge exhibits fairness to all parties	Every Time	51 66.2%
	Frequently	14 18.2%
	Some of the Time	8 10.4%
	Rarely	4 5.2%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge treats all parties consistently	Every Time	50 64.1%
	Frequently	16 20.5%
	Some of the Time	4 5.1%
	Rarely	4 5.1%
	Never	1 1.3%
	Not Applicable	3 3.9%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	46 59.0%
	Frequently	3 3.9%
	Some of the Time	3 3.9%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	26 33.3%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Gordon F. Saunders: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	66	84.6%
	Frequently	9	11.5%
	Some of the Time	2	2.6%
	Rarely	1	1.3%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge expects professional behavior of court participants	Every Time	63	80.8%
	Frequently	11	14.1%
	Some of the Time	2	2.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	2	2.6%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	52	66.7%
	Frequently	16	20.5%
	Some of the Time	7	9.0%
	Rarely	2	2.6%
	Never	0	0.0%
	Not Applicable	1	1.3%
The judge displays knowledge of the law	Every Time	54	69.2%
	Frequently	19	24.4%
	Some of the Time	4	5.1%
	Rarely	0	0.0%
	Never	1	1.3%
	Not Applicable	0	0.0%
The judge is faithful to the law	Every Time	57	73.1%
	Frequently	13	16.7%
	Some of the Time	6	7.7%
	Rarely	1	1.3%
	Never	1	1.3%
	Not Applicable	0	0.0%

Evaluation of Judge Gordon F. Saunders: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	56	70.9%
	Frequently	17	21.5%
	Some of the Time	3	3.8%
	Rarely	2	2.5%
	Never	1	1.3%
	Not Applicable	0	0.0%
The judge is prompt in rendering decisions	Every Time	61	78.2%
	Frequently	16	20.5%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.3%
The judge's decisions are clear	Every Time	61	78.2%
	Frequently	15	19.2%
	Some of the Time	1	1.3%
	Rarely	1	1.3%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is competent as a judicial administrator ³	Every Time	54	69.2%
	Frequently	11	14.1%
	Some of the Time	1	1.3%
	Rarely	2	2.6%
	Never	0	0.0%
	Not Applicable	10	12.8%
The judge is free from bias for, or prejudice against, any person or group	Every Time	54	69.2%
	Frequently	6	7.7%
	Some of the Time	6	7.7%
	Rarely	4	5.1%
	Never	2	2.6%
	Not Applicable	6	7.7%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Gordon F. Saunders: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	57 73.1%
	Frequently	16 20.5%
	Some of the Time	3 3.9%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	2 2.6%
The judge uses courtroom time efficiently	Every Time	55 69.6%
	Frequently	19 24.1%
	Some of the Time	3 3.8%
	Rarely	2 2.5%
	Never	0 0.0%
	Not Applicable	0 0.0%
Judge's overall performance	Excellent	48 62.3%
	Good	18 23.4%
	Needs Improvement	7 9.1%
	Unsatisfactory	3 3.9%
	No Opinion	1 1.3%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	5 6.3%
	Worse	0 0.0%
	Stayed the Same	61 77.2%
	No Opinion	13 16.5%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Randal J. Duncan

Judge of the General District Court
27th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 117 completed surveys for Judge Randal J. Duncan.

Evaluation of Judge Randal J. Duncan: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge displays patience in the courtroom	Every Time	59 50.4%
	Frequently	44 37.6%
	Some of the Time	11 9.4%
	Rarely	2 1.7%
	Never	0 0.0%
	Not Applicable ¹	1 0.9%
The judge is courteous and dignified in the courtroom	Every Time	81 69.2%
	Frequently	25 21.4%
	Some of the Time	9 7.7%
	Rarely	1 0.9%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	85 72.7%
	Frequently	24 20.5%
	Some of the Time	5 4.3%
	Rarely	2 1.7%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge shows respect for all court participants	Every Time	76 65.0%
	Frequently	31 26.5%
	Some of the Time	6 5.1%
	Rarely	3 2.6%
	Never	0 0.0%
	Not Applicable	1 0.9%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:
Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Randal J. Duncan: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge requires court participants to display respect toward one another	Every Time	88 75.2%
	Frequently	25 21.4%
	Some of the Time	1 0.9%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	3 2.6%
The judge is attentive to the proceedings	Every Time	89 76.7%
	Frequently	23 19.8%
	Some of the Time	3 2.6%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge exhibits fairness to all parties	Every Time	78 66.7%
	Frequently	30 25.6%
	Some of the Time	5 4.3%
	Rarely	3 2.6%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge treats all parties consistently	Every Time	77 65.8%
	Frequently	31 26.5%
	Some of the Time	4 3.4%
	Rarely	4 3.4%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	68 58.6%
	Frequently	8 6.9%
	Some of the Time	2 1.7%
	Rarely	1 0.9%
	Never	0 0.0%
	Not Applicable	37 31.9%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Randal J. Duncan: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge maintains order, decorum, and civility in the courtroom	Every Time	94 80.3%
	Frequently	20 17.1%
	Some of the Time	1 0.9%
	Rarely	1 0.9%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge expects professional behavior of court participants	Every Time	99 84.6%
	Frequently	15 12.8%
	Some of the Time	2 1.7%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	79 67.5%
	Frequently	27 23.1%
	Some of the Time	6 5.1%
	Rarely	3 2.6%
	Never	0 0.0%
	Not Applicable	2 1.7%
The judge displays knowledge of the law	Every Time	79 68.1%
	Frequently	28 24.1%
	Some of the Time	4 3.5%
	Rarely	4 3.5%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge is faithful to the law	Every Time	79 67.5%
	Frequently	27 23.1%
	Some of the Time	7 6.0%
	Rarely	3 2.6%
	Never	0 0.0%
	Not Applicable	1 0.9%

Evaluation of Judge Randal J. Duncan: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge communicates effectively	Every Time	79 67.5%
	Frequently	30 25.6%
	Some of the Time	6 5.1%
	Rarely	1 0.9%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge is prompt in rendering decisions	Every Time	89 76.7%
	Frequently	22 19.0%
	Some of the Time	2 1.7%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	3 2.6%
The judge's decisions are clear	Every Time	92 78.6%
	Frequently	19 16.2%
	Some of the Time	3 2.6%
	Rarely	2 1.7%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge is competent as a judicial administrator ³	Every Time	79 68.1%
	Frequently	19 16.4%
	Some of the Time	3 2.6%
	Rarely	2 1.7%
	Never	0 0.0%
	Not Applicable	13 11.2%
The judge is free from bias for, or prejudice against, any person or group	Every Time	77 65.8%
	Frequently	24 20.5%
	Some of the Time	5 4.3%
	Rarely	2 1.7%
	Never	3 2.6%
	Not Applicable	6 5.1%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Randal J. Duncan: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	70 59.8%
	Frequently	36 30.8%
	Some of the Time	6 5.1%
	Rarely	2 1.7%
	Never	1 0.9%
	Not Applicable	2 1.7%
The judge uses courtroom time efficiently	Every Time	80 68.4%
	Frequently	26 22.2%
	Some of the Time	8 6.8%
	Rarely	1 0.9%
	Never	1 0.9%
	Not Applicable	1 0.9%
Judge's overall performance	Excellent	85 72.7%
	Good	21 18.0%
	Needs Improvement	7 6.0%
	Unsatisfactory	2 1.7%
	No Opinion	2 1.7%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	6 5.1%
	Worse	4 3.4%
	Stayed the Same	89 76.1%
	No Opinion	18 15.4%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Deborah V. Bryan

Judge of the Juvenile and Domestic Relations District Court
2nd Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 124 completed surveys for Judge Deborah V. Bryan.

Evaluation of Judge Deborah V. Bryan: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	90	72.6%
	Frequently	27	21.8%
	Some of the Time	6	4.8%
	Rarely	1	0.8%
	Never	0	0.0%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	104	84.6%
	Frequently	12	9.8%
	Some of the Time	7	5.7%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	106	85.5%
	Frequently	15	12.1%
	Some of the Time	3	2.4%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge shows respect for all court participants	Every Time	101	81.5%
	Frequently	16	12.9%
	Some of the Time	4	3.2%
	Rarely	3	2.4%
	Never	0	0.0%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Deborah V. Bryan: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge requires court participants to display respect toward one another	Every Time	100 80.7%
	Frequently	21 16.9%
	Some of the Time	1 0.8%
	Rarely	1 0.8%
	Never	0 0.0%
	Not Applicable	1 0.8%
The judge is attentive to the proceedings	Every Time	107 86.3%
	Frequently	15 12.1%
	Some of the Time	2 1.6%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge exhibits fairness to all parties	Every Time	98 79.0%
	Frequently	19 15.3%
	Some of the Time	6 4.8%
	Rarely	1 0.8%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge treats all parties consistently	Every Time	95 76.6%
	Frequently	20 16.1%
	Some of the Time	9 7.3%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	73 61.9%
	Frequently	13 11.0%
	Some of the Time	3 2.5%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	29 24.6%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Deborah V. Bryan: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	108	87.1%
	Frequently	13	10.5%
	Some of the Time	3	2.4%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge expects professional behavior of court participants	Every Time	104	83.9%
	Frequently	18	14.5%
	Some of the Time	1	0.8%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.8%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	92	78.0%
	Frequently	19	16.1%
	Some of the Time	4	3.4%
	Rarely	2	1.7%
	Never	0	0.0%
	Not Applicable	1	0.9%
The judge displays knowledge of the law	Every Time	99	83.9%
	Frequently	13	11.0%
	Some of the Time	5	4.2%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.9%
The judge is faithful to the law	Every Time	98	83.1%
	Frequently	15	12.7%
	Some of the Time	3	2.5%
	Rarely	1	0.9%
	Never	0	0.0%
	Not Applicable	1	0.9%

Evaluation of Judge Deborah V. Bryan: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	105	84.7%
	Frequently	15	12.1%
	Some of the Time	4	3.2%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is prompt in rendering decisions	Every Time	107	86.3%
	Frequently	14	11.3%
	Some of the Time	2	1.6%
	Rarely	1	0.8%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge's decisions are clear	Every Time	106	85.5%
	Frequently	16	12.9%
	Some of the Time	2	1.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is competent as a judicial administrator ³	Every Time	90	76.3%
	Frequently	14	11.9%
	Some of the Time	3	2.5%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	11	9.3%
The judge is free from bias for, or prejudice against, any person or group	Every Time	101	81.5%
	Frequently	16	12.9%
	Some of the Time	4	3.2%
	Rarely	3	2.4%
	Never	0	0.0%
	Not Applicable	0	0.0%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Deborah V. Bryan: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge starts court on time	Every Time	69	55.7%
	Frequently	40	32.3%
	Some of the Time	10	8.1%
	Rarely	1	0.8%
	Never	0	0.0%
	Not Applicable	4	3.2%
The judge uses courtroom time efficiently	Every Time	86	69.4%
	Frequently	33	26.6%
	Some of the Time	3	2.4%
	Rarely	2	1.6%
	Never	0	0.0%
	Not Applicable	0	0.0%
Judge's overall performance	Excellent	106	86.9%
	Good	9	7.4%
	Needs Improvement	7	5.7%
	Unsatisfactory	0	0.0%
	No Opinion	0	0.0%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	4	3.2%
	Worse	1	0.8%
	Stayed the Same	101	81.5%
	No Opinion	18	14.5%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Joseph P. Massey

Judge of the Juvenile and Domestic Relations District Court
4th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 152 completed surveys for Judge Joseph P. Massey.

Evaluation of Judge Joseph P. Massey: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	51	33.6%
	Frequently	72	47.4%
	Some of the Time	28	18.4%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	71	46.7%
	Frequently	59	38.8%
	Some of the Time	20	13.2%
	Rarely	2	1.3%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	83	54.6%
	Frequently	50	32.9%
	Some of the Time	16	10.5%
	Rarely	2	1.3%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge shows respect for all court participants	Every Time	72	47.4%
	Frequently	60	39.5%
	Some of the Time	18	11.8%
	Rarely	2	1.3%
	Never	0	0.0%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Joseph P. Massey: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	85	55.9%
	Frequently	52	34.2%
	Some of the Time	12	7.9%
	Rarely	0	0.0%
	Never	1	0.7%
	Not Applicable	2	1.3%
The judge is attentive to the proceedings	Every Time	88	57.9%
	Frequently	52	34.2%
	Some of the Time	10	6.6%
	Rarely	1	0.7%
	Never	1	0.7%
	Not Applicable	0	0.0%
The judge exhibits fairness to all parties	Every Time	76	50.0%
	Frequently	52	34.2%
	Some of the Time	17	11.2%
	Rarely	5	3.3%
	Never	1	0.7%
	Not Applicable	1	0.7%
The judge treats all parties consistently	Every Time	75	49.3%
	Frequently	45	29.6%
	Some of the Time	20	13.2%
	Rarely	8	5.3%
	Never	2	1.3%
	Not Applicable	2	1.3%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	62	48.1%
	Frequently	31	24.0%
	Some of the Time	15	11.6%
	Rarely	0	0.0%
	Never	2	1.6%
	Not Applicable	19	14.7%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Joseph P. Massey: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge maintains order, decorum, and civility in the courtroom	Every Time	83 54.6%
	Frequently	50 32.9%
	Some of the Time	16 10.5%
	Rarely	2 1.3%
	Never	1 0.7%
	Not Applicable	0 0.0%
The judge expects professional behavior of court participants	Every Time	96 63.2%
	Frequently	44 29.0%
	Some of the Time	9 5.9%
	Rarely	1 0.7%
	Never	1 0.7%
	Not Applicable	1 0.7%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	70 54.3%
	Frequently	42 32.6%
	Some of the Time	16 12.4%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	1 0.8%
The judge displays knowledge of the law	Every Time	77 60.6%
	Frequently	34 26.8%
	Some of the Time	10 7.9%
	Rarely	2 1.6%
	Never	3 2.4%
	Not Applicable	1 0.8%
The judge is faithful to the law	Every Time	67 51.9%
	Frequently	40 31.0%
	Some of the Time	17 13.2%
	Rarely	1 0.8%
	Never	3 2.3%
	Not Applicable	1 0.8%

Evaluation of Judge Joseph P. Massey: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	89	58.6%
	Frequently	49	32.2%
	Some of the Time	11	7.2%
	Rarely	2	1.3%
	Never	1	0.7%
	Not Applicable	0	0.0%
The judge is prompt in rendering decisions	Every Time	80	53.0%
	Frequently	50	33.1%
	Some of the Time	15	9.9%
	Rarely	4	2.7%
	Never	1	0.7%
	Not Applicable	1	0.7%
The judge's decisions are clear	Every Time	83	55.3%
	Frequently	55	36.7%
	Some of the Time	8	5.3%
	Rarely	2	1.3%
	Never	1	0.7%
	Not Applicable	1	0.7%
The judge is competent as a judicial administrator ³	Every Time	65	50.8%
	Frequently	37	28.9%
	Some of the Time	10	7.8%
	Rarely	2	1.6%
	Never	3	2.3%
	Not Applicable	11	8.6%
The judge is free from bias for, or prejudice against, any person or group	Every Time	92	61.7%
	Frequently	33	22.2%
	Some of the Time	15	10.1%
	Rarely	2	1.3%
	Never	1	0.7%
	Not Applicable	6	4.0%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Joseph P. Massey: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	50 33.3%
	Frequently	68 45.3%
	Some of the Time	17 11.3%
	Rarely	5 3.3%
	Never	5 3.3%
	Not Applicable	5 3.3%
The judge uses courtroom time efficiently	Every Time	51 33.8%
	Frequently	49 32.5%
	Some of the Time	35 23.2%
	Rarely	9 6.0%
	Never	6 4.0%
	Not Applicable	1 0.7%
Judge's overall performance	Excellent	75 50.0%
	Good	53 35.3%
	Needs Improvement	16 10.7%
	Unsatisfactory	5 3.3%
	No Opinion	1 0.7%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	25 16.7%
	Worse	6 4.0%
	Stayed the Same	105 70.0%
	No Opinion	14 9.3%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Ronald Everett Bensten

Judge of the Juvenile and Domestic Relations District Court
7th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 102 completed surveys for Judge Ronald Everett Bensten.

Evaluation of Judge Ronald Everett Bensten: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge displays patience in the courtroom	Every Time	42 41.2%
	Frequently	37 36.3%
	Some of the Time	17 16.7%
	Rarely	6 5.9%
	Never	0 0.0%
	Not Applicable ¹	0 0.0%
The judge is courteous and dignified in the courtroom	Every Time	45 44.1%
	Frequently	39 38.2%
	Some of the Time	15 14.7%
	Rarely	3 2.9%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	66 64.7%
	Frequently	27 26.5%
	Some of the Time	6 5.9%
	Rarely	1 1.0%
	Never	0 0.0%
	Not Applicable	2 2.0%
The judge shows respect for all court participants	Every Time	45 44.1%
	Frequently	36 35.3%
	Some of the Time	16 15.7%
	Rarely	5 4.9%
	Never	0 0.0%
	Not Applicable	0 0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Ronald Everett Bensten: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	65	63.7%
	Frequently	30	29.4%
	Some of the Time	5	4.9%
	Rarely	1	1.0%
	Never	1	1.0%
	Not Applicable	0	0.0%
The judge is attentive to the proceedings	Every Time	71	69.6%
	Frequently	25	24.5%
	Some of the Time	6	5.9%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge exhibits fairness to all parties	Every Time	59	57.8%
	Frequently	26	25.5%
	Some of the Time	13	12.8%
	Rarely	4	3.9%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge treats all parties consistently	Every Time	54	52.9%
	Frequently	29	28.4%
	Some of the Time	12	11.8%
	Rarely	7	6.9%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	55	64.7%
	Frequently	11	12.9%
	Some of the Time	5	5.9%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	14	16.5%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Ronald Everett Bensten: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge maintains order, decorum, and civility in the courtroom	Every Time	67 65.7%
	Frequently	30 29.4%
	Some of the Time	5 4.9%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge expects professional behavior of court participants	Every Time	77 75.5%
	Frequently	20 19.6%
	Some of the Time	5 4.9%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	45 52.9%
	Frequently	30 35.3%
	Some of the Time	6 7.1%
	Rarely	4 4.7%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge displays knowledge of the law	Every Time	62 72.9%
	Frequently	19 22.4%
	Some of the Time	3 3.5%
	Rarely	1 1.2%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is faithful to the law	Every Time	59 69.4%
	Frequently	18 21.2%
	Some of the Time	7 8.2%
	Rarely	1 1.2%
	Never	0 0.0%
	Not Applicable	0 0.0%

Evaluation of Judge Ronald Everett Bensten: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	61	59.8%
	Frequently	22	21.6%
	Some of the Time	13	12.8%
	Rarely	5	4.9%
	Never	0	0.0%
	Not Applicable	1	1.0%
The judge is prompt in rendering decisions	Every Time	68	67.3%
	Frequently	25	24.8%
	Some of the Time	6	5.9%
	Rarely	2	2.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge's decisions are clear	Every Time	61	59.8%
	Frequently	25	24.5%
	Some of the Time	14	13.7%
	Rarely	2	2.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is competent as a judicial administrator ³	Every Time	49	57.7%
	Frequently	20	23.5%
	Some of the Time	6	7.1%
	Rarely	1	1.2%
	Never	0	0.0%
	Not Applicable	9	10.6%
The judge is free from bias for, or prejudice against, any person or group	Every Time	61	59.8%
	Frequently	27	26.5%
	Some of the Time	4	3.9%
	Rarely	6	5.9%
	Never	0	0.0%
	Not Applicable	4	3.9%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Ronald Everett Bensten: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	57 55.9%
	Frequently	34 33.3%
	Some of the Time	6 5.9%
	Rarely	3 2.9%
	Never	1 1.0%
	Not Applicable	1 1.0%
The judge uses courtroom time efficiently	Every Time	60 58.8%
	Frequently	21 20.6%
	Some of the Time	11 10.8%
	Rarely	10 9.8%
	Never	0 0.0%
	Not Applicable	0 0.0%
Judge's overall performance	Excellent	55 53.9%
	Good	32 31.4%
	Needs Improvement	9 8.8%
	Unsatisfactory	4 3.9%
	No Opinion	2 2.0%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	6 5.9%
	Worse	4 3.9%
	Stayed the Same	76 74.5%
	No Opinion	16 15.7%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable George C. Fairbanks, IV

Judge of the Juvenile and Domestic Relations District Court
9th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 133 completed surveys for Judge George C. Fairbanks, IV.

Evaluation of Judge George C. Fairbanks, IV: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	44	33.1%
	Frequently	36	27.1%
	Some of the Time	44	33.1%
	Rarely	7	5.3%
	Never	1	0.8%
	Not Applicable ¹	1	0.8%
The judge is courteous and dignified in the courtroom	Every Time	49	36.8%
	Frequently	39	29.3%
	Some of the Time	36	27.1%
	Rarely	8	6.0%
	Never	1	0.8%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	52	39.1%
	Frequently	39	29.3%
	Some of the Time	32	24.1%
	Rarely	9	6.8%
	Never	1	0.8%
	Not Applicable	0	0.0%
The judge shows respect for all court participants	Every Time	57	42.9%
	Frequently	35	26.3%
	Some of the Time	26	19.6%
	Rarely	13	9.8%
	Never	2	1.5%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge George C. Fairbanks, IV: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	61	46.2%
	Frequently	40	30.3%
	Some of the Time	22	16.7%
	Rarely	6	4.6%
	Never	1	0.8%
	Not Applicable	2	1.5%
The judge is attentive to the proceedings	Every Time	55	41.4%
	Frequently	39	29.3%
	Some of the Time	28	21.1%
	Rarely	11	8.3%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge exhibits fairness to all parties	Every Time	56	42.1%
	Frequently	38	28.6%
	Some of the Time	26	19.6%
	Rarely	12	9.0%
	Never	1	0.8%
	Not Applicable	0	0.0%
The judge treats all parties consistently	Every Time	55	42.0%
	Frequently	34	26.0%
	Some of the Time	22	16.8%
	Rarely	16	12.2%
	Never	2	1.5%
	Not Applicable	2	1.5%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	42	38.9%
	Frequently	18	16.7%
	Some of the Time	13	12.0%
	Rarely	6	5.6%
	Never	1	0.9%
	Not Applicable	28	25.9%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge George C. Fairbanks, IV: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge maintains order, decorum, and civility in the courtroom	Every Time	72 54.1%
	Frequently	36 27.1%
	Some of the Time	19 14.3%
	Rarely	5 3.8%
	Never	1 0.8%
	Not Applicable	0 0.0%
The judge expects professional behavior of court participants	Every Time	70 52.6%
	Frequently	41 30.8%
	Some of the Time	15 11.3%
	Rarely	4 3.0%
	Never	2 1.5%
	Not Applicable	1 0.8%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	45 41.3%
	Frequently	31 28.4%
	Some of the Time	26 23.9%
	Rarely	4 3.7%
	Never	3 2.8%
	Not Applicable	0 0.0%
The judge displays knowledge of the law	Every Time	52 47.7%
	Frequently	36 33.0%
	Some of the Time	13 11.9%
	Rarely	7 6.4%
	Never	0 0.0%
	Not Applicable	1 0.9%
The judge is faithful to the law	Every Time	48 44.0%
	Frequently	31 28.4%
	Some of the Time	21 19.3%
	Rarely	9 8.3%
	Never	0 0.0%
	Not Applicable	0 0.0%

Evaluation of Judge George C. Fairbanks, IV: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	64	48.1%
	Frequently	35	26.3%
	Some of the Time	27	20.3%
	Rarely	7	5.3%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is prompt in rendering decisions	Every Time	67	50.8%
	Frequently	45	34.1%
	Some of the Time	17	12.9%
	Rarely	2	1.5%
	Never	0	0.0%
	Not Applicable	1	0.8%
The judge's decisions are clear	Every Time	65	48.9%
	Frequently	39	29.3%
	Some of the Time	24	18.1%
	Rarely	5	3.8%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is competent as a judicial administrator ³	Every Time	44	40.4%
	Frequently	24	22.0%
	Some of the Time	17	15.6%
	Rarely	7	6.4%
	Never	3	2.8%
	Not Applicable	14	12.8%
The judge is free from bias for, or prejudice against, any person or group	Every Time	70	52.6%
	Frequently	24	18.1%
	Some of the Time	21	15.8%
	Rarely	11	8.3%
	Never	2	1.5%
	Not Applicable	5	3.8%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge George C. Fairbanks, IV: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	44 33.1%
	Frequently	50 37.6%
	Some of the Time	24 18.1%
	Rarely	10 7.5%
	Never	1 0.8%
	Not Applicable	4 3.0%
The judge uses courtroom time efficiently	Every Time	55 41.7%
	Frequently	46 34.9%
	Some of the Time	18 13.6%
	Rarely	10 7.6%
	Never	0 0.0%
	Not Applicable	3 2.3%
Judge's overall performance	Excellent	51 38.4%
	Good	35 26.3%
	Needs Improvement	36 27.1%
	Unsatisfactory	10 7.5%
	No Opinion	1 0.8%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	9 6.8%
	Worse	8 6.0%
	Stayed the Same	97 72.9%
	No Opinion	19 14.3%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Marvin H. Dunkum

Judge of the Juvenile and Domestic Relations District Court
10th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 100 completed surveys for Judge Marvin H. Dunkum.

Evaluation of Judge Marvin H. Dunkum: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	82	82.0%
	Frequently	16	16.0%
	Some of the Time	2	2.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	68	68.0%
	Frequently	24	24.0%
	Some of the Time	8	8.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	77	77.0%
	Frequently	20	20.0%
	Some of the Time	3	3.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge shows respect for all court participants	Every Time	74	74.8%
	Frequently	21	21.2%
	Some of the Time	4	4.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Marvin H. Duñkum: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge requires court participants to display respect toward one another	Every Time	70 70.0%
	Frequently	22 22.0%
	Some of the Time	6 6.0%
	Rarely	1 1.0%
	Never	0 0.0%
	Not Applicable	1 1.0%
The judge is attentive to the proceedings	Every Time	79 79.0%
	Frequently	18 18.0%
	Some of the Time	3 3.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge exhibits fairness to all parties	Every Time	79 79.8%
	Frequently	17 17.2%
	Some of the Time	3 3.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge treats all parties consistently	Every Time	79 79.0%
	Frequently	17 17.0%
	Some of the Time	4 4.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	50 56.2%
	Frequently	13 14.6%
	Some of the Time	3 3.4%
	Rarely	3 3.4%
	Never	3 3.4%
	Not Applicable	17 19.1%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Marvin H. Dunkum: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	69	69.0%
	Frequently	22	22.0%
	Some of the Time	6	6.0%
	Rarely	3	3.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge expects professional behavior of court participants	Every Time	67	67.0%
	Frequently	24	24.0%
	Some of the Time	7	7.0%
	Rarely	1	1.0%
	Never	0	0.0%
	Not Applicable	1	1.0%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	70	78.7%
	Frequently	16	18.0%
	Some of the Time	2	2.3%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.1%
The judge displays knowledge of the law	Every Time	79	88.8%
	Frequently	9	10.1%
	Some of the Time	1	1.1%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is faithful to the law	Every Time	70	78.7%
	Frequently	14	15.7%
	Some of the Time	4	4.5%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	1.1%

Evaluation of Judge Marvin H. Dunkum: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge communicates effectively	Every Time	82 82.0%
	Frequently	16 16.0%
	Some of the Time	2 2.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is prompt in rendering decisions	Every Time	83 83.0%
	Frequently	16 16.0%
	Some of the Time	1 1.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge's decisions are clear	Every Time	80 80.0%
	Frequently	19 19.0%
	Some of the Time	1 1.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is competent as a judicial administrator ³	Every Time	66 75.0%
	Frequently	13 14.8%
	Some of the Time	1 1.1%
	Rarely	1 1.1%
	Never	0 0.0%
	Not Applicable	7 8.0%
The judge is free from bias for, or prejudice against, any person or group	Every Time	78 78.0%
	Frequently	18 18.0%
	Some of the Time	2 2.0%
	Rarely	2 2.0%
	Never	0 0.0%
	Not Applicable	0 0.0%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Marvin H. Dunkum: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	64 64.0%
	Frequently	24 24.0%
	Some of the Time	7 7.0%
	Rarely	3 3.0%
	Never	1 1.0%
	Not Applicable	1 1.0%
The judge uses courtroom time efficiently	Every Time	67 67.0%
	Frequently	26 26.0%
	Some of the Time	4 4.0%
	Rarely	2 2.0%
	Never	1 1.0%
	Not Applicable	0 0.0%
Judge's overall performance	Excellent	74 74.8%
	Good	23 23.2%
	Needs Improvement	2 2.0%
	Unsatisfactory	0 0.0%
	No Opinion	0 0.0%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	5 5.0%
	Worse	0 0.0%
	Stayed the Same	87 87.0%
	No Opinion	8 8.0%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Stuart L. Williams, Jr.

Judge of the Juvenile and Domestic Relations District Court
14th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice

Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 165 completed surveys for Judge Stuart L. Williams, Jr..

Evaluation of Judge Stuart L. Williams, Jr.: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	78	47.3%
	Frequently	66	40.0%
	Some of the Time	20	12.1%
	Rarely	1	0.6%
	Never	0	0.0%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	101	61.2%
	Frequently	53	32.1%
	Some of the Time	11	6.7%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	116	70.7%
	Frequently	42	25.6%
	Some of the Time	6	3.7%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge shows respect for all court participants	Every Time	105	63.6%
	Frequently	46	27.9%
	Some of the Time	13	7.9%
	Rarely	1	0.6%
	Never	0	0.0%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Stuart L. Williams, Jr.: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	123	75.0%
	Frequently	37	22.6%
	Some of the Time	2	1.2%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	2	1.2%
The judge is attentive to the proceedings	Every Time	132	80.0%
	Frequently	29	17.6%
	Some of the Time	3	1.8%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.6%
The judge exhibits fairness to all parties	Every Time	104	63.0%
	Frequently	51	30.9%
	Some of the Time	8	4.9%
	Rarely	1	0.6%
	Never	0	0.0%
	Not Applicable	1	0.6%
The judge treats all parties consistently	Every Time	98	59.8%
	Frequently	47	28.7%
	Some of the Time	17	10.4%
	Rarely	1	0.6%
	Never	0	0.0%
	Not Applicable	1	0.6%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	83	58.9%
	Frequently	31	22.0%
	Some of the Time	3	2.1%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	24	17.0%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Stuart L. Williams, Jr.: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	124	75.2%
	Frequently	37	22.4%
	Some of the Time	4	2.4%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge expects professional behavior of court participants	Every Time	138	83.6%
	Frequently	26	15.8%
	Some of the Time	1	0.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	97	67.8%
	Frequently	40	28.0%
	Some of the Time	5	3.5%
	Rarely	1	0.7%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge displays knowledge of the law	Every Time	113	79.0%
	Frequently	28	19.6%
	Some of the Time	1	0.7%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%
The judge is faithful to the law	Every Time	107	75.4%
	Frequently	28	19.7%
	Some of the Time	6	4.2%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	1	0.7%

Evaluation of Judge Stuart L. Williams, Jr.: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge communicates effectively	Every Time	119 72.1%
	Frequently	41 24.9%
	Some of the Time	4 2.4%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	1 0.6%
The judge is prompt in rendering decisions	Every Time	129 78.2%
	Frequently	32 19.4%
	Some of the Time	2 1.2%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	2 1.2%
The judge's decisions are clear	Every Time	126 76.4%
	Frequently	33 20.0%
	Some of the Time	5 3.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	1 0.6%
The judge is competent as a judicial administrator ³	Every Time	94 65.7%
	Frequently	32 22.4%
	Some of the Time	1 0.7%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	16 11.2%
The judge is free from bias for, or prejudice against, any person or group	Every Time	112 67.9%
	Frequently	39 23.6%
	Some of the Time	8 4.9%
	Rarely	1 0.6%
	Never	0 0.0%
	Not Applicable	5 3.0%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Stuart L. Williams, Jr.: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	61 37.0%
	Frequently	71 43.0%
	Some of the Time	23 13.9%
	Rarely	5 3.0%
	Never	2 1.2%
	Not Applicable	3 1.8%
The judge uses courtroom time efficiently	Every Time	90 54.6%
	Frequently	59 35.8%
	Some of the Time	12 7.3%
	Rarely	3 1.8%
	Never	1 0.6%
	Not Applicable	0 0.0%
Judge's overall performance	Excellent	113 68.9%
	Good	45 27.4%
	Needs Improvement	6 3.7%
	Unsatisfactory	0 0.0%
	No Opinion	0 0.0%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	8 4.9%
	Worse	3 1.8%
	Stayed the Same	133 80.6%
	No Opinion	21 12.7%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable George D. Varoutsos

Judge of the Juvenile and Domestic Relations District Court
17th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 161 completed surveys for Judge George D. Varoutsos.

Evaluation of Judge George D. Varoutsos: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge displays patience in the courtroom	Every Time	80 49.7%
	Frequently	52 32.3%
	Some of the Time	27 16.8%
	Rarely	2 1.2%
	Never	0 0.0%
	Not Applicable ¹	0 0.0%
The judge is courteous and dignified in the courtroom	Every Time	91 57.2%
	Frequently	47 29.6%
	Some of the Time	20 12.6%
	Rarely	1 0.6%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	73 45.6%
	Frequently	49 30.6%
	Some of the Time	27 16.9%
	Rarely	11 6.9%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge shows respect for all court participants	Every Time	87 54.7%
	Frequently	46 28.9%
	Some of the Time	20 12.6%
	Rarely	5 3.1%
	Never	0 0.0%
	Not Applicable	1 0.6%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge George D. Varoutsos: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	92	57.5%
	Frequently	43	26.9%
	Some of the Time	17	10.6%
	Rarely	4	2.5%
	Never	0	0.0%
	Not Applicable	4	2.5%
The judge is attentive to the proceedings	Every Time	88	55.0%
	Frequently	42	26.3%
	Some of the Time	25	15.6%
	Rarely	5	3.1%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge exhibits fairness to all parties	Every Time	81	50.6%
	Frequently	42	26.3%
	Some of the Time	25	15.6%
	Rarely	9	5.6%
	Never	1	0.6%
	Not Applicable	2	1.3%
The judge treats all parties consistently	Every Time	76	47.5%
	Frequently	44	27.5%
	Some of the Time	28	17.5%
	Rarely	8	5.0%
	Never	1	0.6%
	Not Applicable	3	1.9%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	51	37.5%
	Frequently	22	16.2%
	Some of the Time	8	5.9%
	Rarely	5	3.7%
	Never	0	0.0%
	Not Applicable	50	36.8%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge George D. Varoutsos: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge maintains order, decorum, and civility in the courtroom	Every Time	96 60.0%
	Frequently	45 28.1%
	Some of the Time	12 7.5%
	Rarely	2 1.3%
	Never	0 0.0%
	Not Applicable	5 3.1%
The judge expects professional behavior of court participants	Every Time	104 65.4%
	Frequently	37 23.3%
	Some of the Time	12 7.6%
	Rarely	3 1.9%
	Never	0 0.0%
	Not Applicable	3 1.9%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	64 47.4%
	Frequently	34 25.2%
	Some of the Time	26 19.3%
	Rarely	7 5.2%
	Never	2 1.5%
	Not Applicable	2 1.5%
The judge displays knowledge of the law	Every Time	66 48.9%
	Frequently	31 23.0%
	Some of the Time	26 19.3%
	Rarely	9 6.7%
	Never	0 0.0%
	Not Applicable	3 2.2%
The judge is faithful to the law	Every Time	55 40.4%
	Frequently	33 24.3%
	Some of the Time	33 24.3%
	Rarely	10 7.4%
	Never	2 1.5%
	Not Applicable	3 2.2%

Evaluation of Judge George D. Varoutsos: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge communicates effectively	Every Time	77 48.1%
	Frequently	54 33.8%
	Some of the Time	20 12.5%
	Rarely	8 5.0%
	Never	0 0.0%
	Not Applicable	1 0.6%
The judge is prompt in rendering decisions	Every Time	96 60.0%
	Frequently	46 28.8%
	Some of the Time	13 8.1%
	Rarely	1 0.6%
	Never	0 0.0%
	Not Applicable	4 2.5%
The judge's decisions are clear	Every Time	82 51.6%
	Frequently	48 30.2%
	Some of the Time	23 14.5%
	Rarely	4 2.5%
	Never	0 0.0%
	Not Applicable	2 1.3%
The judge is competent as a judicial administrator ³	Every Time	63 46.7%
	Frequently	26 19.3%
	Some of the Time	17 12.6%
	Rarely	12 8.9%
	Never	0 0.0%
	Not Applicable	17 12.6%
The judge is free from bias for, or prejudice against, any person or group	Every Time	84 52.5%
	Frequently	38 23.8%
	Some of the Time	19 11.9%
	Rarely	8 5.0%
	Never	4 2.5%
	Not Applicable	7 4.4%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge George D. Varoutsos: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	54 33.8%
	Frequently	47 29.4%
	Some of the Time	28 17.5%
	Rarely	23 14.4%
	Never	3 1.9%
	Not Applicable	5 3.1%
The judge uses courtroom time efficiently	Every Time	71 44.7%
	Frequently	51 32.1%
	Some of the Time	24 15.1%
	Rarely	9 5.7%
	Never	2 1.3%
	Not Applicable	2 1.3%
Judge's overall performance	Excellent	75 47.2%
	Good	47 29.6%
	Needs Improvement	22 13.8%
	Unsatisfactory	12 7.6%
	No Opinion	3 1.9%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	11 6.9%
	Worse	11 6.9%
	Stayed the Same	114 71.7%
	No Opinion	23 14.5%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Dale M. Wiley

Judge of the Juvenile and Domestic Relations District Court
22nd Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice
Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 46 completed surveys for Judge Dale M. Wiley.

Evaluation of Judge Dale M. Wiley: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge displays patience in the courtroom	Every Time	6	13.0%
	Frequently	25	54.4%
	Some of the Time	12	26.1%
	Rarely	3	6.5%
	Never	0	0.0%
	Not Applicable ¹	0	0.0%
The judge is courteous and dignified in the courtroom	Every Time	19	41.3%
	Frequently	20	43.5%
	Some of the Time	7	15.2%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	31	67.4%
	Frequently	12	26.1%
	Some of the Time	3	6.5%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge shows respect for all court participants	Every Time	15	32.6%
	Frequently	21	45.7%
	Some of the Time	9	19.6%
	Rarely	1	2.2%
	Never	0	0.0%
	Not Applicable	0	0.0%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Dale M. Wiley: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge requires court participants to display respect toward one another	Every Time	27 58.7%
	Frequently	19 41.3%
	Some of the Time	0 0.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge is attentive to the proceedings	Every Time	32 69.6%
	Frequently	14 30.4%
	Some of the Time	0 0.0%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge exhibits fairness to all parties	Every Time	24 52.2%
	Frequently	18 39.1%
	Some of the Time	4 8.7%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge treats all parties consistently	Every Time	27 58.7%
	Frequently	15 32.6%
	Some of the Time	4 8.7%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	0 0.0%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	23 65.7%
	Frequently	7 20.0%
	Some of the Time	1 2.9%
	Rarely	0 0.0%
	Never	0 0.0%
	Not Applicable	4 11.4%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Dale M. Wiley: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge maintains order, decorum, and civility in the courtroom	Every Time	30	65.2%
	Frequently	16	34.8%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge expects professional behavior of court participants	Every Time	31	67.4%
	Frequently	14	30.4%
	Some of the Time	1	2.2%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	16	44.4%
	Frequently	15	41.7%
	Some of the Time	4	11.1%
	Rarely	1	2.8%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge displays knowledge of the law	Every Time	26	72.2%
	Frequently	7	19.4%
	Some of the Time	3	8.3%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is faithful to the law	Every Time	24	66.7%
	Frequently	10	27.8%
	Some of the Time	2	5.6%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%

Evaluation of Judge Dale M. Wiley: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	26	56.5%
	Frequently	18	39.1%
	Some of the Time	2	4.4%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is prompt in rendering decisions	Every Time	32	69.6%
	Frequently	14	30.4%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge's decisions are clear	Every Time	30	65.2%
	Frequently	16	34.8%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge is competent as a judicial administrator ³	Every Time	15	41.7%
	Frequently	12	33.3%
	Some of the Time	5	13.9%
	Rarely	2	5.6%
	Never	0	0.0%
	Not Applicable	2	5.6%
The judge is free from bias for, or prejudice against, any person or group	Every Time	29	63.0%
	Frequently	13	28.3%
	Some of the Time	4	8.7%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Dale M. Wiley: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge starts court on time	Every Time	31	67.4%
	Frequently	14	30.4%
	Some of the Time	1	2.2%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
The judge uses courtroom time efficiently	Every Time	28	60.9%
	Frequently	14	30.4%
	Some of the Time	4	8.7%
	Rarely	0	0.0%
	Never	0	0.0%
	Not Applicable	0	0.0%
Judge's overall performance	Excellent	20	43.5%
	Good	21	45.7%
	Needs Improvement	5	10.9%
	Unsatisfactory	0	0.0%
	No Opinion	0	0.0%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	4	8.7%
	Worse	1	2.2%
	Stayed the Same	36	78.3%
	No Opinion	5	10.9%

JUDICIAL PERFORMANCE EVALUATION PROGRAM
REPORT TO THE GENERAL ASSEMBLY OF VIRGINIA

Evaluation of:

The Honorable Elizabeth Kellas Burton

Judge of the Juvenile and Domestic Relations District Court
26th Judicial District

Submitted to:

Chairman of the Senate Committee for Courts of Justice

Chairman of the House Committee for Courts of Justice

Prepared by:

Survey and Evaluation Research Laboratory
L. Douglas Wilder School of Government and Public Affairs
Virginia Commonwealth University

on behalf of the
Judicial Performance Evaluation Program
Supreme Court of Virginia

2015



I. Program Purpose and Use of this Report

The Judicial Performance Evaluation (JPE) Program provides a self-improvement resource for judges and information for use by the General Assembly in the judicial reelection process. Code of Virginia §17.1-100. This report is submitted, as required under that section, to be used in the reelection process.

II. Evaluation Methodology

The evaluation method for attorneys was completed using an on-line survey methodology and included a mailed letter of notification. For all judges, surveys were submitted by attorneys who had appeared before the judge within a specified time period: 12 months for district court judges; 3 years for circuit court judges. The survey instrument completed by attorneys contained 23 performance-based factors drawn from the Canons of Judicial Conduct for the Commonwealth of Virginia. Attorney surveys were distributed and completed electronically.

For judges in circuit courts, jurors who served during a period of three months before the compilation of this report also received surveys that included 13 of the 23 performance-based factors. The juror surveys were handed out, together with preaddressed, postage paid envelopes, at the conclusion of jury service. The surveys were returned by the jurors to VCU-SERL by mail.

For judges in juvenile and domestic relations district courts, staff of the local Department of Social Services and staff employed by the Department of Juvenile Justice in court service units completed a survey that included 18 of the 23 performance-based factors. Like the attorney surveys, these surveys were distributed and completed electronically.

III. Report Content

For each performance factor on the survey, this report presents the aggregate number of responses and the corresponding percentage of responses for each category. The responses of all surveyed groups are combined in these figures.

This report reflects a total of 64 completed surveys for Judge Elizabeth Kellas Burton.

Evaluation of Judge Elizabeth Kellas Burton: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge displays patience in the courtroom	Every Time	28 43.8%
	Frequently	30 46.9%
	Some of the Time	4 6.3%
	Rarely	0 0.0%
	Never	1 1.6%
	Not Applicable ¹	1 1.6%
The judge is courteous and dignified in the courtroom	Every Time	44 68.8%
	Frequently	14 21.9%
	Some of the Time	4 6.3%
	Rarely	0 0.0%
	Never	1 1.6%
	Not Applicable	1 1.6%
The judge is conscientious and diligent in the performance of judicial duties	Every Time	45 71.4%
	Frequently	13 20.6%
	Some of the Time	3 4.8%
	Rarely	0 0.0%
	Never	1 1.6%
	Not Applicable	1 1.6%
The judge shows respect for all court participants	Every Time	44 68.8%
	Frequently	13 20.3%
	Some of the Time	3 4.7%
	Rarely	2 3.1%
	Never	1 1.6%
	Not Applicable	1 1.6%

¹ Survey respondents were instructed as follows with regard to the “Not Applicable” option:

Please use the N/A response option instead of the above rating scale when: (a) the circumstances under which the described judicial behavior might arise never actually occurred in your experiences with Judge X, and/or (b) you do not possess the technical knowledge necessary to evaluate the judge on a particular item.

Evaluation of Judge Elizabeth Kellas Burton: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge requires court participants to display respect toward one another	Every Time	45	70.3%
	Frequently	14	21.9%
	Some of the Time	3	4.7%
	Rarely	0	0.0%
	Never	1	1.6%
	Not Applicable	1	1.6%
The judge is attentive to the proceedings	Every Time	53	82.8%
	Frequently	9	14.1%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	1	1.6%
	Not Applicable	1	1.6%
The judge exhibits fairness to all parties	Every Time	47	73.4%
	Frequently	8	12.5%
	Some of the Time	6	9.4%
	Rarely	1	1.6%
	Never	1	1.6%
	Not Applicable	1	1.6%
The judge treats all parties consistently	Every Time	43	68.3%
	Frequently	9	14.3%
	Some of the Time	6	9.5%
	Rarely	3	4.8%
	Never	1	1.6%
	Not Applicable	1	1.6%
The judge discourages inappropriate <i>ex parte</i> communications ²	Every Time	35	62.5%
	Frequently	6	10.7%
	Some of the Time	0	0.0%
	Rarely	0	0.0%
	Never	1	1.8%
	Not Applicable	14	25.0%

² Due to the high number of “Not Applicable” responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Elizabeth Kellas Burton: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge maintains order, decorum, and civility in the courtroom	Every Time	45 70.3%
	Frequently	14 21.9%
	Some of the Time	3 4.7%
	Rarely	0 0.0%
	Never	1 1.6%
	Not Applicable	1 1.6%
The judge expects professional behavior of court participants	Every Time	51 79.7%
	Frequently	9 14.1%
	Some of the Time	2 3.1%
	Rarely	0 0.0%
	Never	1 1.6%
	Not Applicable	1 1.6%
The judge allows lawyers appropriate latitude in presentation of their case	Every Time	36 63.2%
	Frequently	12 21.1%
	Some of the Time	4 7.0%
	Rarely	2 3.5%
	Never	1 1.8%
	Not Applicable	2 3.5%
The judge displays knowledge of the law	Every Time	37 64.9%
	Frequently	12 21.1%
	Some of the Time	5 8.8%
	Rarely	1 1.8%
	Never	1 1.8%
	Not Applicable	1 1.8%
The judge is faithful to the law	Every Time	38 66.7%
	Frequently	9 15.8%
	Some of the Time	8 14.0%
	Rarely	0 0.0%
	Never	1 1.8%
	Not Applicable	1 1.8%

Evaluation of Judge Elizabeth Kellas Burton: Evaluation Summary

Performance Factor	Survey Responses		
	Number	Percent	
The judge communicates effectively	Every Time	42	65.6%
	Frequently	15	23.4%
	Some of the Time	5	7.8%
	Rarely	0	0.0%
	Never	1	1.6%
	Not Applicable	1	1.6%
The judge is prompt in rendering decisions	Every Time	47	73.4%
	Frequently	14	21.9%
	Some of the Time	1	1.6%
	Rarely	0	0.0%
	Never	1	1.6%
	Not Applicable	1	1.6%
The judge's decisions are clear	Every Time	44	68.8%
	Frequently	14	21.9%
	Some of the Time	4	6.3%
	Rarely	0	0.0%
	Never	1	1.6%
	Not Applicable	1	1.6%
The judge is competent as a judicial administrator ³	Every Time	38	66.7%
	Frequently	8	14.0%
	Some of the Time	5	8.8%
	Rarely	0	0.0%
	Never	1	1.8%
	Not Applicable	5	8.8%
The judge is free from bias for, or prejudice against, any person or group	Every Time	43	67.2%
	Frequently	10	15.6%
	Some of the Time	3	4.7%
	Rarely	2	3.1%
	Never	1	1.6%
	Not Applicable	5	7.8%

³ Due to the high number of "Not Applicable" responses, this question is being re-evaluated by the Supreme Court.

Evaluation of Judge Elizabeth Kellas Burton: Evaluation Summary

Performance Factor	Survey Responses	
	Number	Percent
The judge starts court on time	Every Time	33 52.4%
	Frequently	24 38.1%
	Some of the Time	3 4.8%
	Rarely	0 0.0%
	Never	1 1.6%
	Not Applicable	2 3.2%
The judge uses courtroom time efficiently	Every Time	38 60.3%
	Frequently	18 28.6%
	Some of the Time	4 6.4%
	Rarely	1 1.6%
	Never	1 1.6%
	Not Applicable	1 1.6%
Judge's overall performance	Excellent	51 79.7%
	Good	7 10.9%
	Needs Improvement	5 7.8%
	Unsatisfactory	0 0.0%
	No Opinion	1 1.6%
In general, over the last twelve months, has the judge's overall court-related performance become...	Better	10 15.6%
	Worse	0 0.0%
	Stayed the Same	47 73.4%
	No Opinion	7 10.9%