Commission on
Judicial Performance

2004 Judicial Performance Survey

The Honorable Andrew S. Armatas

Talmey-Drake
research & strategy, inc.

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research & strategy, inc.

March 22, 2004

The Honorable Andrew S. Armatas
County Judge, 2nd Judicial District
City & County Bldg.
1437 Bannock St., Room 108
Denver, Co. 80202

Dear Judge Armatas:

Every two years the Colorado Judicial Performance Commission conducts a survey of people who have been in the courtroom of judges who face a retention vote in the next general election. The 2004 survey was conducted by Talmey-Drake Research & Strategy, Inc., who attempted to contact over 35,000 people who had been in these courtrooms in one capacity or another. Over 10,000 people responded—3,683 to the attorney survey and 6,330 to the non-attorney survey.

This report contains the results of those who were in your courtroom and who responded to the survey. In addition to this introduction, the report is divided into four main sections:

- **Attorney Results & Comments:** This section contains graphs displaying the average grade you received overall (the combined average from questions 1a through 5e as required by the recent rule changes) , each section and each question. Following the graphs, are a series of tables showing the percentage distribution of responses to each question. Attorney respondents were also asked to comment about your performance. These comments have been transcribed, and in some instances redacted to eliminate respondent identifying information. A copy of the attorney questionnaire is at the back of this report.
- **Non-attorney Results & Comments:** Similar to the Attorney section, this portion of the report contains graphs (again including the overall average of questions 1a through 5c on the non-attorney questionnaire), the percentage distribution of responses by non-attorneys to each substantive question in the survey. The non-attorney respondents were also asked to comment about your performance. Again, these comments have been transcribed, and in some instances redacted to eliminate respondent identifying information. A copy of the non-attorney questionnaire is also at the back of this report.
- **Methodology:** The third section of the report discusses the methodology of the survey.
- **Questionnaires:** And the final section provides copies of the questionnaires that were used.

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Phone 303.443.5300 Fax 303.447.9386

If you have any questions about the methodology and how the survey was conducted, please feel free to contact me at 303-443-5300, and for any other questions you might have about the survey please call the Director of the Colorado Judicial Performance Program, Michelle Stermer, at 303-837-3665.

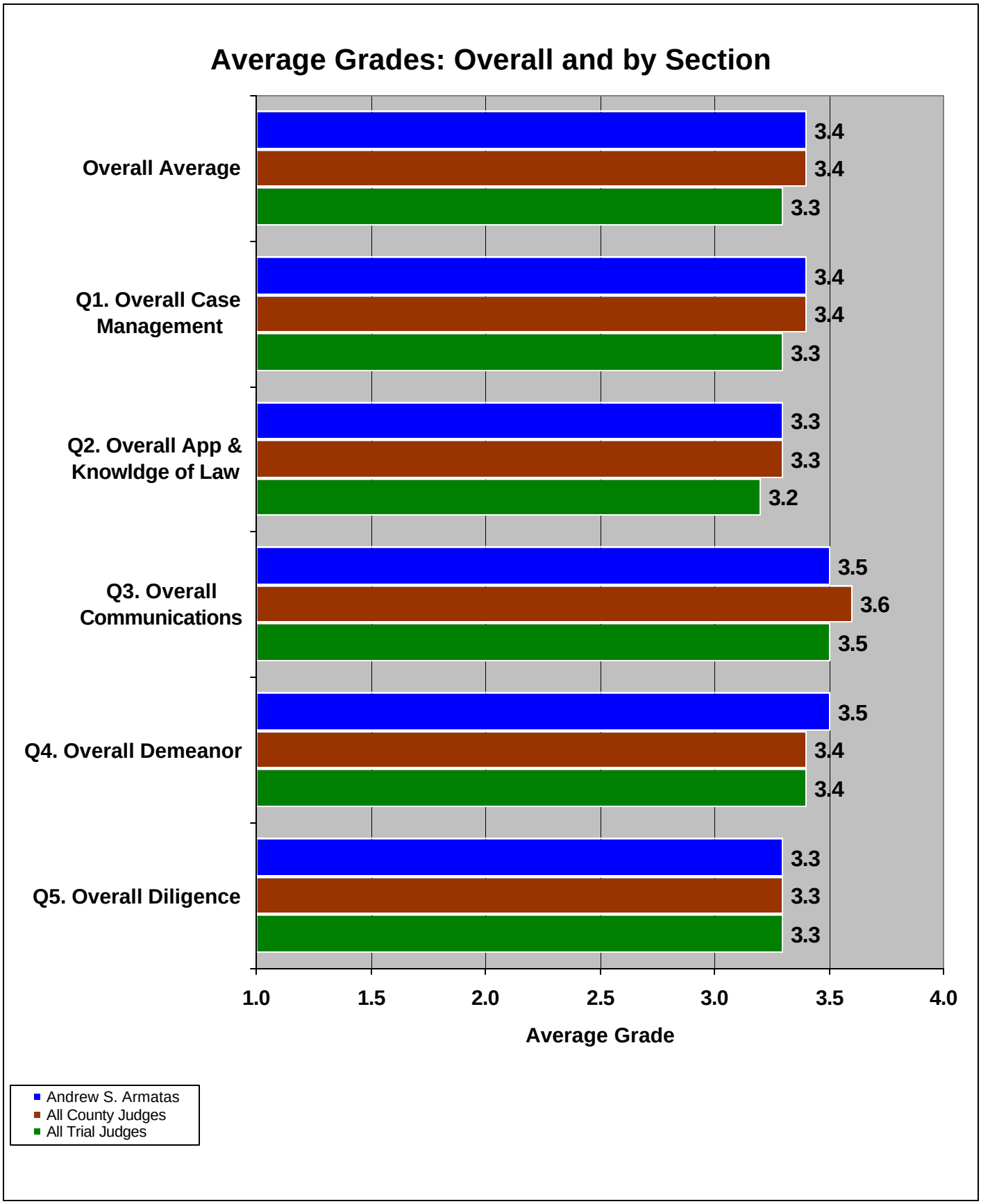
Best regards,

Paul A. Talmey
President

enc:

Judge Andrew S. Armatas

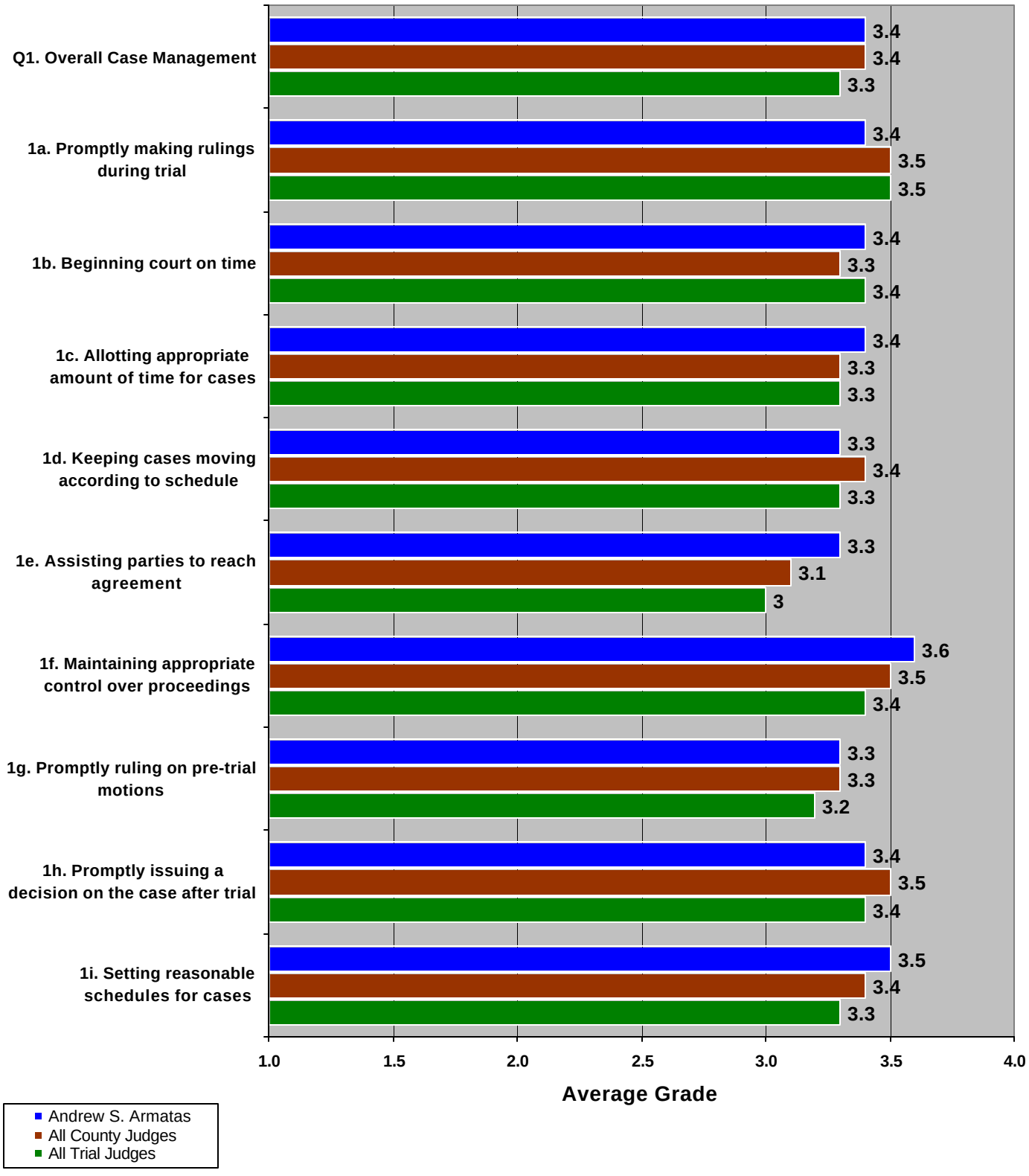
Attorney Survey



Judge Andrew S. Armatas

Attorney Survey

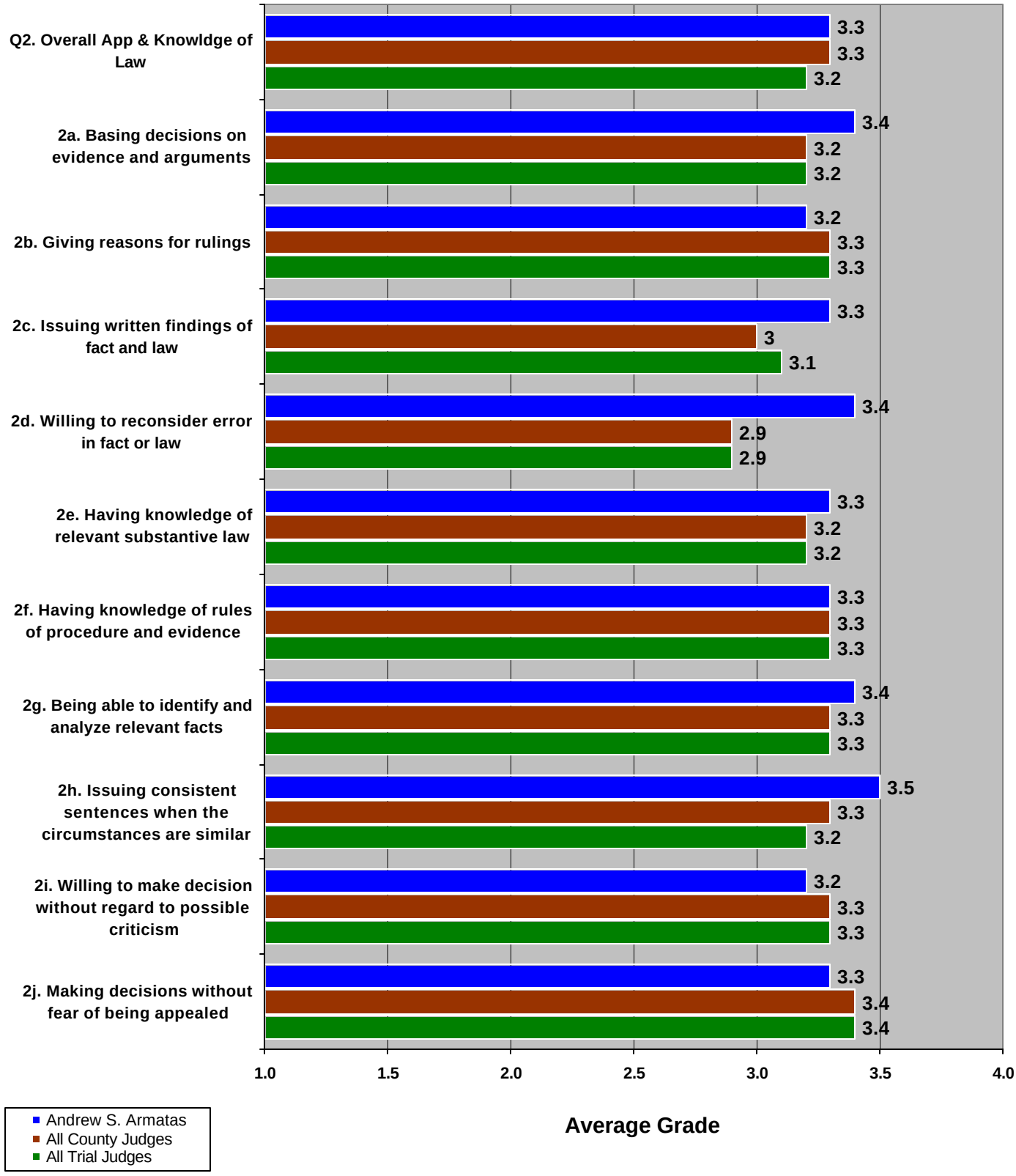
Average Grades: Case Management



Judge Andrew S. Armatas

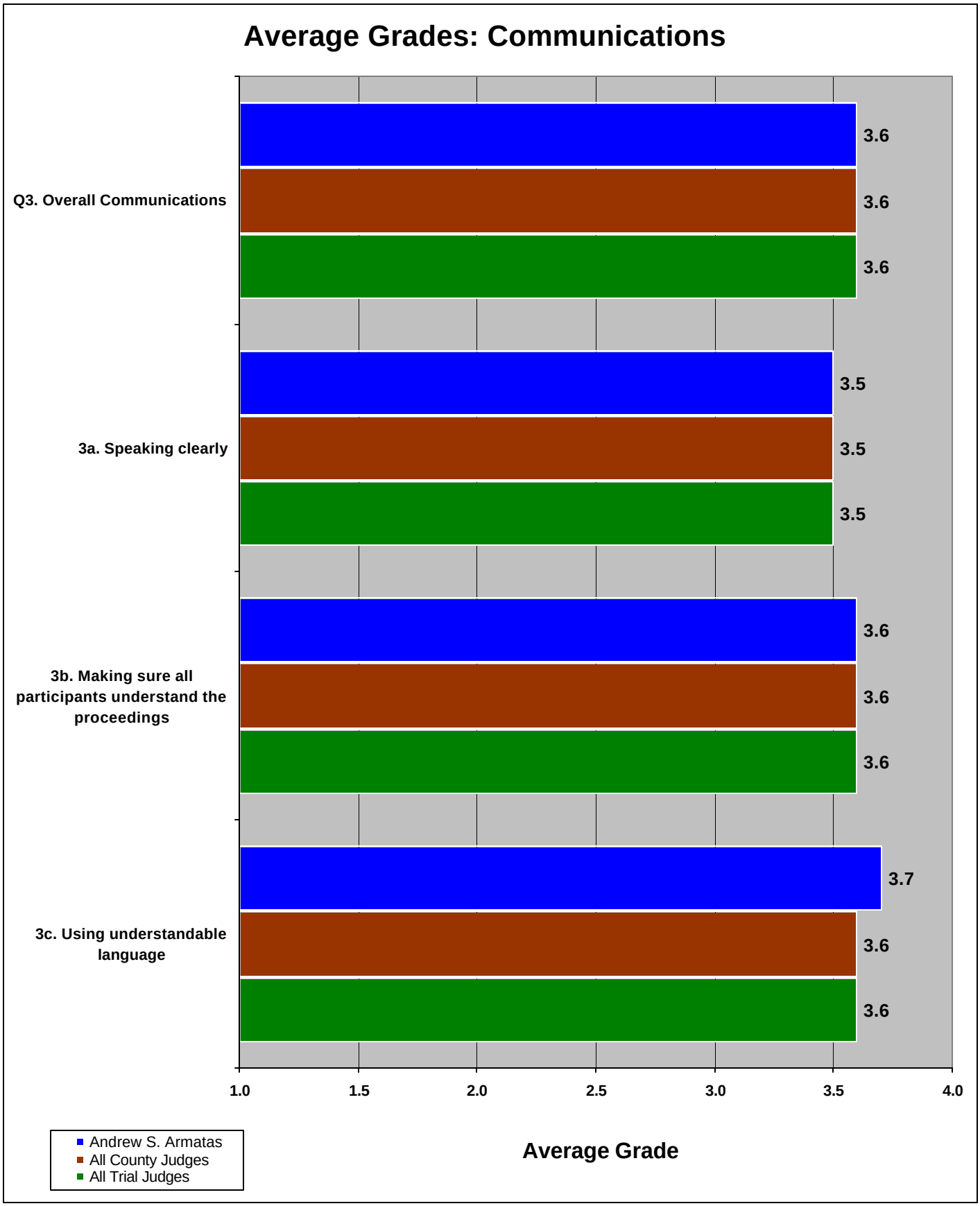
Attorney Survey

Average Grades: Application and Knowledge of Law



Judge Andrew S. Armatas

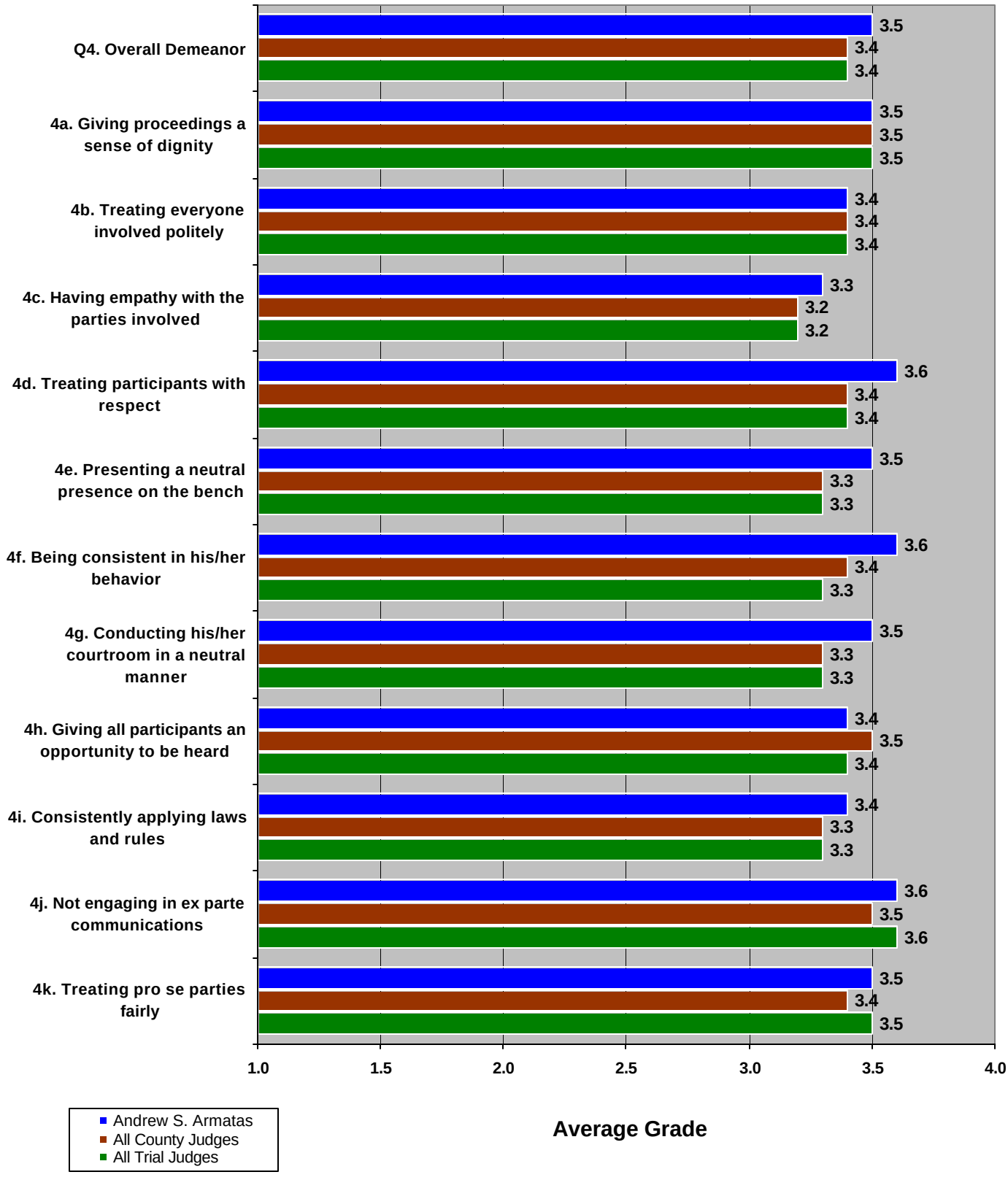
Attorney Survey



Judge Andrew S. Armatas

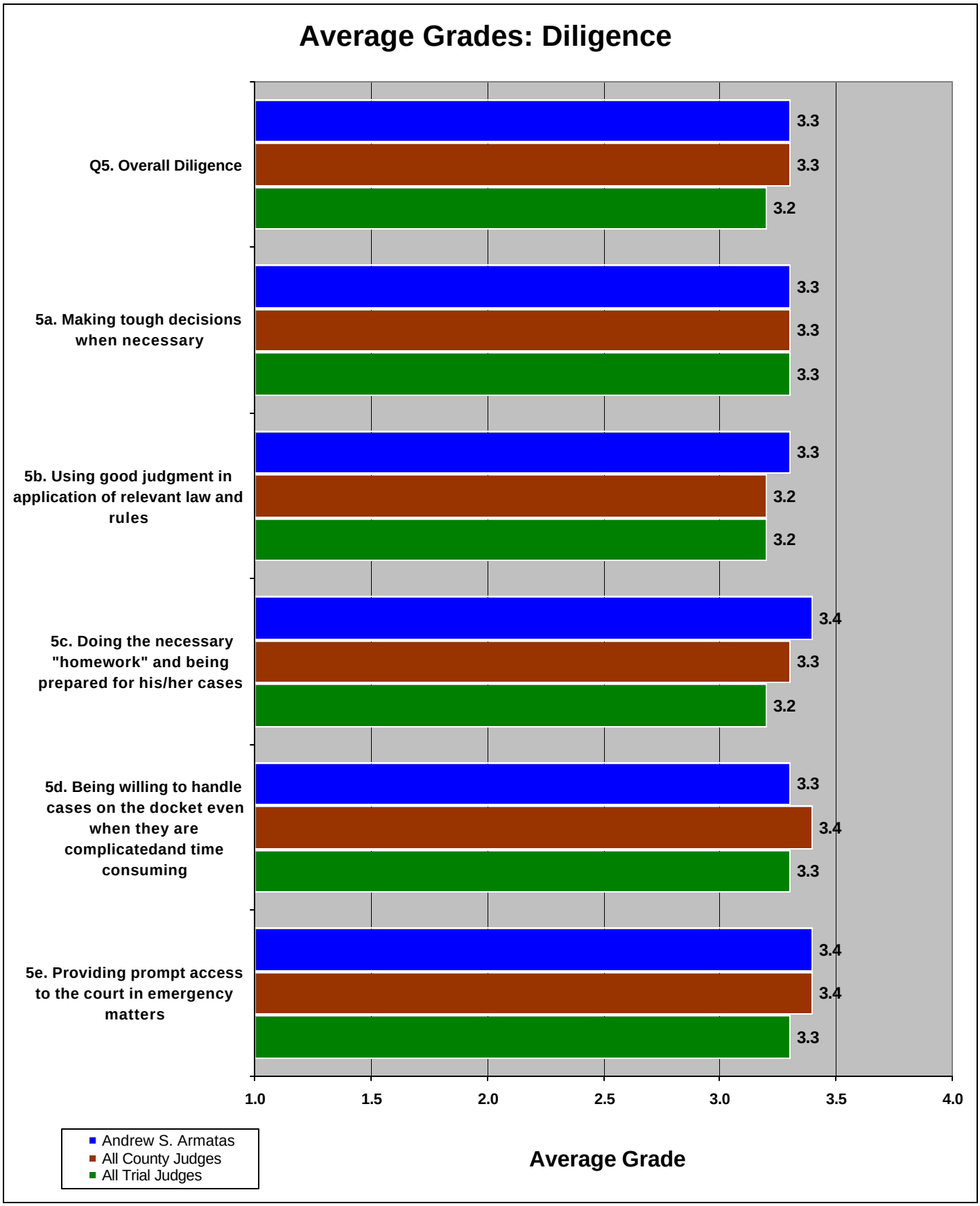
Attorney Survey

Average Grades: Demeanor



Judge Andrew S. Armatas

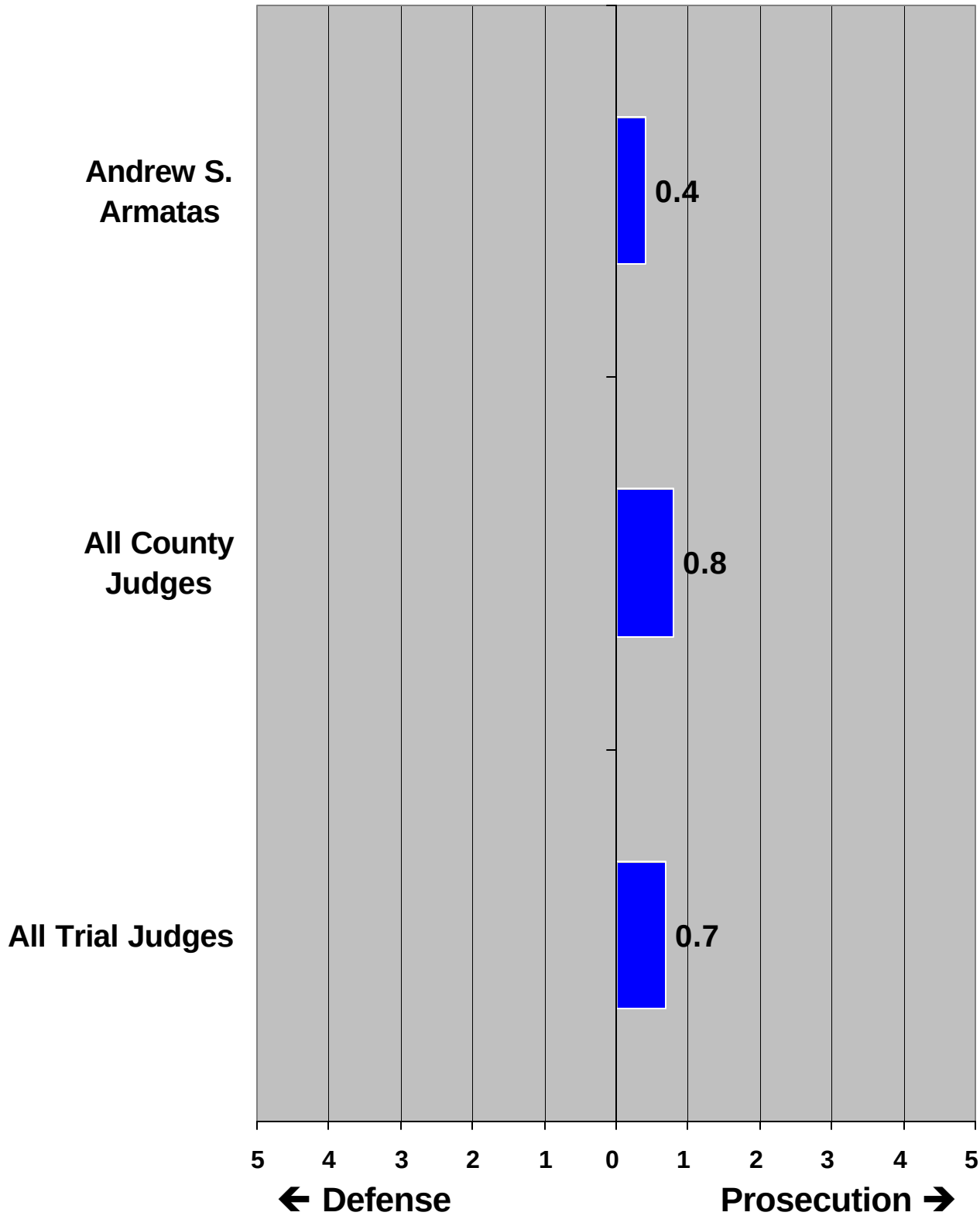
Attorney Survey



Judge Andrew S. Armatas

Attorney Survey

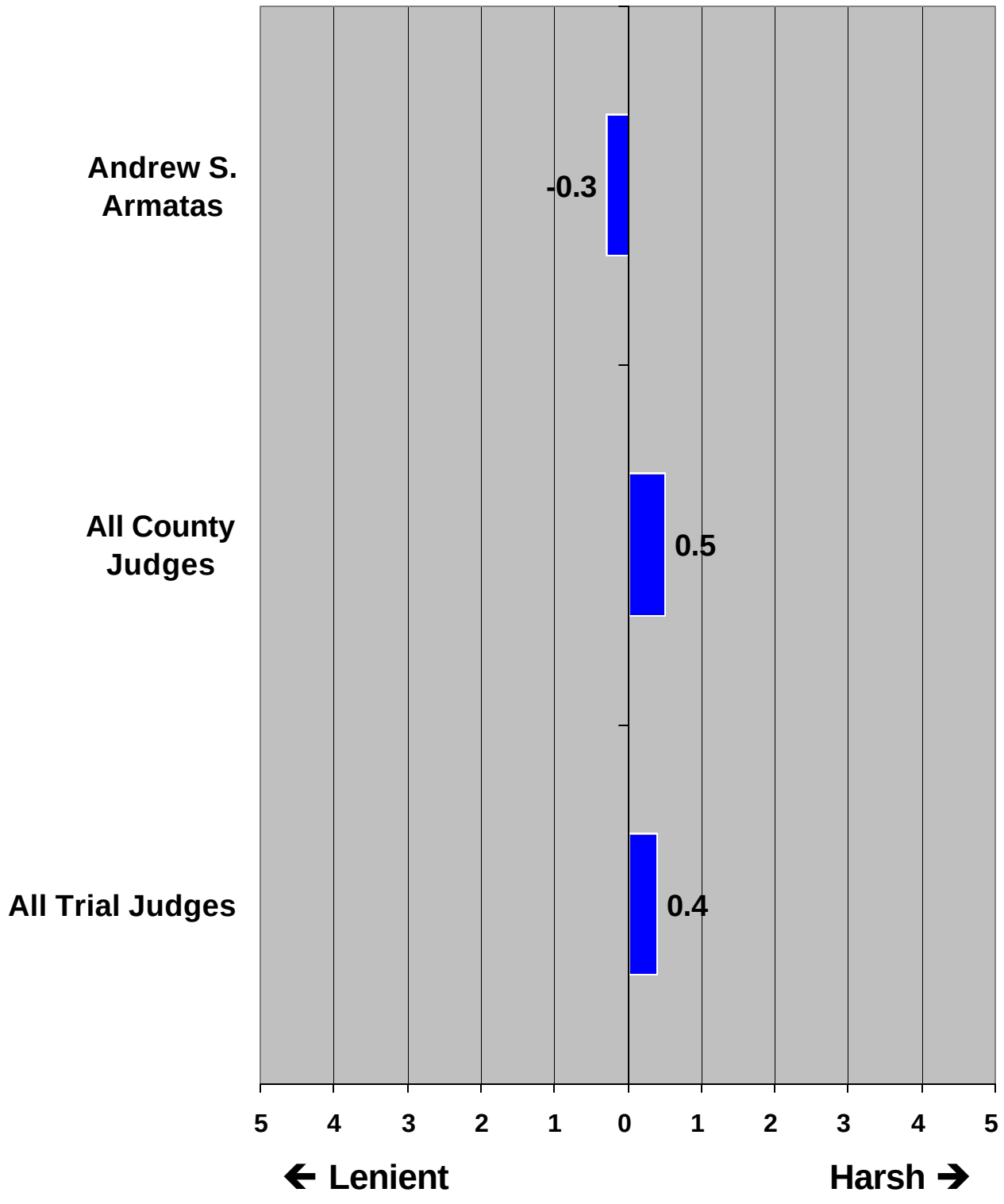
Q6. Average: How biased do you think Judge Armatas is toward the defense or prosecution?



Judge Andrew S. Armatas

Attorney Survey

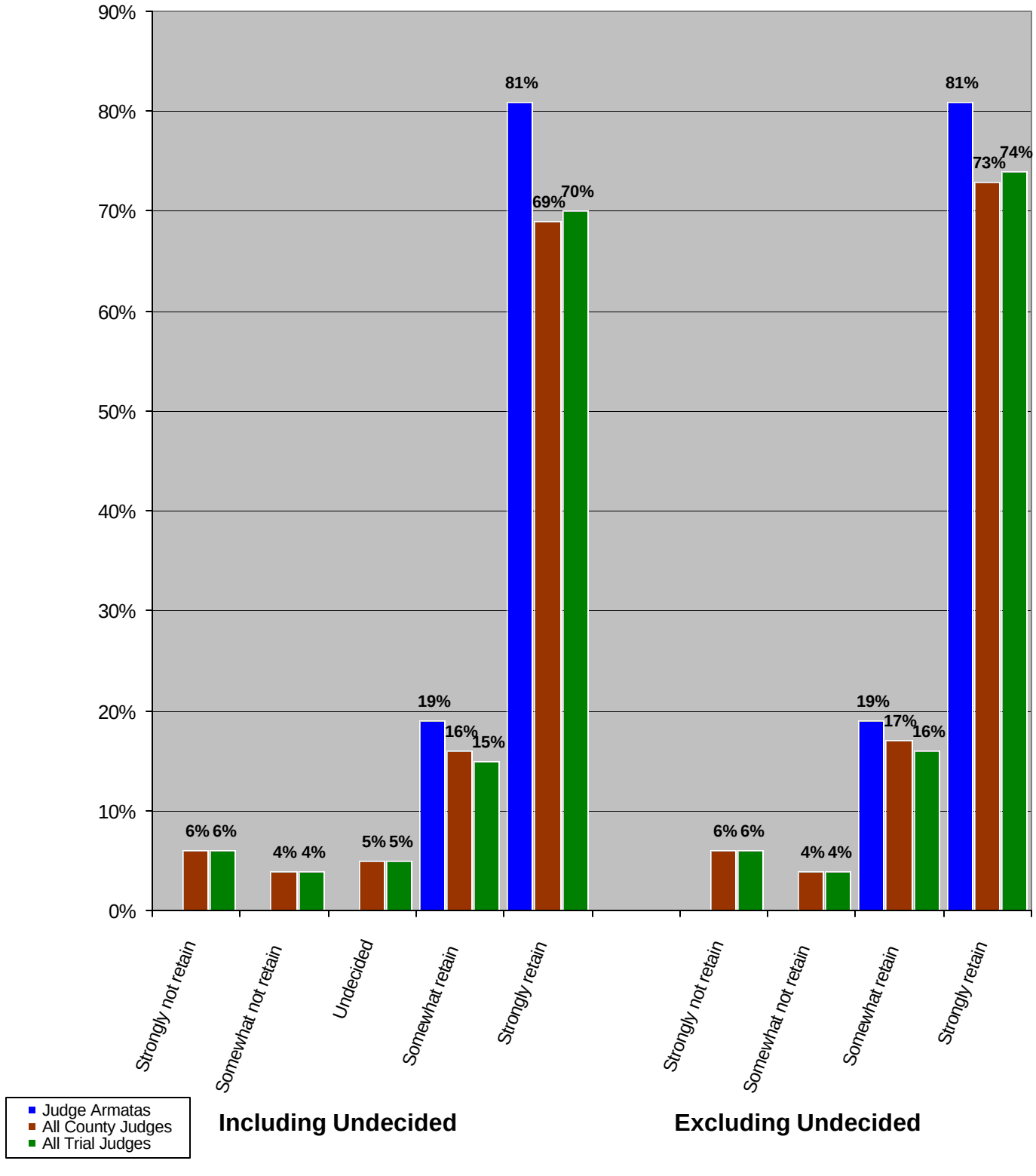
Q7. Average: How lenient or how harsh are Judge Armatas's sentences?



Judge Andrew S. Armatas

Attorney Survey

Retention Recommendation



Judge Andrew S. Armatas
Attorney Survey

1a. How would you grade Judge Armatas on "Promptly making rulings during trial?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	33%	51%	51%
B	44%	22%	24%
C		6%	6%
D		1%	1%
Fail		1%	1%
No Grade	22%	19%	17%
Average	3.4	3.5	3.5
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

1b. How would you grade Judge Armatas on "Beginning court on time?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	48%	53%	54%
B	48%	30%	29%
C		10%	9%
D	4%	3%	3%
Fail		1%	1%
No Grade		3%	4%
Average	3.4	3.3	3.4
Letter Grade	B+	B	B+

Judge Andrew S. Armatas
Attorney Survey

1c. How would you grade Judge Armatas on "Allotting appropriate amount of time for cases?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	48%	50%	49%
B	44%	31%	30%
C	4%	9%	10%
D	4%	3%	3%
Fail		1%	1%
No Grade		6%	6%
Average	3.4	3.3	3.3
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Attorney Survey

1d. How would you grade Judge Armatas on "Keeping cases moving according to schedule?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	41%	52%	50%
B	48%	31%	30%
C	7%	9%	10%
D		3%	4%
Fail		1%	1%
No Grade	4%	5%	5%
Average	3.3	3.4	3.3
Letter Grade	B	B+	B

Judge Andrew S. Armatas
Attorney Survey

1e. How would you grade Judge Armatas on "Assisting parties to reach agreement?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	18%	21%	25%
B	24%	16%	18%
C	6%	8%	10%
D		3%	4%
Fail		2%	2%
No Grade	53%	51%	41%
Average	3.3	3.1	3
Letter Grade	B	B	B

Judge Andrew S. Armatas
Attorney Survey

1f. How would you grade Judge Armatas on "Maintaining appropriate control over proceedings?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	59%	59%	58%
B	41%	27%	27%
C		8%	8%
D		2%	2%
Fail		1%	1%
No Grade		4%	3%
Average	3.6	3.5	3.4
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

1g. How would you grade Judge Armatas on "Promptly ruling on pre-trial motions?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	30%	41%	39%
B	37%	21%	24%
C	7%	8%	10%
D		3%	4%
Fail		1%	2%
No Grade	26%	27%	21%
Average	3.3	3.3	3.2
Letter Grade	B	B	B

Judge Andrew S. Armatas
Attorney Survey

1h. How would you grade Judge Armatas on "Promptly issuing a decision on the case after trial?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	22%	47%	44%
B	26%	20%	21%
C	4%	6%	7%
D		1%	2%
Fail		1%	2%
No Grade	48%	25%	24%
Average	3.4	3.5	3.4
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

1i. How would you grade Judge Armatas on "Setting reasonable schedules for cases?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	52%	50%	47%
B	37%	29%	30%
C	7%	9%	10%
D		2%	3%
Fail		1%	2%
No Grade	4%	9%	8%
Average	3.5	3.4	3.3
Letter Grade	B+	B+	B

Judge Andrew S. Armatas
Attorney Survey

2a. How would you grade Judge Armatas on "Basing decisions on evidence and arguments?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	48%	49%	49%
B	41%	27%	27%
C	7%	11%	10%
D		5%	5%
Fail		2%	3%
No Grade	4%	6%	6%
Average	3.4	3.2	3.2
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Attorney Survey

2b. How would you grade Judge Armatas on "Giving reasons for rulings?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	46%	51%	51%
B	31%	27%	27%
C	15%	10%	10%
D	4%	4%	5%
Fail		1%	2%
No Grade	4%	6%	5%
Average	3.2	3.3	3.3
Letter Grade	B	B	B

Judge Andrew S. Armatas
Attorney Survey

2c. How would you grade Judge Armatas on "Issuing written findings of fact and law?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	16%	19%	27%
B	11%	11%	17%
C	5%	8%	9%
D		3%	3%
Fail		2%	2%
No Grade	68%	57%	42%
Average	3.3	3	3.1
Letter Grade	B	B	B

Judge Andrew S. Armatas
Attorney Survey

2d. How would you grade Judge Armatas on "Willing to reconsider error in fact or law?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	37%	27%	26%
B	15%	19%	20%
C	11%	11%	11%
D		5%	5%
Fail		3%	4%
No Grade	37%	35%	34%
Average	3.4	2.9	2.9
Letter Grade	B+	B-	B-

Judge Andrew S. Armatas
Attorney Survey

2e. How would you grade Judge Armatas on "Having knowledge of relevant substantive law?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	41%	47%	46%
B	44%	30%	31%
C	15%	11%	11%
D		4%	4%
Fail		2%	2%
No Grade		6%	5%
Average	3.3	3.2	3.2
Letter Grade	B	B	B

Judge Andrew S. Armatas
Attorney Survey

2f. How would you grade Judge Armatas on "Having knowledge of rules of procedure and evidence?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	37%	52%	52%
B	48%	28%	29%
C	11%	9%	9%
D		3%	3%
Fail		1%	1%
No Grade	4%	5%	5%
Average	3.3	3.3	3.3
Letter Grade	B	B	B

Judge Andrew S. Armatas
Attorney Survey

2g. How would you grade Judge Armatas on "Being able to identify and analyze relevant facts?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	52%	51%	51%
B	33%	28%	28%
C	11%	9%	10%
D		4%	4%
Fail		2%	2%
No Grade	4%	6%	5%
Average	3.4	3.3	3.3
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Attorney Survey

2h. How would you grade Judge Armatas on "Issuing consistent sentences when the circumstances are similar?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	50%	38%	27%
B	38%	23%	17%
C	4%	7%	6%
D		2%	2%
Fail		2%	2%
No Grade	8%	28%	46%
Average	3.5	3.3	3.2
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Attorney Survey

2i. How would you grade Judge Armatas on "Willing to make decision without regard to possible criticism?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	37%	47%	47%
B	44%	23%	23%
C	15%	9%	8%
D		3%	3%
Fail		3%	2%
No Grade	4%	15%	17%
Average	3.2	3.3	3.3
Letter Grade	B	B	B

Judge Andrew S. Armatas
Attorney Survey

2j. How would you grade Judge Armatas on "Making decisions without fear of being appealed?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	42%	49%	48%
B	42%	23%	22%
C	12%	7%	7%
D		3%	3%
Fail		2%	2%
No Grade	4%	17%	18%
Average	3.3	3.4	3.4
Letter Grade	B	B+	B+

Judge Andrew S. Armatas
Attorney Survey

3a. How would you grade Judge Armatas on "Speaking clearly?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	63%	70%	67%
B	30%	21%	23%
C	7%	6%	6%
D		1%	1%
Fail		0%	1%
No Grade		2%	2%
Average	3.6	3.6	3.6
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

3b. How would you grade Judge Armatas on "Making sure all participants understand the proceedings?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	59%	66%	64%
B	30%	21%	23%
C	11%	7%	7%
D		2%	2%
Fail		1%	1%
No Grade		3%	3%
Average	3.5	3.5	3.5
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

3c. How would you grade Judge Armatas on "Using understandable language?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	67%	69%	67%
B	26%	21%	24%
C	7%	6%	6%
D		1%	1%
Fail		0%	0%
No Grade		2%	2%
Average	3.6	3.6	3.6
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

4a. How would you grade Judge Armatas on "Giving proceedings a sense of dignity?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	56%	64%	63%
B	41%	24%	23%
C		7%	7%
D	4%	2%	3%
Fail		2%	2%
No Grade		2%	2%
Average	3.5	3.5	3.5
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

4b. How would you grade Judge Armatas on "Treating everyone involved politely?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	52%	61%	63%
B	37%	20%	20%
C	11%	9%	8%
D		4%	4%
Fail		3%	4%
No Grade		2%	2%
Average	3.4	3.4	3.4
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

4c. How would you grade Judge Armatas on "Having empathy with the parties involved?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	41%	51%	51%
B	44%	24%	24%
C	15%	11%	11%
D		5%	5%
Fail		4%	3%
No Grade		5%	6%
Average	3.3	3.2	3.2
Letter Grade	B	B	B

Judge Andrew S. Armatas
Attorney Survey

4d. How would you grade Judge Armatas on "Treating participants with respect?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	59%	62%	62%
B	37%	21%	21%
C	4%	8%	8%
D		4%	4%
Fail		3%	3%
No Grade		2%	2%
Average	3.6	3.4	3.4
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

4e. How would you grade Judge Armatas on "Presenting a neutral presence on the bench?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	52%	57%	58%
B	44%	23%	23%
C	4%	9%	9%
D		5%	4%
Fail		4%	3%
No Grade		2%	3%
Average	3.5	3.3	3.3
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Attorney Survey

4f. How would you grade Judge Armatas on "Being consistent in his/her behavior?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	59%	58%	58%
B	33%	22%	23%
C	4%	9%	9%
D		3%	3%
Fail		3%	3%
No Grade	4%	4%	4%
Average	3.6	3.4	3.3
Letter Grade	B+	B+	B

Judge Andrew S. Armatas
Attorney Survey

4g. How would you grade Judge Armatas on "Conducting his/her courtroom in a neutral manner?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	56%	57%	59%
B	41%	23%	23%
C	4%	9%	9%
D		5%	4%
Fail		3%	3%
No Grade		3%	3%
Average	3.5	3.3	3.3
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Attorney Survey

4h. How would you grade Judge Armatas on "Giving all participants an opportunity to be heard?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	48%	61%	62%
B	44%	24%	23%
C	7%	8%	7%
D		2%	3%
Fail		2%	2%
No Grade		3%	3%
Average	3.4	3.5	3.4
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

4i. How would you grade Judge Armatas on "Consistently applying laws and rules?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	48%	54%	53%
B	48%	24%	24%
C	4%	10%	10%
D		4%	4%
Fail		2%	3%
No Grade		6%	6%
Average	3.4	3.3	3.3
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Attorney Survey

4j. How would you grade Judge Armatas on "Not engaging in ex parte communications?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	44%	55%	56%
B	26%	19%	17%
C		4%	4%
D		2%	1%
Fail		1%	1%
No Grade	30%	20%	20%
Average	3.6	3.5	3.6
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

4k. How would you grade Judge Armatas on "Treating pro se parties fairly?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	44%	51%	45%
B	41%	18%	15%
C		5%	4%
D		2%	1%
Fail		3%	2%
No Grade	15%	22%	33%
Average	3.5	3.4	3.5
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Attorney Survey

5a. How would you grade Judge Armatas on "Making tough decisions when necessary?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	37%	45%	47%
B	48%	26%	25%
C	11%	9%	10%
D		3%	3%
Fail		1%	2%
No Grade	4%	15%	14%
Average	3.3	3.3	3.3
Letter Grade	B	B	B

Judge Andrew S. Armatas
Attorney Survey

5b. How would you grade Judge Armatas on "Using good judgment in application of relevant law and rules?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	44%	48%	48%
B	41%	28%	28%
C	15%	11%	11%
D		5%	5%
Fail		3%	3%
No Grade		6%	5%
Average	3.3	3.2	3.2
Letter Grade	B	B	B

Judge Andrew S. Armatas
Attorney Survey

5c. How would you grade Judge Armatas on "Doing the necessary "homework" and being prepared for his/her cases?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	48%	47%	47%
B	30%	27%	27%
C	7%	10%	11%
D	4%	4%	4%
Fail		2%	3%
No Grade	11%	11%	9%
Average	3.4	3.3	3.2
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Attorney Survey

5d. How would you grade Judge Armatas on "Being willing to handle cases on the docket even when they are complicatedand time consuming?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	48%	48%	47%
B	22%	22%	22%
C	7%	8%	8%
D	7%	3%	3%
Fail		2%	2%
No Grade	15%	17%	17%
Average	3.3	3.4	3.3
Letter Grade	B	B+	B

Judge Andrew S. Armatas
Attorney Survey

5e. How would you grade Judge Armatas on "Providing prompt access to the court in emergency matters?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	30%	38%	37%
B	11%	16%	16%
C	11%	5%	6%
D		2%	2%
Fail		2%	2%
No Grade	48%	37%	37%
Average	3.4	3.4	3.3
Letter Grade	B+	B+	B

Judge Andrew S. Armatas
Attorney Survey

6. How biased do you think Judge Armatas is towards the defense or the prosecution?

		Judge Armatas	All County Judges 2004	All Trial Judges 2004
Toward Prosecution Ý	5		4%	3%
	4		3%	3%
	3		6%	6%
	2	8%	13%	12%
	1	23%	18%	16%
	0 Neutral	69%	49%	49%
Toward Defense ß	-1		4%	4%
	-2		2%	2%
	-3		1%	1%
	-4		1%	1%
	-5		0%	1%
	Average	0.4	0.8	0.7

Judge Andrew S. Armatas
Attorney Survey

7. How lenient or harsh do you think the sentences handed down by Judge Armatas are?

		Judge Armatas	All County Judges 2004	All Trial Judges 2004
Harsh Ý	5		3%	2%
	4		3%	2%
	3	4%	5%	5%
	2		9%	9%
	1	8%	13%	12%
	0 Appropriate	68%	59%	58%
	-1		4%	5%
	-2	8%	2%	2%
Light ß	-3	12%	2%	2%
	-4		0%	1%
	-5		0%	1%
	Average	-0.3	0.5	0.4

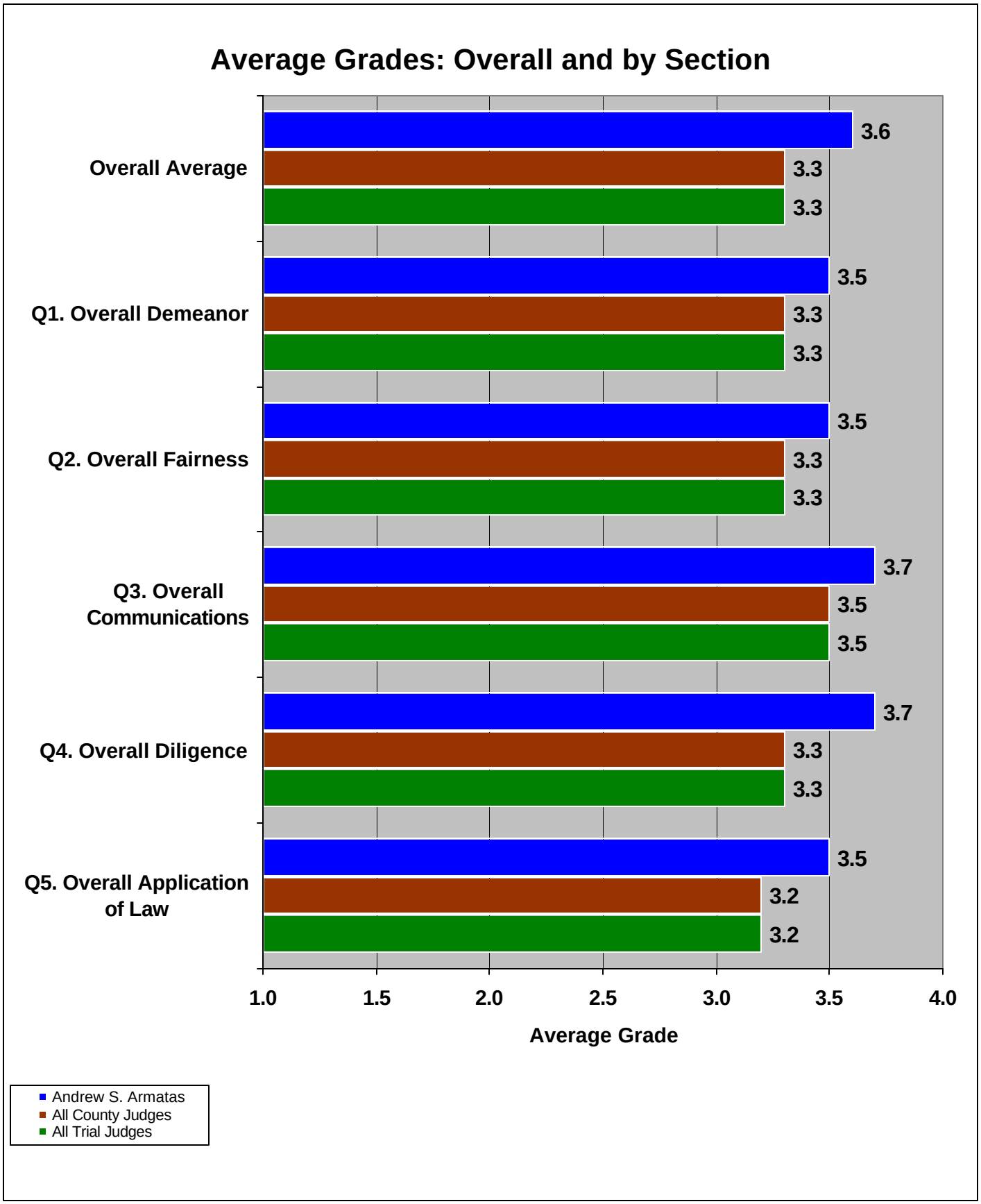
Judge Andrew S. Armatas
Attorney Survey

12. Do you recommend that Judge Armatas be retained in office or not be retained in office?

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
Strongly Recommend Retain in office	81%	73%	74%
Somewhat Recommend Retain in office	19%	17%	16%
Somewhat Recommend Not Retain in office		4%	4%
Strongly Recommend Not Retain in office		6%	6%

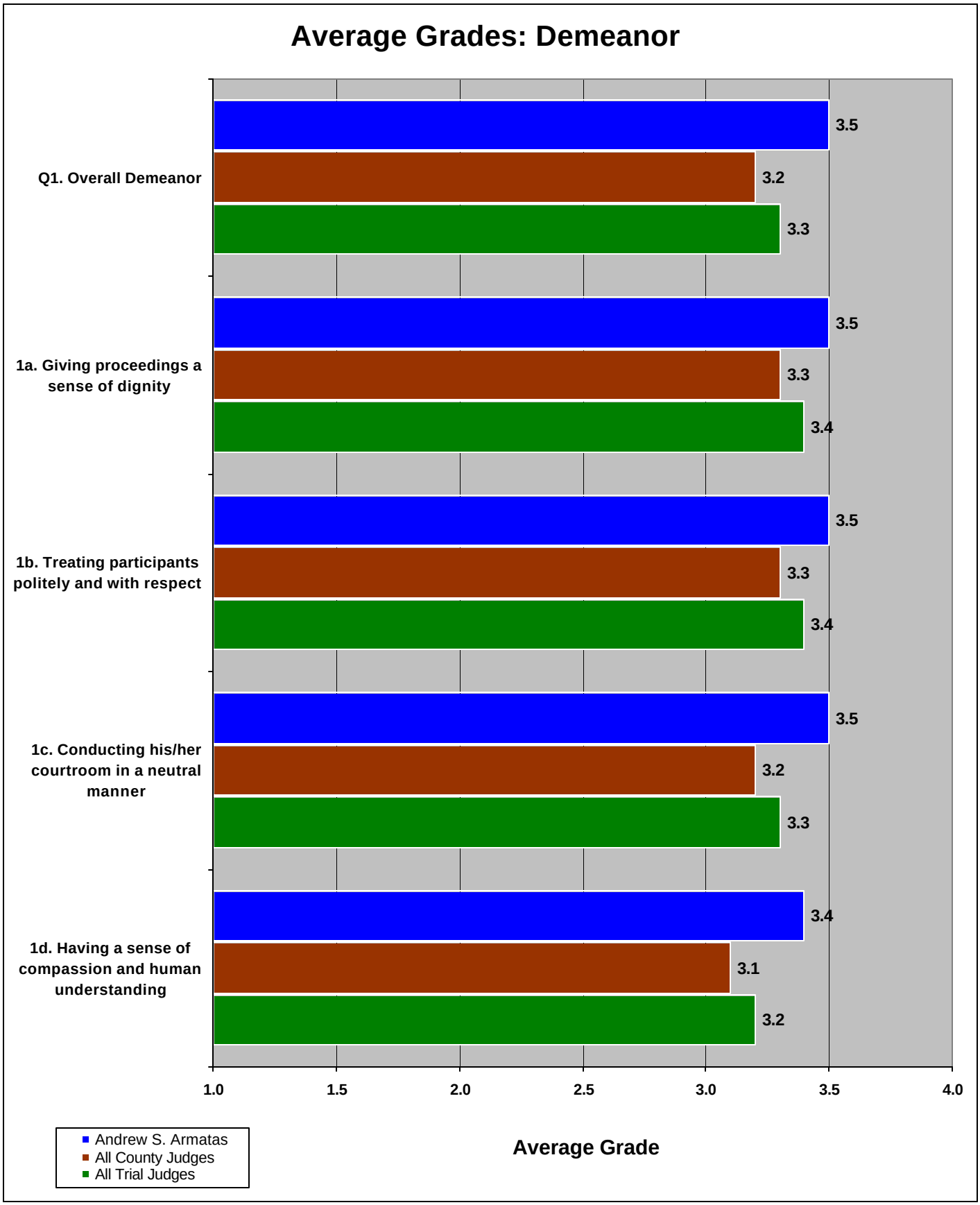
Judge Andrew S. Armatas

Non Attorney Survey



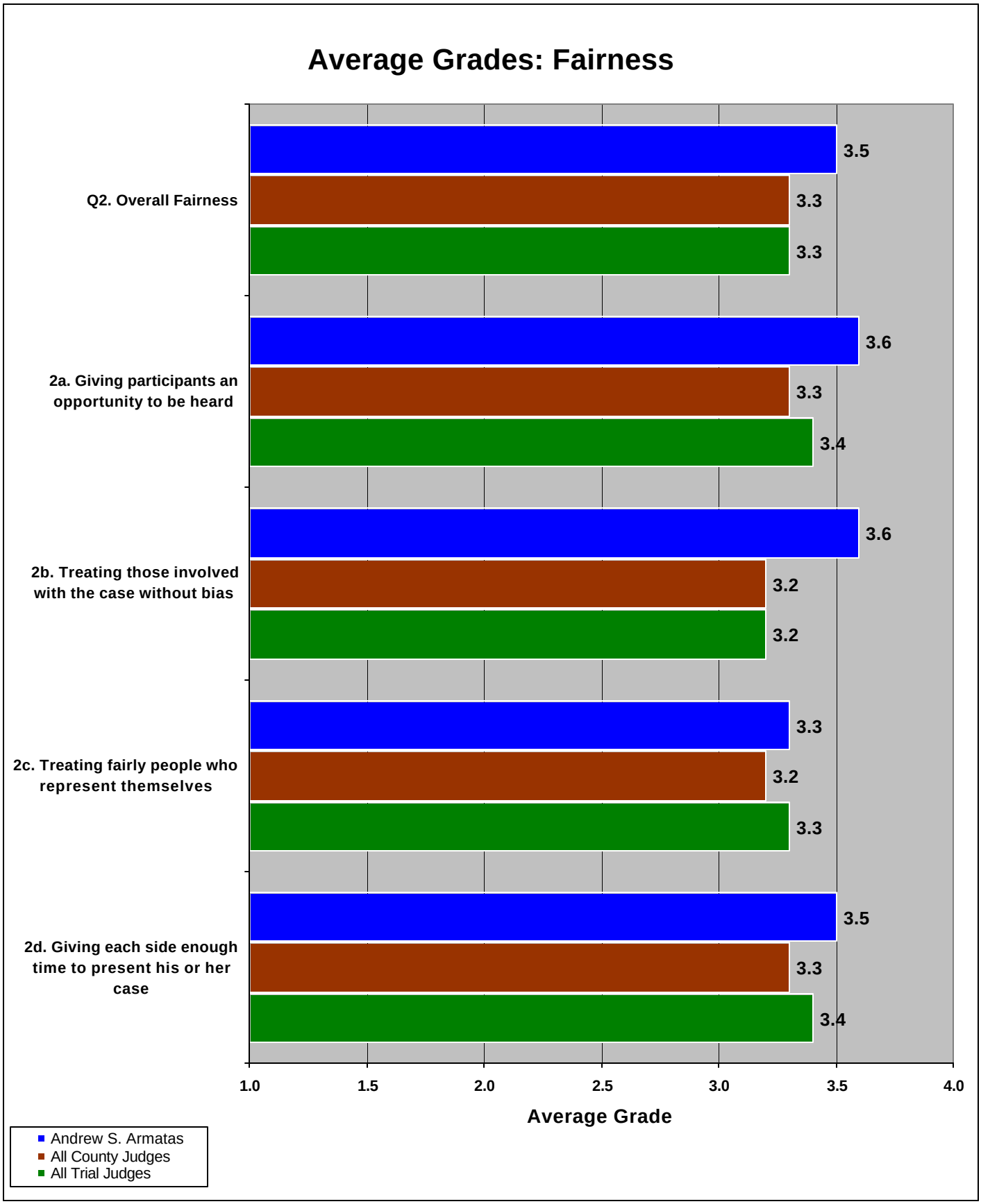
Judge Andrew S. Armatas

Non Attorney Survey



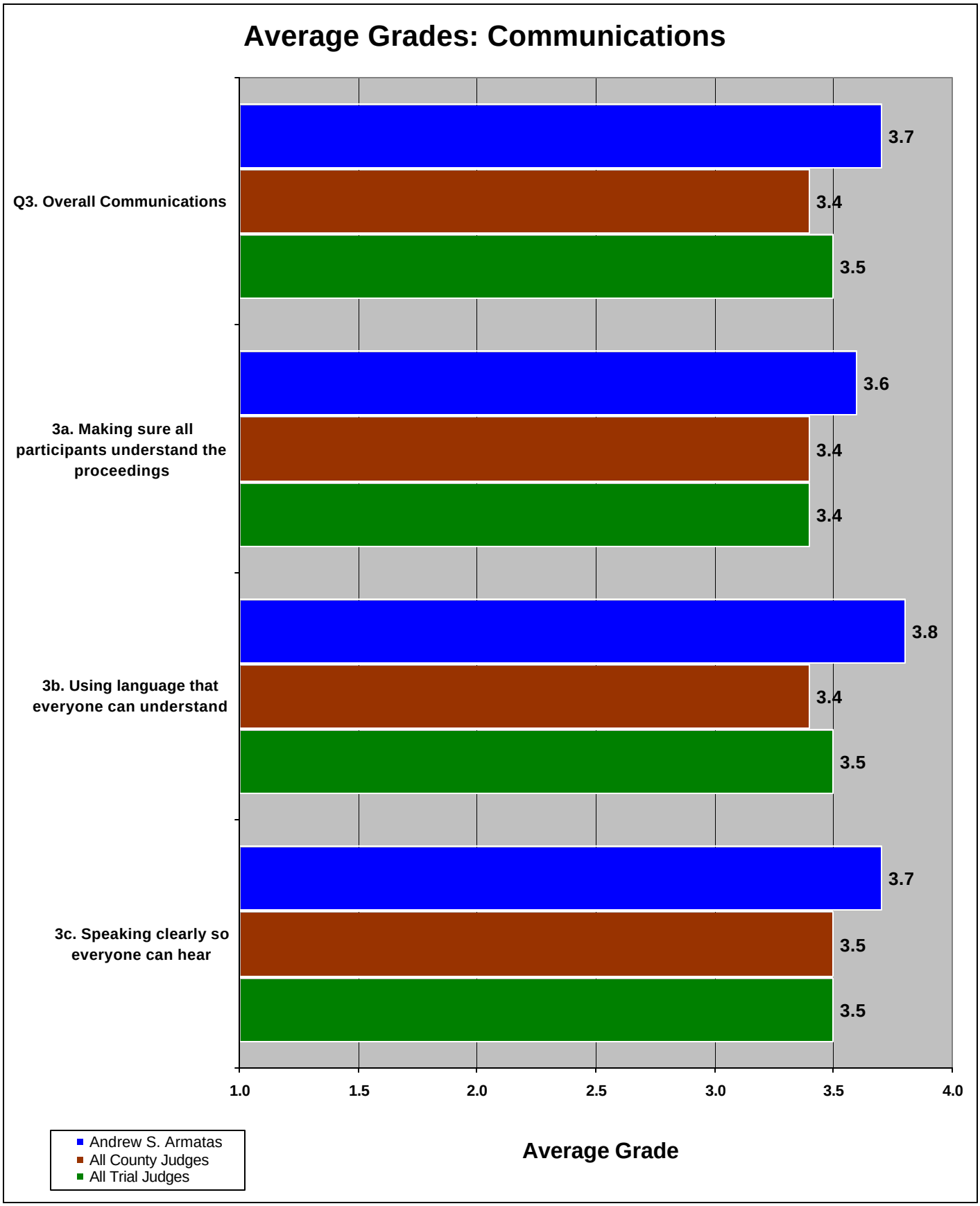
Judge Andrew S. Armatas

Non Attorney Survey



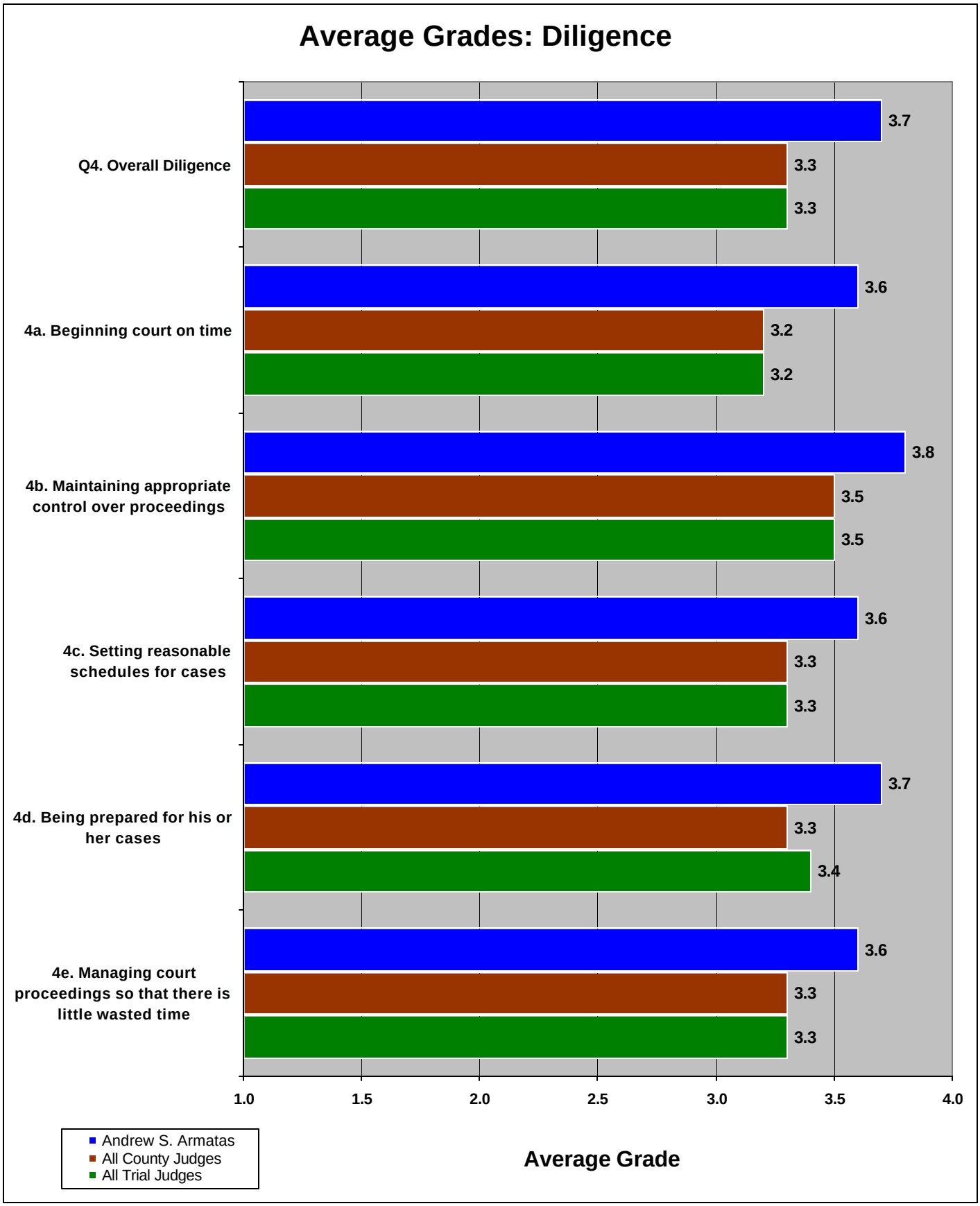
Judge Andrew S. Armatas

Non Attorney Survey



Judge Andrew S. Armatas

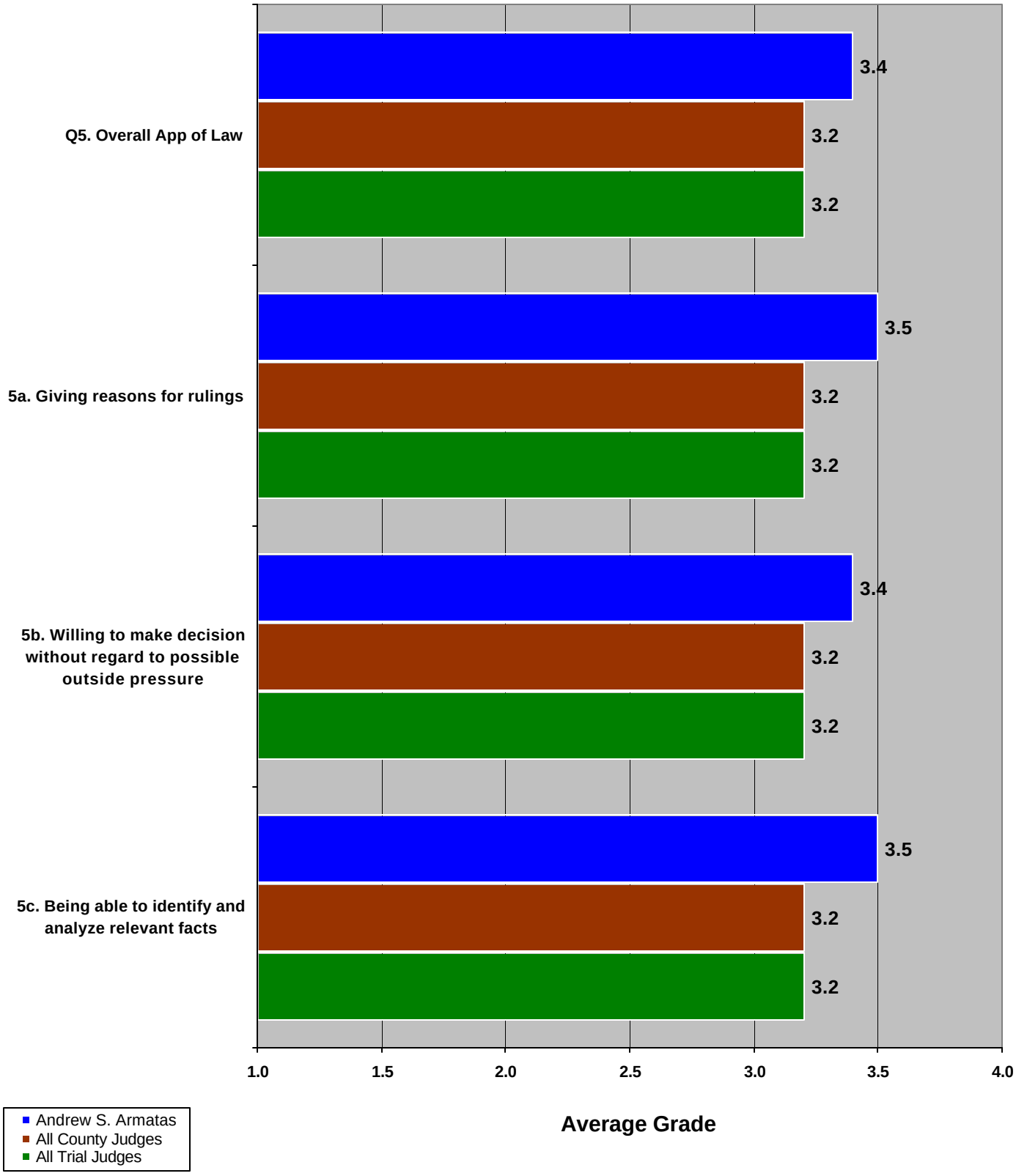
Non Attorney Survey



Judge Andrew S. Armatas

Non Attorney Survey

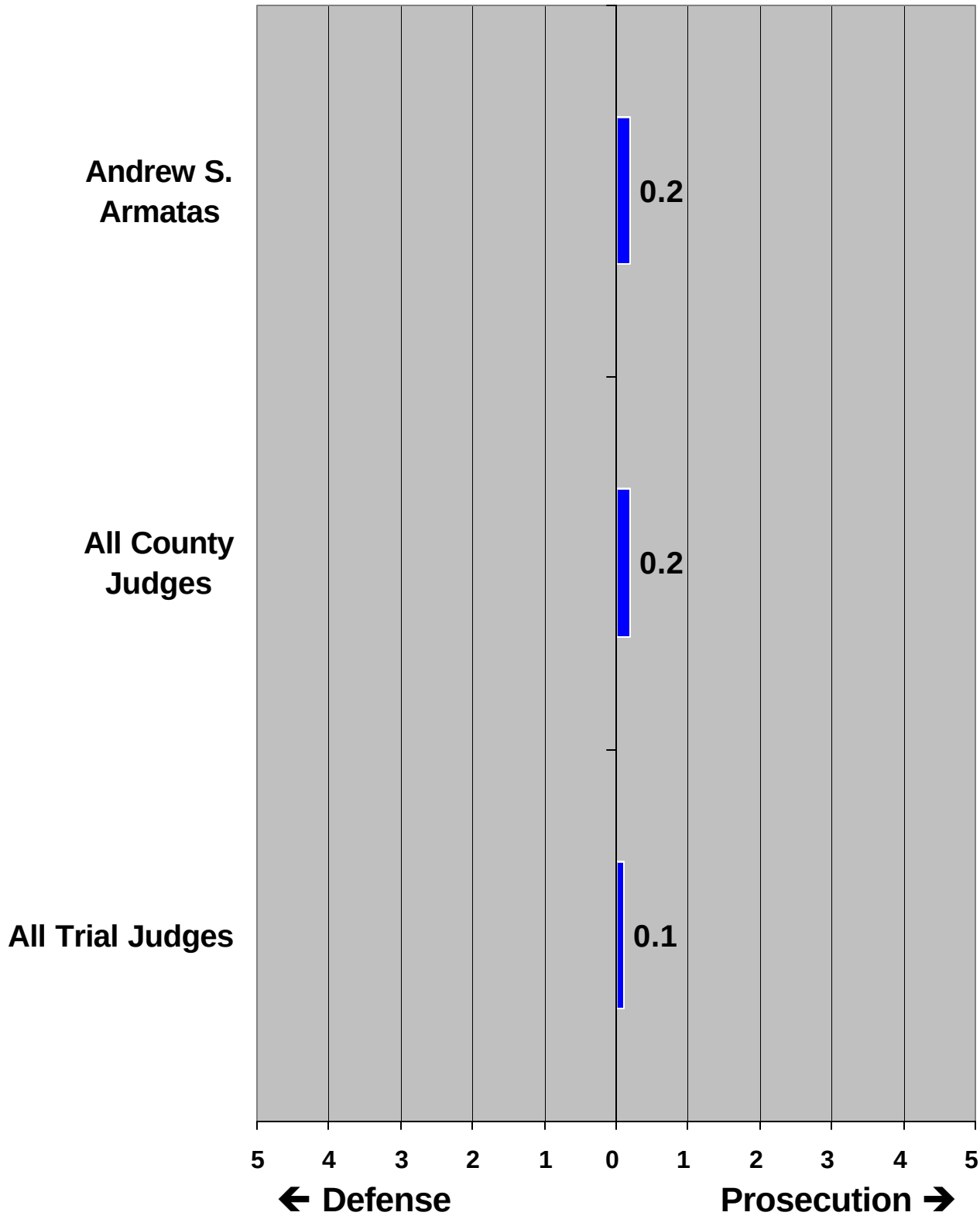
Average Grades: Application and Knowledge of Law



Judge Andrew S. Armatas

Non Attorney Survey

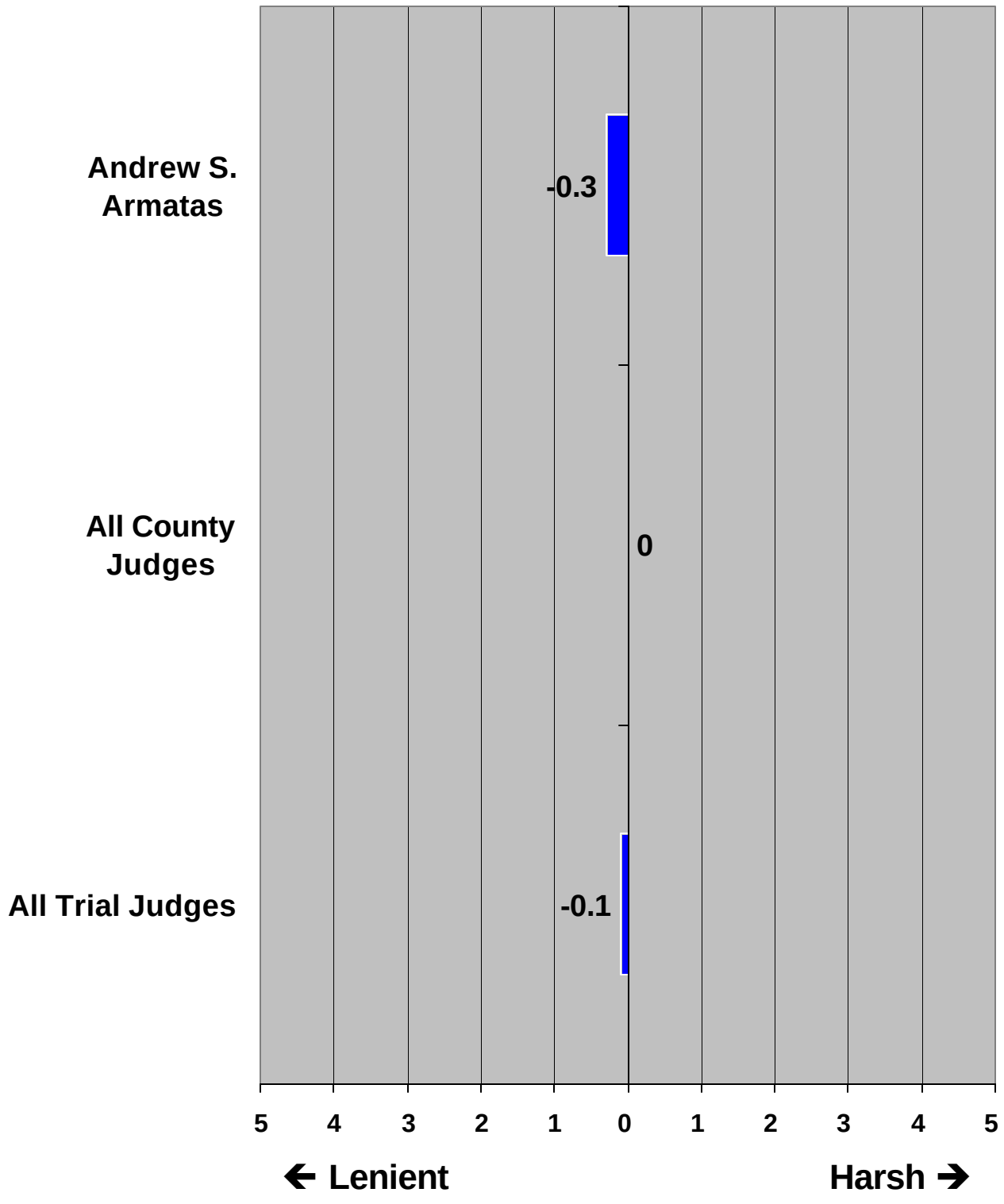
Q6. Average: How biased do you think Judge Armatas is toward the defense or prosecution?



Judge Andrew S. Armatas

Non Attorney Survey

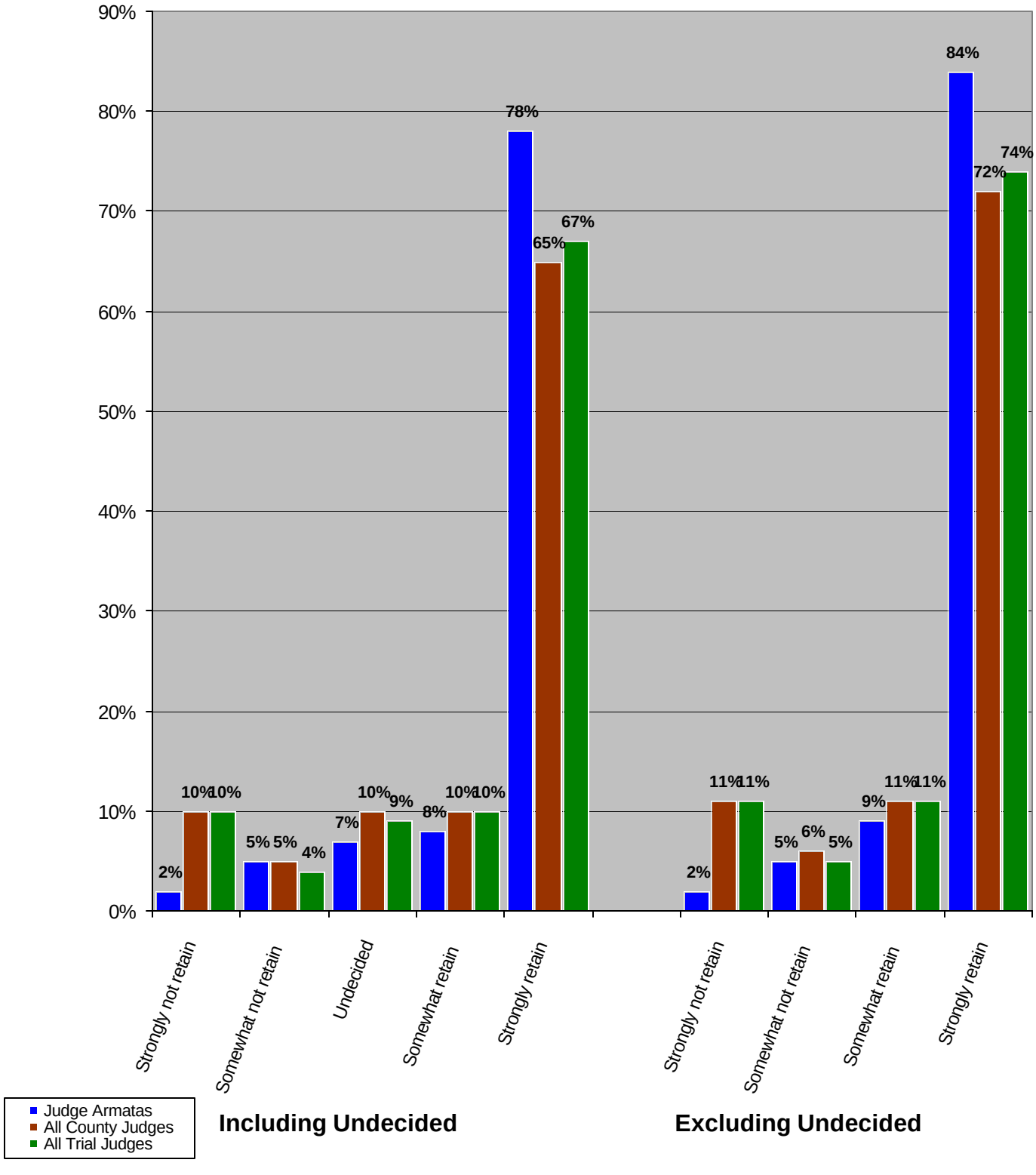
Q7. Average: How lenient or how harsh are Judge Armatas's sentences?



Judge Andrew S. Armatas

Non Attorney Survey

Retention Recommendation



Judge Andrew S. Armatas
Non Attorney Survey

1a. How would you grade Judge Armatas on "Giving proceedings a sense of dignity?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	69%	58%	60%
B	18%	23%	23%
C	6%	9%	8%
D	5%	4%	3%
Fail		3%	3%
No Grade	2%	3%	3%
Average	3.5	3.3	3.4
Letter Grade	B+	B	B+

Judge Andrew S. Armatas
Non Attorney Survey

1b. How would you grade Judge Armatas on "Treating participants politely and with respect?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	65%	61%	63%
B	24%	19%	19%
C	6%	9%	8%
D	2%	5%	4%
Fail	2%	4%	4%
No Grade	2%	3%	2%
Average	3.5	3.3	3.4
Letter Grade	B+	B	B+

Judge Andrew S. Armatas
Non Attorney Survey

1c. How would you grade Judge Armatas on "Conducting his/her courtroom in a neutral manner?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	69%	59%	61%
B	18%	19%	18%
C	5%	9%	8%
D	3%	5%	4%
Fail	3%	5%	5%
No Grade	2%	3%	3%
Average	3.5	3.2	3.3
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Non Attorney Survey

1d. How would you grade Judge Armatas on "Having a sense of compassion and human understanding for those who appear before the judge?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	60%	54%	56%
B	27%	20%	20%
C	6%	10%	9%
D	2%	5%	4%
Fail	3%	7%	6%
No Grade	2%	4%	4%
Average	3.4	3.1	3.2
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Non Attorney Survey

2a. How would you grade Judge Armatas on "Giving participants an opportunity to be heard?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	66%	60%	62%
B	24%	21%	20%
C	3%	7%	7%
D	2%	4%	4%
Fail	2%	5%	4%
No Grade	3%	4%	3%
Average	3.6	3.3	3.4
Letter Grade	B+	B	B+

Judge Andrew S. Armatas
Non Attorney Survey

2b. How would you grade Judge Armatas on "Treating those involved in the case without bias?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	69%	58%	60%
B	18%	19%	18%
C	3%	7%	7%
D	2%	5%	4%
Fail	3%	7%	7%
No Grade	5%	4%	4%
Average	3.6	3.2	3.2
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Non Attorney Survey

2c. How would you grade Judge Armatas on "Treating fairly people who represent themselves?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	45%	47%	45%
B	15%	15%	14%
C	10%	6%	5%
D		4%	3%
Fail	5%	6%	5%
No Grade	26%	23%	29%
Average	3.3	3.2	3.3
Letter Grade	B	B	B

Judge Andrew S. Armatas
Non Attorney Survey

2d. How would you grade Judge Armatas on "Giving each side enough time to present his or her case?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	66%	57%	59%
B	19%	20%	19%
C	6%	8%	7%
D		3%	3%
Fail	3%	4%	4%
No Grade	5%	8%	7%
Average	3.5	3.3	3.4
Letter Grade	B+	B	B+

Judge Andrew S. Armatas
Non Attorney Survey

3a. How would you grade Judge Armatas on "Making sure all participants understand the proceedings, and what's going on in the courtroom?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	77%	63%	64%
B	10%	20%	19%
C	6%	8%	8%
D	3%	4%	3%
Fail	2%	3%	3%
No Grade	2%	3%	3%
Average	3.6	3.4	3.4
Letter Grade	B+	B+	B+

Judge Andrew S. Armatas
Non Attorney Survey

3b. How would you grade Judge Armatas on "Using language that everyone can understand?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	79%	63%	64%
B	15%	21%	21%
C	5%	8%	8%
D		3%	3%
Fail		2%	2%
No Grade	2%	3%	3%
Average	3.8	3.4	3.5
Letter Grade	A-	B+	B+

Judge Andrew S. Armatas
Non Attorney Survey

3c. How would you grade Judge Armatas on "Speaking clearly so everyone in the courtroom can hear what's being said?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	79%	66%	66%
B	15%	20%	20%
C	2%	7%	7%
D	3%	2%	2%
Fail		2%	2%
No Grade	2%	3%	3%
Average	3.7	3.5	3.5
Letter Grade	A-	B+	B+

Judge Andrew S. Armatas
Non Attorney Survey

4a. How would you grade Judge Armatas on "Beginning court on time?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	66%	50%	52%
B	20%	25%	25%
C	7%	11%	10%
D		4%	4%
Fail	2%	5%	4%
No Grade	7%	5%	5%
Average	3.6	3.2	3.2
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Non Attorney Survey

4b. How would you grade Judge Armatas on "Maintaining appropriate control over proceedings?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	82%	63%	64%
B	10%	22%	21%
C	5%	7%	7%
D	2%	3%	3%
Fail		2%	2%
No Grade	2%	3%	3%
Average	3.8	3.5	3.5
Letter Grade	A-	B+	B+

Judge Andrew S. Armatas
Non Attorney Survey

4c. How would you grade Judge Armatas on "Setting reasonable schedules for cases?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	58%	48%	51%
B	11%	23%	21%
C	6%	8%	8%
D	3%	3%	3%
Fail		3%	3%
No Grade	21%	15%	14%
Average	3.6	3.3	3.3
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Non Attorney Survey

4d. How would you grade Judge Armatas on "Being prepared for his or her cases?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	69%	56%	58%
B	10%	21%	19%
C	8%	8%	7%
D		3%	3%
Fail		3%	4%
No Grade	13%	9%	9%
Average	3.7	3.3	3.4
Letter Grade	A-	B	B+

Judge Andrew S. Armatas
Non Attorney Survey

4e. How would you grade Judge Armatas on "Managing court proceedings so that there is little wasted time?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	69%	53%	54%
B	18%	25%	24%
C	3%	10%	10%
D	2%	4%	4%
Fail	2%	4%	4%
No Grade	6%	5%	5%
Average	3.6	3.3	3.3
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Non Attorney Survey

5a. How would you grade Judge Armatas on "Giving reasons for rulings?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	64%	52%	54%
B	13%	20%	20%
C	11%	9%	8%
D		4%	4%
Fail	3%	6%	5%
No Grade	8%	9%	9%
Average	3.5	3.2	3.2
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Non Attorney Survey

5b. How would you grade Judge Armatas on "Willing to make decision without regard to possible outside pressure?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	53%	48%	50%
B	15%	17%	16%
C	2%	7%	7%
D	5%	4%	3%
Fail	3%	6%	6%
No Grade	23%	18%	18%
Average	3.4	3.2	3.2
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Non Attorney Survey

5c. How would you grade Judge Armatas on "Being able to identify and analyze relevant facts?"

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
A	60%	53%	55%
B	16%	19%	18%
C	8%	8%	7%
D		4%	4%
Fail	3%	6%	6%
No Grade	13%	9%	9%
Average	3.5	3.2	3.2
Letter Grade	B+	B	B

Judge Andrew S. Armatas
Non Attorney Survey

6. How biased do you think Judge Armatas is towards the defense or the prosecution?

		Judge Armatas	All County Judges 2004	All Trial Judges 2004
Toward Prosecution Ý	5		4%	3%
	4	4%	3%	2%
	3	2%	2%	2%
	2	7%	3%	3%
	1	4%	6%	6%
	0 Neutral	76%	68%	70%
Toward Defense ß	-1	2%	4%	4%
	-2		3%	3%
	-3	2%	3%	2%
	-4	2%	1%	2%
	-5		2%	2%
Average		0.2	0.2	0.1

Judge Andrew S. Armatas
Non Attorney Survey

7. How lenient or harsh do you think the sentences handed down by Judge Armatas are?

		Judge Armatas	All County Judges 2004	All Trial Judges 2004
Harsh Ý	5		5%	4%
	4		3%	2%
	3		3%	3%
	2	3%	3%	3%
	1	5%	4%	4%
	0 Appropriate	74%	60%	62%
Light ß	-1	5%	6%	7%
	-2	5%	6%	6%
	-3	5%	5%	5%
	-4	3%	2%	2%
	-5		3%	2%
	Average	-0.3	0.0	-0.1

Judge Andrew S. Armatas
Non Attorney Survey

12. Do you recommend that Judge Armatas be retained in office or not be retained in office?

	Judge Armatas	All County Judges 2004	All Trial Judges 2004
Strongly Recommend Retain in office	84%	72%	74%
Somewhat Recommend Retain in office	9%	11%	11%
Somewhat Recommend Not Retain in office	5%	6%	5%
Strongly Recommend Not Retain in office	2%	11%	11%

Methodology

Sample: The Colorado Judicial Department provided Talmey-Drake Research & Strategy, Inc. with all the names and addresses of people from its ICON data base who in the previous 12 months had likely been in each judge's courtroom who was up for retention in November 2004. These names and addresses where then supplemented from the Colorado District Attorney's database (Blackstone system) and the databases of jurors, court employees and sheriff's security.

The data was then combined and cleaned. Where there were more than 400 potential respondents, a random sample was drawn. Included in the data cleaning was the identification of potential respondents in the sample who had appeared in more than two judges' courtrooms. Due to concerns about respondent fatigue, no more than two questionnaires were intended to be sent to any one respondent—though there were a few instances where one respondent did receive more than two questionnaires. Where a person had been in more than two judges' courtrooms, the selection criteria for which judges he or she would be sent questionnaires was generally: first, for the judge in whose courtroom the potential respondent had been in most often, and two, the judge with the smallest sample of the judges in whose courtroom the potential respondent had been in.

Survey: Starting in November 2004, each person in the sample database was mailed an initial questionnaire and an introductory letter with a postage-paid return envelope. Those who did not respond to the first questionnaire were then sent a sent a second questionnaire and letter, and in some cases reminder postcards. During this process, the sample was augmented for judges with a particularly low number of completed questionnaires.

Questionnaire: The questionnaire used in the 2004 Judicial Performance Survey asked respondents to use a grade of A, B, C, D, or F (Fail) to assess the judge's performance in five different areas. For attorney these areas were Case Management, Application and Knowledge of Law, Communications, Demeanor and Diligence, and for non-attorney respondents the five were Demeanor, Fairness, Communications, Diligence and Application of Law. These scores were then converted to a numerical value where A = 4, B = 3, C = 2, D = 1 and Fail = 0. Copies of the questionnaires are included at the end of this report.

Response: The response rate is calculated as the number of completed questionnaires divided by the number of eligible respondents who actually received a questionnaire. The following table shows the total number of questionnaires mailed, completed, non-responses & refusals, undeliverables and other responses. The table presents the overall response rate as well as the response rate by the different types of respondents.

Attorney Respondents	Total Sent	Completed	Refused/ Nonre-sponse	Unde-livered	Other	Response Rate
District Attorney	719	394	7	69	9	60.6%
Attorney For Defendant	2,219	1,040	17	218	24	52.0%
Guardian ad Litem	131	79	0	10	1	65.3%
Unknown Attorney Type	5,378	2,170	56	751	88	46.9%
Attorney Total	**8,447**	**3,683**	**80**	**1,048**	**122**	**49.8%**

Non-Attny Respondents	Total Sent	Completed	Refused/ Nonre-sponse	Unde-livered	Other	Response Rate
Law Enforcement	3,111	916	55	672	3	37.6%
Employee	1,739	976	18	224	0	64.4%
Defendant	12,171	1,620	148	2,439	27	16.6%
Plaintiff	3,617	881	66	500	11	28.3%
Juror	4,488	1,632	117	511	15	41.0%
Victim	552	83	11	101	2	18.4%
Other	1,650	222	25	373	8	17.4%
Non-attorney Total	**27,328**	**6,330**	**440**	**4,820**	**66**	**28.1%**
Total	**35,775**	**10,013**	**520**	**5,868**	**188**	**33.5%**

A similar table showing the response count and cooperation rate for your survey is provided at the end of this methodology section.

Results:

The results of the Survey are in two main sections: Attorney Respondents and Non-attorney Respondents. Within each main section are three subsections: graphs displaying average grades for each section and question, the percentage distribution of grades, and respondent comments.

Graphs: The graphs visually display the overall average numerical grades received for all grade questions, each section and each question compared to averages for all district or county judges, and all trial judges for which 2004 surveys were conducted. Questions relating to bias toward the defense or prosecution, sentencing and retention recommendation are also graphed.

Percentage Distribution of Grades: This section shows the percentage of each grade received on each question plus the bias, sentencing and retention questions. An average grade point for each graded question is computed and shown in the results section. A letter grade is also assigned to each grade point according to the following scale.

A = 4.00	**B = 3.00 to 3.33**	**C = 2.00 to 2.33**	**D = 1.00 to 1.33**
A— = 3.68 to 3.99	**B— = 2.67 to 2.99**	**C— = 1.67 to 1.99**	**D— = 0.67 to 0.99**
B+ = 3.34 to 3.66	**C+ = 2.34 to 2.66**	**D+ = 1.34 to 1.66**	**Fail = 0.00 to 0.67**

This section also includes two comparative columns of results: one comparative column shows the results for that question for all county or district judges (as appropriate) surveyed in 2004, along with a second comparative column showing the results for all trial judges in the 2004 survey.

Comments: Each respondent was encouraged to comment on the judge's performance. This section contains those comments.

Sampling Error:

All sample surveys are subject to what is known as sampling error—the extent to which the results of the sample survey may differ from what would be obtained if the entire population being surveyed had been interviewed. The size of the sampling error is almost entirely due to the number of people interviewed for the survey and the variance of responses.

The table below shows the extent of sampling error (95%-confidence interval) for various sizes of random samples and sample percentage results.

	Sample Size					
	25	**50**	**100**	**150**	**200**	**300**
Percentages near 10% or 90%	± 11.8%	± 8.3%	± 5.9%	± 4.8%	± 4.2%	± 3.4%
Percentages near 20% or 80%	± 15.7%	± 11.1%	± 7.8%	± 6.4%	± 5.5%	± 4.5%
Percentages near 30% or 70%	± 18.0%	± 12.7%	± 9.0%	± 7.3%	± 6.4%	± 5.2%
Percentages near 40% or 60%	± 19.2%	± 13.6%	± 9.6%	± 7.8%	± 6.8%	± 5.5%
Percentages near 50%	± 19.6%	± 13.9%	± 9.8%	± 8.0%	± 6.9%	± 5.7%

For example, suppose a reported percentage is 80% in a sample size of 150, then one could expect that 95% of the time that a random sample of the same size and collected the same way would include the true population percentage within the range of 80% plus or minus 6.4%.

Averages such as grade points also have a 95% confidence interval, however it is not so easily displayed in a table as confidence intervals about a percentage. Suffice it to say that the confidence interval about a score generally increases with smaller sample size.

Judge Andrew S. Armatas

Responses by Type

Role Type	Total Sent	Completes	Refusals	Undeliverable	Other Non-Responses	Coop Rate
District Attorney	13	5	1	3	0	50.0%
Attorney For Defendant	1	0	0	0	0	0.0%
Guardian ad Litem						
Unknown Attorney Type	51	22	0	8	0	51.2%
Sub Total:	65	27	1	11	0	50.0%
Defendant	93	8	1	18	0	10.7%
Plaintiff	43	5	2	10	1	15.2%
Law Enforcement	75	10	1	18	0	17.5%
Employee	15	10	1	1	0	71.4%
Juror	113	28	3	25	0	31.8%
Victim	34	0	0	5	0	0.0%
Other	45	1	0	11	0	2.9%
Sub Total:	418	62	8	88	1	18.8%
Grand Total:	**483**	**89**	**9**	**99**	**1**	**23.2%**

Commission on Judicial Performance

2003 Judicial Performance Attorney Questionnaire

Evaluation of

JUDGE _____

Using a grade scale, where an "A" is excellent along with B, C, D or F for fail, please grade the judge on the following. (If you feel that you do not have experience with the judge in a specific area, or just don't know, please circle the number corresponding to "Don't Know/Not Applicable"—DK/NA).

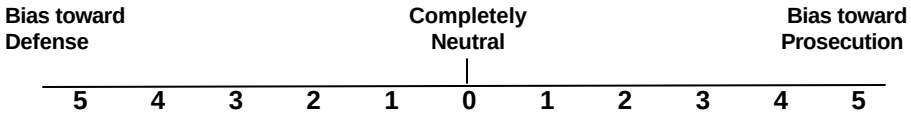
1. Case Management:	**A**	**B**	**C**	**D**	**F**	**DK/NA**
a. Promptly making rulings during trial	4	3	2	1	0	9
b. Beginning court on time	4	3	2	1	0	9
c. Allotting appropriate amount of time for cases	4	3	2	1	0	9
d. Keeping cases moving according to schedule	4	3	2	1	0	9
e. *[Civil only]*[1] Assisting parties to reach agreement	4	3	2	1	0	9
f. Maintaining appropriate control over proceedings	4	3	2	1	0	9
g. Promptly ruling on pre-trial motions	4	3	2	1	0	9
h. Promptly issuing a decision on the case after trial.	4	3	2	1	0	9
i. Setting reasonable schedules for cases.	4	3	2	1	0	9
2. Application and Knowledge of Law:						
a. Basing decisions on evidence and arguments.	4	3	2	1	0	9
b. Giving reasons for rulings.	4	3	2	1	0	9
c. *[Civil only]*[1] Issuing written findings of fact and law.	4	3	2	1	0	9
d. Willing to reconsider error in fact or law.	4	3	2	1	0	9
e. Having knowledge of relevant substantive law.	4	3	2	1	0	9
f. Having knowledge of rules of procedure and evidence	4	3	2	1	0	9
g. Being able to identify and analyze relevant facts.	4	3	2	1	0	9
h. *[Criminal only]*[2] Issuing consistent sentences when the circumstances are similar.	4	3	2	1	0	9
i. Willing to make decision without regard to possible criticism.	4	3	2	1	0	9
j. Making decisions without fear of being appealed	4	3	2	1	0	9
3. Communications:						
a. Speaking clearly.	4	3	2	1	0	9
b. Makings sure all participants understand the proceedings.	4	3	2	1	0	9
c. Using understandable language	4	3	2	1	0	9
d. *[District only]* Providing written communications that are clear, thorough and well reasoned	4	3	2	1	0	9
4. Demeanor:						
a. Giving proceedings a sense of dignity.	4	3	2	1	0	9
b. Treating everyone involved politely.	4	3	2	1	0	9
c. Having empathy with the parties involved.	4	3	2	1	0	9
d. Treating participants with respect.	4	3	2	1	0	9
e. Presenting a neutral presence on the bench	4	3	2	1	0	9
f. Being consistent in his/her behavior	4	3	2	1	0	9
g. Conducting his/her courtroom in a neutral manner.	4	3	2	1	0	9
h. Giving all participants an opportunity to be heard.	4	3	2	1	0	9
i. Consistently applying laws and rules.	4	3	2	1	0	9
j. Not engaging in ex parte communications	4	3	2	1	0	9
k. Treating pro se parties fairly.	4	3	2	1	0	9
5. Diligence:						
a. Making tough decisions when necessary.	4	3	2	1	0	9
b. Using good judgment in application of relevant law and rules.	4	3	2	1	0	9
c. Doing the necessary "homework" and being prepared for his/her cases.	4	3	2	1	0	9
d. Being willing to handle cases on the docket even when they are complicated and time consuming.	4	3	2	1	0	9
e. Providing prompt access to the court in emergency matters.	4	3	2	1	0	9

[Continued on Back]

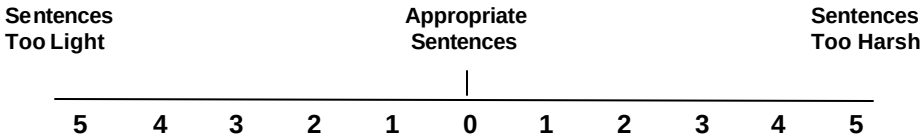
[1] ***Please answer questions 1e & 2c only if you have observed the judge in a civil case.***

[2] ***Please answer question 2h only if you have observed the judge in a criminal case.***

6. *[Criminal cases only]* [1] On the scale below, please indicate by circling the appropriate number how biased you think Judge _____ is toward the defense or the prosecution. If you feel Judge _____ is completely unbiased, circle "0."



7. *[Criminal cases only]*[1] On the scale below, please indicate by circling the appropriate number how lenient or how harsh you think the sentences generally handed down by Judge _____ are. If you feel Judge _____ generally hands down appropriate sentences, circle "0."



8. If an associate were assigned to Judge _____ in a case and asked you for advice, what would you say?

_____
_____
_____
_____

9. What would you say are Judge _____'s strengths?

_____
_____
_____
_____

10. And what would you say are Judge _____'s weaknesses?

_____
_____
_____
_____

11. Is there anything else that you would like to say about Judge _____ ?

_____
_____
_____

12. Keeping in mind your responses to each of the previous questions, how strongly do you recommend that Judge _____ be retained in office, or not retained in office?

Strongly recommend he be retained in office	5
Somewhat recommend he be retained in office	4
Undecided or don't know enough to make recommendation.....	3
Somewhat recommend he not be retained in office	2
Strongly recommend he not be retained in office	1

And why do you think that way about retaining or not retaining Judge _____ ?

_____
_____
_____
_____

Thank you for your time in completing this questionnaire. Please place it in the self-addressed, postage paid enveloped provided, and place it in the mail. Your participation in this survey is very much appreciated.

[1] ***Please answer questions 6 & 7 only if you have observed the judge in a criminal case.***

Commission on Judicial Performance

2003 Judicial Performance Questionnaire

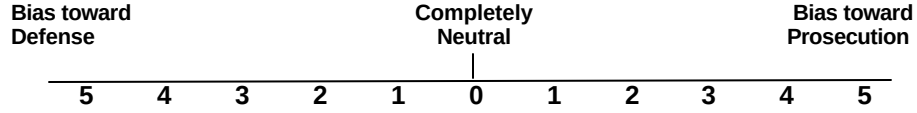
Evaluation of

JUDGE _____

Using a grade scale, where an "A" is excellent along with B, C, D or F for fail, please grade the judge on the following. (If you feel that you do not have experience with the judge in a specific area, or just don't know, please circle the number corresponding to "Don't Know/Not Applicable"—DK/NA).

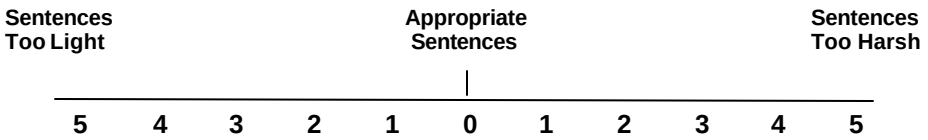
	A	B	C	D	F	DK/NA
1. Demeanor:						
a. Giving court proceedings a sense of dignity	4	3	2	1	0	9
b. Treating participants in the case politely and with respect	4	3	2	1	0	9
c. Conducting his/her courtroom in a neutral manner	4	3	2	1	0	9
d. Having a sense of compassion and human understanding for those who appear before him/her.	4	3	2	1	0	9
2. Fairness:						
a. Giving participants an opportunity to be heard.	4	3	2	1	0	9
b. Treating those involved in the case without bias	4	3	2	1	0	9
c. Treating fairly people who represent themselves	4	3	2	1	0	9
d. Giving each side enough time to present his or her case	4	3	2	1	0	9
3. Communications:						
a. Makings sure participants understand the proceedings, and what's going on in the courtroom	4	3	2	1	0	9
b. Using language that everyone can understand	4	3	2	1	0	9
c. Speaking clearly so everyone in the courtroom can hear what's being said	4	3	2	1	0	9
4. Diligence:						
a. Beginning court on time	4	3	2	1	0	9
b. Maintaining appropriate control over proceedings	4	3	2	1	0	9
c. Setting reasonable schedules for cases	4	3	2	1	0	9
d. Being prepared for his/her cases	4	3	2	1	0	9
e. Managing court proceedings so that there is little wasted time	4	3	2	1	0	9
5. Application of Law:						
a. Giving reasons for rulings.	4	3	2	1	0	9
b. Willing to make decision without regard to possible outside pressure	4	3	2	1	0	9
c. Being able to identify and analyze relevant facts	4	3	2	1	0	9

6. ***[If you were in Judge _____'s courtroom during a criminal case or cases please answer this question, otherwise skip to the next question.]*** On the scale below, please indicate by circling the appropriate number how biased you think Judge _____ is toward the defense or the prosecution. If you feel Judge _____ is completely unbiased, circle "0."



Continued on Other Side

7. ***[If you were in Judge _____ 's courtroom during a criminal case or cases please answer this question, otherwise skip to the next question.]*** On the scale below, please indicate by circling the appropriate number how lenient or how harsh you think the sentences generally handed down by Judge _____ are. If you feel Judge _____ generally hands down appropriate sentences, circle "0."



8. If a friend of yours was scheduled to appear before Judge _____ as a party in either a civil or criminal case and asked you for advice, what would you tell your friend about Judge _____ ?

_____
_____
_____
_____

9. What would you say are Judge _____'s strengths?

_____
_____
_____
_____

10. And what would you say are Judge _____'s weaknesses?

_____
_____
_____
_____

11. Is there anything else that you would like to say about Judge _____?

_____
_____
_____
_____

12. Keeping in mind your responses to each of the previous questions, how strongly do you recommend that Judge _____ be retained in office, or not retained in office?

Strongly recommend he be retained in office	5
Somewhat recommend he be retained in office	4
Undecided or don't know enough to make recommendation	3
Somewhat recommend he not be retained in office	2
Strongly recommend he not be retained in office	1

And why do you think that way about retaining or not retaining Judge _____?

_____
_____
_____
_____

Thank you for your time in completing this questionnaire. Please place it in the self-addressed, postage paid enveloped provided, and place it in the mail. Your participation in this survey is very much appreciated.