



# alaska judicial council

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## MEMORANDUM

**TO:** Judicial Council Members

**FROM:** Staff

**DATE:** March 24, 2008

**RE:** Court Employee Survey Report

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The Judicial Council began surveying court system employees in 1996. This is the seventh time the Council has asked court system staff to evaluate the performance of judges standing for retention election.

The court employee survey was mailed to all court system employees except judges. Each employee received one survey booklet, with no followup mailings. Of 591 surveys mailed, 244 were returned for a return rate of 41%. Of the 244 returned surveys, 30 had no ratings or comment on any judge and were not included in the analysis. Council staff entered data, ran descriptive statistics, and transcribed comments from the surveys. A sample survey page is included at the end of this memorandum.

Table 1 shows the basis for evaluation of each judge. In approximately 27% of the responses court employees did not identify the basis for their evaluation.

<b>Table 1: Basis for Evaluation 2008 Alaska Judicial Council Retention Court Employee Survey</b>					
<b>Judge</b>	<b>Direct professional experience</b>	<b>Professional reputation</b>	<b>Social contacts</b>	<b>Rated judge but no basis checked</b>	<b>Total responses</b>
Coats, Robert G.	12	5	1	14	32
Collins, Patricia A	37	9	0	14	60
Cummings, Dennis P.	22	4	0	9	35
Downes, Robert B.	33	2	0	9	44
Eastaugh, Robert L.	22	12	1	15	50
Funk, Raymond	43	6	1	9	59
Hanley, J. Patrick	38	4	0	23	65
Levy, Keith B.	20	8	0	9	37
Murphy, Margaret L.	34	5	0	9	48
Schally, Daniel	15	2	0	7	24
Stowers, Craig F.	39	3	0	21	63
Swiderski, Alex M.	30	4	0	20	54
<b>Total:</b>	333	59	2	145	539

### Survey Results

This memorandum summarizes the data from individual responses to the Court Employee Survey and is distributed to Council members and judges. Confidential comments from the court employee surveys are only distributed to Judicial Council members.

The survey results appear in the following tables. Court employees used a five point scale, with *excellent* scored as five, and *poor* scored as one. The closer the employees' scores were to five, the higher that judge's evaluation by the employees. The mean score and number of responses appear for each variable. Mean scores for the overall performance rating fell between 3.5 and 4.7. The means fit into the following descriptive ratings:

- 4.0 - 5.0 = Excellent
- 3.5 - 3.9 = Good
- 3.0 - 3.4 = Acceptable
- 2.5 - 2.9 = Deficient
- 1.0 - 2.4 = Poor

Table 2:  
Mean Score for Each Variable and for "Overall Performance," by Judge  
Retention 2008 Court Employee Survey

	Impartiality	Integrity	Temperament	Diligence	Overall Performance	
					Mean	Total
Coats, Robert G.	4.6	4.7	4.6	4.6	4.6	32
Collins, Patricia A	4.7	4.7	4.7	4.7	4.7	60
Cummings, Dennis P.	3.8	3.9	3.3	3.7	3.5	35
Downes, Robert B.	4.3	4.3	4.3	4.1	4.3	44
Eastaugh, Robert L.	4.6	4.7	4.2	4.6	4.5	50
Funk, Raymond	4.1	4.2	3.6	4.2	4.0	59
Hanley, J. Patrick	4.7	4.7	4.7	4.7	4.7	65
Levy, Keith B.	4.6	4.7	4.7	4.7	4.6	37
Murphy, Margaret L.	4.1	4.2	3.9	4.1	4.1	48
Schally, Daniel	4.2	4.2	4.3	4.3	4.4	24
Stowers, Craig F.	4.3	4.4	4.2	4.4	4.2	63
Swiderski, Alex M.	4.2	4.4	4.2	4.3	4.3	54

<p style="text-align: center;"><b>Court Employee Survey Results 2008 Retention Evaluation Robert G. Coats</b></p>									
Question	Excellent % (n)	Good % (n)	Acceptable % (n)	Deficient % (n)	Poor % (n)	Mean	Total Returned = 32		
<b>Impartiality/Fairness</b>	70% 19	19% 5	11% 3	0% 0	0% 0	4.6	27		
<b>Integrity</b>	71% 20	25% 7	4% 1	0% 0	0% 0	4.7	28		
<b>Judicial Temperament</b>	70% 21	23% 7	7% 2	0% 0	0% 0	4.6	30		
<b>Diligence</b>	68% 19	25% 7	7% 2	0% 0	0% 0	4.6	28		
<b>Overall Evaluation</b>	67% 18	30% 8	4% 1	0% 0	0% 0	4.6	27		

<p align="center"><b>Court Employee Survey Results 2008 Retention Evaluation Patricia A. Collins</b></p>												
<b>Question</b>	<b>Excellent</b>		<b>Good</b>		<b>Acceptable</b>		<b>Deficient</b>		<b>Poor</b>		<b>Mean</b>	<b>Total Returned = 60</b>
	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>		
<b>Impartiality/Fairness</b>	71%	39	26%	14	2%	1	2%	1	0%	0	4.7	55
<b>Integrity</b>	75%	42	21%	12	2%	1	0%	0	2%	1	4.7	56
<b>Judicial Temperament</b>	75%	44	19%	11	7%	4	0%	0	0%	0	4.7	59
<b>Diligence</b>	73%	40	24%	13	4%	2	0%	0	0%	0	4.7	55
<b>Overall Evaluation</b>	75%	43	19%	11	4%	2	2%	1	0%	0	4.7	57

<p align="center"><b>Court Employee Survey Results 2008 Retention Evaluation Dennis P. Cummings</b></p>												
Question	Excellent		Good		Acceptable		Deficient		Poor		Mean	Total Returned = 35
	%	(n)	%	(n)	%	(n)	%	(n)	%	(n)		
<b>Impartiality/Fairness</b>	32%	11	32%	11	24%	8	3%	1	9%	3	3.8	34
<b>Integrity</b>	39%	13	30%	10	15%	5	6%	2	9%	3	3.9	33
<b>Judicial Temperament</b>	25%	8	22%	7	28%	9	13%	4	13%	4	3.3	32
<b>Diligence</b>	30%	10	33%	11	21%	7	9%	3	6%	2	3.7	33
<b>Overall Evaluation</b>	29%	10	32%	11	15%	5	9%	3	15%	5	3.5	34

<p align="center"><b>Court Employee Survey Results 2008 Retention Evaluation Robert B. Downes</b></p>												
<b>Question</b>	<b>Excellent</b>		<b>Good</b>		<b>Acceptable</b>		<b>Deficient</b>		<b>Poor</b>		<b>Mean</b>	<b>Total Returned = 44</b>
	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>		
<b>Impartiality/Fairness</b>	48%	19	33%	13	20%	8	0%	0	0%	0	4.3	40
<b>Integrity</b>	47%	20	40%	17	12%	5	2%	1	0%	0	4.3	43
<b>Judicial Temperament</b>	49%	20	34%	14	15%	6	0%	0	2%	1	4.3	41
<b>Diligence</b>	40%	16	38%	15	13%	5	8%	3	3%	1	4.1	40
<b>Overall Evaluation</b>	50%	22	27%	12	21%	9	2%	1	0%	0	4.3	44

<p align="center"><b>Court Employee Survey Results 2008 Retention Evaluation Robert L. Eastaugh</b></p>												
<b>Question</b>	<b>Excellent</b>		<b>Good</b>		<b>Acceptable</b>		<b>Deficient</b>		<b>Poor</b>		<b>Mean</b>	<b>Total Returned = 50</b>
	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>		
<b>Impartiality/Fairness</b>	64%	30	30%	14	4%	2	2%	1	0%	0	4.6	47
<b>Integrity</b>	76%	35	20%	9	4%	2	0%	0	%	0	4.7	46
<b>Judicial Temperament</b>	55%	26	23%	11	15%	7	2%	1	4%	2	4.2	47
<b>Diligence</b>	71%	32	22%	10	7%	3	0%	0	0%	0	4.6	45
<b>Overall Evaluation</b>	61%	30	33%	16	4%	2	2%	1	0%	0	4.5	49



<p style="text-align: center;"><b>Court Employee Survey Results 2008 Retention Evaluation Raymond Funk</b></p>												
Question	Excellent		Good		Acceptable		Deficient		Poor		Mean	Total Returned = 59
	%	(n)	%	(n)	%	(n)	%	(n)	%	(n)		
<b>Impartiality/Fairness</b>	41%	21	31%	16	26%	13	2%	1	0%	0	4.1	51
<b>Integrity</b>	46%	25	35%	19	16%	9	4%	2	0%	0	4.2	55
<b>Judicial Temperament</b>	32%	17	26%	14	17%	9	19%	10	7%	4	3.6	54
<b>Diligence</b>	43%	22	31%	16	26%	13	0%	0	0%	0	4.2	51
<b>Overall Evaluation</b>	40%	22	29%	16	26%	14	6%	3	0%	0	4.0	55

<p style="text-align: center;"><b>Court Employee Survey Results 2008 Retention Evaluation J. Patrick Hanley</b></p>												
Question	Excellent		Good		Acceptable		Deficient		Poor		Mean	Total Returned = 65
	%	(n)	%	(n)	%	(n)	%	(n)	%	(n)		
<b>Impartiality/Fairness</b>	73%	46	22%	14	5%	3	0%	0	0%	0	4.7	63
<b>Integrity</b>	75%	47	21%	13	5%	3	0%	0	0%	0	4.7	63
<b>Judicial Temperament</b>	79%	49	16%	10	5%	3	0%	0	0%	0	4.7	62
<b>Diligence</b>	75%	45	17%	10	8%	5	0%	0	0%	0	4.7	60
<b>Overall Evaluation</b>	78%	50	17%	11	5%	3	0%	0	0%	0	4.7	64

<p align="center"><b>Court Employee Survey Results</b>  <b>2008 Retention Evaluation</b>  <b>Keith B. Levy</b></p>									
Question	Excellent % (n)	Good % (n)	Acceptable % (n)	Deficient % (n)	Poor % (n)	Mean	Total Returned = 37		
Impartiality/Fairness	65% 22	32% 11	3% 1	0% 0	0% 0	4.6	34		
Integrity	73% 24	24% 8	3% 1	0% 0	0% 0	4.7	33		
Judicial Temperament	70% 23	27% 9	3% 1	0% 0	0% 0	4.7	33		
Diligence	72% 23	28% 9	0% 0	0% 0	0% 0	4.7	32		
Overall Evaluation	69% 25	25% 9	3% 1	3% 1	0% 0	4.6	36		

<p align="center"><b>Court Employee Survey Results 2008 Retention Evaluation Margaret L. Murphy</b></p>									
Question	Excellent % (n)	Good % (n)	Acceptable % (n)	Deficient % (n)	Poor % (n)	Mean	Total Returned = 48		
Impartiality/Fairness	37% 17	39% 18	20% 9	2% 1	2% 1	4.1	46		
Integrity	48% 22	30% 14	17% 8	2% 1	2% 1	4.2	46		
Judicial Temperament	36% 17	34% 16	13% 6	13% 6	4% 2	3.9	47		
Diligence	46% 21	30% 14	13% 6	9% 4	2% 1	4.1	46		
Overall Evaluation	44% 20	33% 15	20% 9	2% 1	2% 1	4.1	46		

<p align="center"><b>Court Employee Survey Results 2008 Retention Evaluation Daniel Schally</b></p>									
Question	Excellent % (n)	Good % (n)	Acceptable % (n)	Deficient % (n)	Poor % (n)	Mean	Total Returned = 24		
Impartiality/Fairness	41% 9	46% 10	9% 2	5% 1	0% 0	4.2	22		
Integrity	41% 9	41% 9	14% 3	5% 1	0% 0	4.2	22		
Judicial Temperament	50% 11	36% 8	9% 2	5% 1	0% 0	4.3	22		
Diligence	50% 10	30% 6	15% 3	5% 1	0% 0	4.3	20		
Overall Evaluation	50% 11	36% 8	14% 3	0% 0	0% 0	4.4	22		

<p align="center"><b>Court Employee Survey Results 2008 Retention Evaluation Craig F. Stowers</b></p>												
<b>Question</b>	<b>Excellent</b>		<b>Good</b>		<b>Acceptable</b>		<b>Deficient</b>		<b>Poor</b>		<b>Mean</b>	<b>Total Returned = 63</b>
	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>		
<b>Impartiality/Fairness</b>	46%	27	37%	22	14%	8	3%	2	0%	0	4.3	59
<b>Integrity</b>	53%	32	33%	20	10%	6	3%	2	0%	0	4.4	60
<b>Judicial Temperament</b>	40%	25	44%	27	10%	6	3%	2	3%	2	4.2	62
<b>Diligence</b>	55%	33	32%	19	12%	7	2%	1	0%	0	4.4	60
<b>Overall Evaluation</b>	43%	26	38%	23	16%	10	0%	0	3%	2	4.2	61

<p align="center"><b>Court Employee Survey Results 2008 Retention Evaluation Alex M. Swiderski</b></p>												
<b>Question</b>	<b>Excellent</b>		<b>Good</b>		<b>Acceptable</b>		<b>Deficient</b>		<b>Poor</b>		<b>Mean</b>	<b>Total Returned = 54</b>
	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>		
<b>Impartiality/Fairness</b>	43%	22	33%	17	20%	10	4%	2	0%	0	4.2	51
<b>Integrity</b>	59%	30	26%	13	16%	8	0%	0	0%	0	4.4	51
<b>Judicial Temperament</b>	53%	28	26%	14	15%	8	2%	1	4%	2	4.2	53
<b>Diligence</b>	52%	26	30%	15	14%	7	4%	2	0%	0	4.3	50
<b>Overall Evaluation</b>	50%	26	31%	16	17%	9	2%	1	0%	0	4.3	52

### Sample Court Employee Survey Page

FOURTH JUDICIAL DISTRICT

FAIRBANKS DISTRICT COURT

JUDGE RAYMOND FUNK

**Basis for Evaluation:** Which of the following describes the basis for your evaluation of this judge? (Circle one or more.)

- 1 Direct professional experience
- 2 Professional reputation
- 3 Social contacts
- 9 Insufficient knowledge to evaluate this judge (Go on to next judge.)

To rate this judge, circle one number for each criterion. If you lack sufficient knowledge to rate the judge for any one of the criteria, circle 9. (See Page ii for definitions of the rating criteria and rating scale.)

	Poor	Deficient	Acceptable	Good	Excellent	Insufficient Knowledge
1 Impartiality/Fairness	1	2	3	4	5	9
2 Integrity	1	2	3	4	5	9
3 Judicial Temperament	1	2	3	4	5	9
4 Diligence	1	2	3	4	5	9
5 Overall evaluation of judge	1	2	3	4	5	9

**Comments:** See Introduction about the types of comments sought.

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