
COMMISSIONS ON JUDICIAL PERFORMANCE

THE FIRST REPORT ON
THE JUDICIAL PERFORMANCE EVALUATION PROGRAM

PRESENTED TO
THE COLORADO GENERAL ASSEMBLY

January 31, 1991

Submitted by:
State Commission on
Judicial Performance



The Colorado Judicial Performance Evaluation Program

I. The Establishment of the Judicial Performance Evaluation Program

Legislative Authorization

In 1988 the Colorado General Assembly enacted H.B. 1079 which established Commissions on Judicial Performance to evaluate the performance of judges and justices who are subject to periodic retention elections.

Significant in the history of the program is a study conducted by the Judicial Advisory Committee in its 1980 report to the Chief Justice of the Supreme Court. The report recommended that the Judicial Department conduct judicial performance evaluations of sitting judges and justices for the purpose of self improvement and supplying information to the public concerning retention elections.

The program also has the benefit of successful pilot evaluation projects in 1984, 1986, and 1988, which were conducted by the Colorado Judicial Institute. The Colorado Judicial Institute is a group of concerned citizens who are interested in a responsive and just judicial system. Pilot evaluations were conducted in several judicial districts and met with considerable success.

Program Goals

The enabling legislation institutes a system of evaluating judicial performance which has two primary goals:

- 1) to provide persons voting on the retention of justices and judges with fair, responsible, and constructive information about judicial performance; and
- 2) to provide justices and judges with useful information concerning their own performance for the purposes of self improvement.

Program Methodology

Evaluations are conducted statewide, within each judicial district, utilizing uniform criteria and procedures. The law establishes a state commission on judicial performance which oversees the 22 local judicial district commissions; the state commission is also responsible for evaluating appellate judges.

Administrative Structure

Including the state commission on judicial performance, each commission on judicial performance is comprised of ten members; two appointed by the speaker of the House of Representatives,

two appointed by the president of the Senate, and three each appointed by the Governor and the chief justice of the Supreme Court. The appointments made by the legislative branch are non attorney positions. The Governor and the Chief Justice each appoint two attorneys and one non attorney; no more than four attorneys can be appointed to any commission.

Members of each judicial performance commission serve four year terms; but no member may serve more than two terms. When vacancies are created, the original appointing authority must make replacement appointments. Justices and judges actively performing judicial duties may not be appointed to serve on either the state commission or the district commissions. Retired justices and judges are eligible to serve as attorney members; except that no retired justice or judge may be appointed to perform judicial duties while serving on the state commission.

Per legislation, district administrators from each of the 22 judicial districts serve as staff for the local district commissions on judicial performance.

Staff assistance for the state commission on judicial performance is provided by the Office of the State Court Administrator.

Judicial Performance Evaluations

Criteria. The statute which created the commissions specified criteria which are to be utilized for the performance evaluations. See Attachments 1 and 2. These criteria were modeled from the American Bar Association's Special Committee on Judicial Performance Evaluation; with the inclusion of two criteria which make Colorado's judicial performance evaluation unique to all other programs in the country. Those two additional criteria are: sentencing practices and docket management. These criteria were products of the recommendations provided to the chief justice in the 1980 report of the Judicial Advisory Committee. These two criteria are noteworthy, because the Judicial Advisory Committee believed that citizens would pay particular attention to these areas of a judge's performance. It is also worthy of mention that Colorado is the only state of the 27 states which have implemented or are piloting judicial performance evaluation programs, which utilizes these criteria. They are considered progressive in the field of judicial performance evaluation as well as difficult to address.

Due to the varied nature of trial court and appellate court functions, the criteria were separated into two distinct categories: trial court and appellate court. In an effort to produce extensive input on the final products, the criteria were distributed to a variety of public and private groups for comment; including advisory committees of judges from both the district and appellate courts. The final products include definitions which are designed to provide fuller meaning and understanding for the public, commissions on judicial performance and the judges and justices being evaluated.

Sources of Information for Judicial Performance Evaluations

The state commission developed a comprehensive process of obtaining information concerning the performance of judges and justices. The information utilized for the performance evaluation is derived from three primary sources: questionnaires, an interview with the judge, and docket statistics. Questionnaires for both the trial courts and appellate courts were developed by the state commission on judicial performance. Technical assistance and comment on the questionnaires was provided by special consultants to the ABA Special Committee on Judicial Performance Evaluation.

Trial Courts. The various Trial Court questionnaires were designed to acquire information from individuals who interact with the judge both inside and outside the courtroom. Survey respondents included: lawyers, litigants, jurors, court personnel (not confidential staff of the judge), probation officers and social services caseworkers (district court), and law enforcement officers. See Attachments 3-8, Questionnaires.

The evaluation procedures call for the commissions on judicial performance to receive a copy of the detailed analysis of the questionnaires concerning a judge. The analysis of the questionnaire results for the initial judicial performance evaluations was performed by a professor of law from the University of Denver, College of Law. It is the intention of the state commission that each district commission on judicial performance review the results prior to the interview with the judge; furthermore, it is desired that the judge be provided with the evaluation analysis prior to the interview as well.

Appellate courts. The state commission on judicial performance is also charged with the responsibility of evaluating the performance of Colorado's appellate judges.

In this context, the sources of information are narrower in scope than those utilized by the district commissions. Due to the nature of the judicial duties on the appellate bench and the lack of contact with the general public, the scope of the information is limited.

Questionnaires were sent to attorneys who presented oral argument before a judge or justice being evaluated and the judge was the author of the court's opinion. See Attachment 9. This enabled the state commission to utilize information from attorneys who had actual experience before the judge. The state commission on judicial performance also surveyed trial court judges, both district and county court, for additional evaluation information with which they could evaluate the appellate judges. The survey instrument is attached and marked as Attachment 10.

The state commission also conducted an interview with each judge or justice being evaluated. Additionally, the caseloads of the judges of the Court of Appeals and justice of the Supreme Court being evaluated were reviewed by the state commission on judicial performance in the evaluation process.

Recommendations on Judicial Performance: Prior to the formulation of final narrative profiles and recommendations on retention, each commission on judicial performance supplies the judge being evaluated with a draft of the results. The judge or justice then has the opportunity to meet with the commission or otherwise respond to the draft evaluation no later than ten days following its receipt. If such a meeting is held or a response is made, a commission may revise its evaluation.

After the judge or justice has made a declaration of intent to stand for retention, commissions on judicial performance have the responsibility of making a recommendation regarding the retention of the judge or justice. The recommendation is stated as "retain", "do not retain", or "no opinion". A "no opinion" recommendation can only be made when a commission on judicial performance concludes that results are not sufficiently clear to make a firm recommendation and are accompanied by a detailed explanation.

The commissions on judicial performance are required to release the narrative profiles, recommendations on retention, and any other relevant information to the public no later than thirty days prior to the retention election.

II. Implementation of the Judicial Performance Evaluation Program

Current Evaluation Efforts

The program has completed one set of evaluations. The judges and justices evaluated were representative of all court levels: Supreme Court, Court of Appeals, District Court, and County Court (including part time county court judges).

A total of 107 evaluations were completed by the 22 judicial district commissions on judicial performance and the state commission on judicial performance. The most judges evaluated by any one district commission was 13 and one commission evaluated a single district court judge. There were eight judges from the Court of Appeals evaluated and a single Supreme Court Justice.

Administrative Procedures Under the Program

The state commission on judicial performance designed a program which was intended to be uniform in its use of evaluation criteria, collection of data and procedures for conducting the evaluations.

Selection of Questionnaire Recipients

Questionnaires were distributed to individuals who had recent and direct contact with the judges being evaluated. Each questionnaire is accompanied by a cover letter from the chair of the state commission on judicial performance or the chair of the local district commission on judicial which describes the evaluation program, legislative authority, and assures anonymity for the person supplying evaluation information. The questionnaire identifies the judge to be evaluated and the proceeding that should be used for the basis of that evaluation.

Trial Courts. The Office of the State Court Administrator, Division of Planning and Analysis, assisted the state commission on judicial performance in the development of a sample of attorneys for each judge from actual case files. Utilizing computerized and non-computerized court files a sample of attorneys for each judge was identified. The sample of attorneys was selected from an 18 month period. The intent was to assure that respondents had recent experience with the judges. In an effort to maximize resources, the mailing labels to the attorneys were coded to allow multiple questionnaires be sent to attorneys who

appeared on more than one judge's list. All questionnaires were returned to the state commission on judicial performance.

All other questionnaires were distributed and collected at the judicial district level. The district administrators, their staff, and the staff of the courts were instrumental in the collection of each of the other five questionnaire types. After their collection, the questionnaires were returned to the state commission on judicial performance for tabulation and independent analysis.

Appellate Courts. The Clerks and staff of both the Supreme Court and the Court of Appeals assisted the state commission in developing a sample of attorneys for the appellate judges and justice being evaluated. Once again the sampling period was kept to a recent set of cases to assure that recollections of the judges performance was fresh in the minds of the respondents. The sample of attorneys was further identified by individuals who had an oral argument presentation before the judge or justice being evaluated and the judge or justice being evaluated wrote the majority opinion for the court.

The procedures for returning appellate evaluation questionnaires to the state commission are similar to those for the trial courts.

Procedures for Handling Returned Questionnaires

Questionnaires are completed and returned unsigned. The numerous questionnaires for each judge were collected by staff to the state commission to ensure security in their handling. Once the collection of the questionnaires was completed, the questionnaires were sent to the state data center in Pueblo for keypunching. At the completion of keypunching the questionnaires were returned to the state commission for safekeeping.

The analysis of the data was performed by Dr. Joyce Sterling, Professor of Law, University of Denver, College of Law. Dr. Sterling has extensive experience in social science research and has worked on past Denver Bar Association's judicial bar polls. Once completed, confidential analysis of the survey results was provided to the chairperson of the district commissions. The local district commissions on judicial performance were then each held responsible for maintaining the confidentiality of the analyzed results.

III. Commissions on Judicial Performance

Training Sessions

The state commission on judicial performance was appointed on July 1, 1988; while the local district commissions on judicial performance were appointed on July 1, 1989. The state commission on judicial performance conducted regional training sessions for the local district commissions on judicial performance. The first set of three sessions were conducted in the Fall of 1989 in four locations: Denver, Grand Junction, Fort Collins, and Pueblo. The first sessions were designed to familiarize district commissions on judicial performance with court procedures and structures. The composition of the commissions, attorneys and non attorneys, enabled the commissions to learn from each other as well as from the presenters at each session. Judges who were not subject to the judicial performance evaluations for this series of evaluations participated in the informational portions of the programs.

A second set of training sessions was presented by the state commission on judicial performance in Denver, Pueblo, and Montrose in February 1990. In addition to presenting the fundamental procedural aspects of the program to the commissions, judges who were not being evaluated, agreed to participate in mock interviews. These mock interviews provided a foundation from which the commissions could prepare interview sessions with judges they were evaluating.

Review of Survey Results

The independent contractor supplied the district and state commissions on judicial performance with tabular results of the analysis of all questionnaire types. After the commissions on judicial performance were able to study the results, the judges and justices being evaluated were supplied with survey results and comments prior to their interview with a commission on judicial performance. The questionnaires solicited comments from the respondents with a request that the comments not contain any indication of the identity of the person submitting the questionnaire. With the maintenance of confidentiality as the highest priority, comments were returned to the judge by the commission on judicial performance.

Interviewing the Judges

After reviewing the survey results and supplying the judge or justice with copies of the results, the commissions then were ready to interview the judges. As staff the district administrators of each judicial district assisted in arranging the interview sessions. A framework of questions was developed by the state commission to facilitate the interview process. Questions were developed for both the district commissions and the state commissions. See Attachments 11 and 12. The interview session was an opportunity for the commissions on judicial performance to meet the judges and explore specific areas.

Narrative Profiles and Recommendations

As stated above, the judicial performance evaluation program has two distinct purposes. They are: to provide judges and justices with useful information on their performance so they can improve their skills as judicial officers and to provide persons voting on the retention of justices and judges with fair, responsible, and constructive information about judicial performance. Part of the duty and responsibility of each judicial performance commission is to produce and distribute a narrative profile to the public.

Evaluations were completed and each narrative profile was communicated to the judge or justice not later than thirty days prior to the last date available for the judge or justice to declare their intent to stand for retention. The law allows the judge or justice the opportunity to meet with the commission on judicial performance or otherwise respond to the evaluation no later than ten days following receipt of the evaluation. If such a meeting is held or response is made, a commission on judicial performance may revise its evaluation.

The form of the recommendation on retention is stated as "retain", "do not retain", or "no opinion". By statute, recommendations stated as "no opinion" can only be made when the evaluating commission concludes that results are not sufficiently clear to make a firm recommendation and are accompanied by a detailed explanation by the evaluating commission.

The release of the narrative profiles and recommendations to the public must be done no later than thirty days prior to the retention election.

Dissemination of Performance Evaluation Information

Commissions relied heavily on flyers and brochures to present the information to the public. Local commissions on judicial performance had a sufficient number of flyers and brochures printed for citizens in their district. The state commission on judicial performance printed 750,000 copies of the appellate brochure and distributed copies through the local commissions to the public. In addition to the distribution through the local commissions, the state commission relied on several major employers to distribute the information to their employees.

The state commission developed a comprehensive distribution and media plan for commissions on judicial performance to use when disseminating evaluation results to the public. The narrative profiles and recommendations on retention were accompanied by a brief introduction of the process.

The plan, which was intended to serve as a handbook, suggested early contact with representatives of both print and broadcast agencies. In many instances, the newsprint media was instrumental in cooperating with commissions on judicial performance in publishing evaluation results. The Denver Post in particular, was very supportive of the efforts of the commissions on judicial performance. The Denver Post printed photographs, narrative profiles and recommendations on each of the 107 judges and justices evaluated in a special election supplement that was published on October 30, 1990. The special election supplement was also distributed to employees of sponsoring companies of the section: Coors, Continental Airlines, The Manville Corporation, and Blue Cross and Blue Shield.

The effort to disseminate the information to the public was bolstered by the inclusion of a feature article in the October issue of the Colorado Lawyer. The article included a brief accounting concerning the purpose of the program, the appointment process, criteria, and an aggregation of the retention recommendations for all the judges and justices up for retention on November 6, 1990.

Results of the November 6, 1990, judicial retention election are included and marked as Attachment 13.

2/90

COMMISSION ON JUDICIAL PERFORMANCE
CRITERIA AND DEFINITIONS

District Commissions on Judicial Performance will evaluate District and County Court Judges on the following criteria:

1. Integrity

Avoidance of impropriety and the appearance of impropriety;
Freedom from personal bias;
Ability to decide issues based on the law and the facts without regard to identity of the parties or counsel, the popularity of the decision, and without concern for or fear of criticism; and
Impartiality.

2. Knowledge and Understanding of Law

Ability to identify legal issues;
General knowledge and adherence to substantive law;
Compliance with rules of procedure;
Compliance with rules of evidence;
Issuance of legally sound decisions; and
Settlement skills.

3. Communication skills.

Clear and logical oral and written communications;
Appropriate demeanor; and
Behavior that instills public confidence in the courts.

4. Preparation, Attentiveness and Control over Proceedings.

Courtesy to all participants;
Familiarity with the pleadings, record, and briefs;
Patience; and
Firmness and decisiveness.

5. Sentencing Practices.

Knowledge of case before sentencing hearing;
Knowledge and application of law on sentencing;
Fair hearing and fair sentence; and
Appropriate use of reconsideration process.

6. Docket Management, Prompt Case Disposition and Administrative Skills

Adherence to Chief Justice Directive 89-1, Concerning Colorado Standards for Case Management in the Trial Courts;
Energy and ability to handle case load;
Ability to give adequate consideration to all issues and at the same time to move cases expeditiously;
Allocation of appropriate time to all pending matters;
Diligent discharge of administrative responsibilities; and
Punctuality.

7. Effectiveness in Working with Other Participants in the Judicial Process.

Participation in temporary assignments to assist other judges;
Involvement with attorneys, litigants, and jurors in decisions about special situations (e.g., working late or through lunch hour);
Acceptance of fair share of difficult work; and
Facilitation of the performance of administrative responsibilities of the court.

8. Service to the Legal Profession and the Public.

Responsive to public requests to speak to public; and
Willing to participate in continuing and legal education.

COMMISSION ON JUDICIAL PERFORMANCE
CRITERIA AND DEFINITIONS FOR APPELLATE JUDGES

The State Commission on Judicial Performance will evaluate the Justices of the Supreme Court and the Judges of the Court of Appeals on the following criteria:

1. Integrity

Avoidance of impropriety and the appearance of impropriety;
Freedom from personal bias; and
Ability to decide issues based on the law and the facts without regard to identity of the parties or counsel or the popularity of the decision, and without concern for or fear of criticism.

2. Knowledge and Understanding of Law

Ability to identify legal issues;
General knowledge of constitutional law, substantive law, rules of procedure, and rules of evidence; and
Issuance of carefully prepared, legally sound written opinions.

3. Communication skills

Clear and logical oral and written communications;
Appropriate demeanor; and
Behavior that instills public confidence in the courts.

4. Attentiveness and Adequate Preparation

Attentiveness and courtesy to all participants in oral argument;
Adequate preparation for oral argument and court conferences; and
Open-mindedness and decisiveness.

5. Prompt but Careful Case Disposition

Energy and ability to handle caseload; and
Ability to give adequate consideration to all issues and at the same time to move cases expeditiously.

6. Collegiality

Accepting and completing a fair share of the court's workload;

Ability to exchange constructive criticism in conference meetings of the court;
Working together to accomplish more in a group than can be accomplished individually; and
Ability to interact with a group to resolve issues before the court.

7. Service to the Legal Profession and the Public

Responsive to requests to speak to public; and
Participation in continuing legal education.

	Never	Rarely	About 1/2 Time	Most of Time	Always	Can't Rate
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Section VI. PUNCTUALITY

20. Punctual in commencing proceedings

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Section VII. SENTENCING

21. Considers all relevant factors in sentencing

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Section VIII. OVERALL JUDICIAL PERFORMANCE

22. Keeping in mind your responses to each of the foregoing questions, what is your overall evaluation of this judge?

- Recommend Retention
- Do Not Recommend Retention
- No Opinion

Section IX. Comments

Section X. Respondent Background

(For Statistical Analysis Only. The identity of the attorney completing this questionnaire will not be known or disclosed)

Age: _____ Gender: _____
Years of practice: _____
Years of practice in Colorado: _____
Race or ethnicity:
Black _____ Hispanic _____
Other _____ White _____

TYPE OF PRACTICE
____ Private practice solo
____ Private practice 2-11
____ Private practice 12-24
____ Gov't. Employ Prosecutor
____ Corporate Counsel
____ Public defender

DESCRIBE YOUR PRIMARY PRACTICE
____ Civil
____ Criminal
____ Domestic Relations
____ General Practice
____ Juvenile
____ Other _____
____ Traffic

Which best describes the extent of your previous experience with this judge?

____ Substantial
____ Moderate
____ Limited
____ None

____ Practice is located in the judicial district of the judge being evaluated
____ Practice is located outside of the judicial district of the judge being evaluated

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Denver, Colorado 80203

	Never	Rarely	About 1/2 Time	Most of Time	Always	Can't Rate
9. Involves attorneys, litigants, and staff in decisions concerning special circumstances when appropriate (e.g. working late or through lunch hour)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Accepts fair share of difficult work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Cooperates in the performance of administrative responsibilities for the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section V. OVERALL JUDICIAL PERFORMANCE

12. Keeping in mind your responses to each of the foregoing questions, what is your overall evaluation of this judge?

- Recommend Retention
- Do Not Recommend Retention
- No Opinion

Section VI. COMMENTS

Section VII. SUGGESTIONS FOR IMPROVING THIS QUESTIONNAIRE

Section VIII. RESPONDENT BACKGROUND

(For Statistical Analysis Only. The identity of the person completing this questionnaire will not be known or disclosed)

Age _____	Gender F M
Years of court experience _____	
Race or ethnicity:	
Black _____	Hispanic _____
Other _____	White _____

Which best describes the extent of your previous experience with this judge?	
_____	Substantial
_____	Moderate
_____	Limited
_____	None

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	Never	Rarely	About 1/2 Time	Most of Time	Always	Can't Rate
8. Is patient with all participants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Maintains control of the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Section IV. PUNCTUALITY</u>						
10. Punctual in commencing proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section V. OVERALL JUDICIAL PERFORMANCE

11. Keeping in mind your responses to each of the foregoing questions, what is your overall evaluation of the judge?

___ Recommend Retention

___ Do Not Recommend Retention

___ No Opinion

Section VI. COMMENTS

Section VII. SUGGESTIONS FOR IMPROVING THIS QUESTIONNAIRE

Section VIII. RESPONDENT BACKGROUND

(For Statistical Analysis Only. The identity of the person completing this questionnaire will not be known or disclosed)

Age _____	Gender F M
Years in law enforcement _____	
Race or ethnicity:	
Black _____	Hispanic _____
Other _____	White _____

Which best describes the extent of your previous experience with this judge?	
_____	Substantial
_____	Moderate
_____	Limited
_____	None

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Never Rarely About
Time 1/2 Most of Always Can't
Time Time Rate

Section IV. INTEGRITY

- | | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 9. Conducts self in a manner free from impropriety or the appearance of impropriety | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Treats all parties equally regardless of: | | | | | | |
| race | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| gender | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| social or economic status | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Makes decisions without regard to the popularity of the decision | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Is impartial | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Section V. SENTENCING PRACTICES
(For probation use only)

- | | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 13. Is familiar with case before sentencing hearing | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Has clear knowledge of law pertaining to sentencing | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Sentences fairly | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Makes appropriate use of the reconsideration process | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Section VI. OVERALL JUDICIAL PERFORMANCE

17. Keeping in mind your responses to each of the foregoing questions, what is your overall evaluation of this judge?

- Recommend Retention
- Do Not Recommend Retention
- No Opinion

Section VII. Comments

Section VIII. SUGGESTIONS FOR IMPROVING THIS QUESTIONNAIRE

Section IX. RESPONDENT BACKGROUND

Probation _____	Social Service _____
Age: _____	Gender: F M _____
Years in present position _____	
Race or Ethnicity: Black _____	Hispanic _____
Other _____	White _____

Which best describes the extent of your previous experience with this judge?	
_____	Substantial
_____	Moderate
_____	Limited
_____	None

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	Never	Rarely	About 1/2 Time	Most of Time	Always	Can't Rate
3. Is patient with all participants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Maintains firm control of the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Section IV. PUNCTUALITY</u>						
10. Punctual in commencing proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section V. OVERALL JUDICIAL PERFORMANCE

11. Keeping in mind your responses to each of the foregoing questions, what is your overall evaluation of the judge?

- Recommend Retention
 Do Not Recommend Retention
 No Opinion

Section VI. COMMENTS

Section VII. SUGGESTIONS FOR IMPROVING THIS QUESTIONNAIRE

Section VIII. RESPONDENT BACKGROUND

(For Statistical Analysis Only. The identity of the person completing this questionnaire will not be known or disclosed)

Age _____	Gender F M
Type of case _____	
Race or ethnicity:	
Black _____	Hispanic _____
Other _____	White _____

Which best describes the outcome of your case, in your opinion (motions hearing or trial).	
_____	Won
_____	Lost
_____	Draw

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Denver, Colorado 80203

	Never	Rarely	About 1/2 Time	Most of Time	Always	Can't Rate
7. Behavior is free from favoritism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Avoids prejudging outcome of the case	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Displays a sense of basic fairness and justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Conducts self in a proper manner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section VI. COMMUNICATION SKILLS

11. Explained proceedings to the jury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Explained reasons for delays	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Gave clear explanations of the jurors responsibilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Gave clear instructions to the jury (including final)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section VII. OVERALL JUDICIAL PERFORMANCE

13. Keeping in mind your responses to each of the foregoing questions, what is your overall evaluation of this judge?

- Recommend Retention
- Do Not Recommend Retention
- No Opinion

Section VIII. COMMENTS

Section IX. SUGGESTIONS FOR IMPROVING THIS QUESTIONNAIRE

Section II. LEGAL ABILITY

- 6. Demonstrates acceptable knowledge of constitutional law, substantive law, rules of procedure and rules of evidence
- 7. Displays an ability to decide issues based on the law and facts
- 8. Issues carefully prepared, legally sound written opinions

Never	Rarely	About 1/2 Time	Most of Time	Always	Can't Rate
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section III. COMMUNICATION SKILLS AND DEPORTMENT DURING ORAL ARGUMENT

If your proceeding involved oral argument please respond to the following questions:

- 9. Is attentive at oral argument
- 10. Is not unduly critical of counsel or a party at oral argument
- 11. Is patient at oral argument
- 12. Avoids unnecessary restrictions of argument presented by counsel
- 13. Asks questions which are relevant and pertinent to the issues raised by the parties

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section IV. OVERALL JUDICIAL PERFORMANCE

14. Keeping in mind your response to each of the foregoing questions, what is your overall evaluation of this judge?

- Recommend Retention
- Do Not Recommend Retention
- No Opinion

Section V. COMMENTS

Section VI: RESPONDENT BACKGROUND

(For Statistical Analysis Only. The identity of the attorney completing this questionnaire will not be known or disclosed)

Age: _____

Gender: M F (Circle One)

Years of practice: _____

Years of practice in Colorado: _____

Black _____

Hispanic _____

Other _____

White _____

DESCRIBE YOUR PRIMARY PRACTICE

____ General Practice

____ Civil

____ Criminal

____ Domestic Relations

____ Juvenile

____ Traffic

____ Other _____

TYPE OF PRACTICE

____ Private practice solo

____ Private practice 2-11

____ Private practice 12-24+

____ Gov't. Employ Prosecutor

____ Corporate Counsel

____ Public Defender

Which best describes the extent of your previous experience with this Judge or Justice?

____ Substantial

____ Moderate

____ Limited

____ None

PLEASE RETURN QUESTIONNAIRE TO:
State Commission on Judicial Performance
1301 Pennsylvania Street, Suite 300
Denver, Colorado 80203

RESPONDENT BACKGROUND:

Age _____ Years of Practicing Law _____

Years of Practice in Colorado _____

Years as a Judge _____

Type of Judge: County or District (circle one)

Describe Your Primary Docket Assignment:
(Circle all that apply)

- | | |
|-------------------------|--------------------|
| Criminal (CR) | Juvenile (JV) |
| Civil (CV) | Mental Health (MH) |
| Domestic Relations (DR) | Traffic (TR) |

MARY J. MULLARKEY
CLAUS J. HUME
JANICE B. DAVIDSON
RAYMOND D. JONES
JOSE D. L. MARQUEZ
DONALD P. SMITH, JR.
PETER H. NEY
LEONARD P. FLANK
HAROLD D. REED

SECTION II. LEGAL ABILITY

5. Demonstrates acceptable knowledge of constitutional law, substantive law, rules of procedure and rules of evidence .									
6. Displays an ability to decide issues based on the law and facts									
7. Issues carefully prepared, legally sound written opinions that adequately explain the legal basis for the decision									

SECTION III. OVERALL JUDICIAL PERFORMANCE

8. Keeping in mind your response to each of the foregoing questions, what is your overall evaluation of each judge? Please respond by using the following scale: 1 = Recommend Retention 2 = Do Not Recommend Retention 9 = No Opinion									

SECTION IV. COMMENTS: (Please attach additional sheets if necessary)

COMMISSION ON JUDICIAL PERFORMANCE
INTERVIEW QUESTIONS FOR JUDGES

GENERAL

- o What are your strengths as a judge?
- o What are your weaknesses as a judge?
- o What are the strengths of the court?
- o What are the weaknesses of the court?

QUESTIONS DEALING DIRECTLY WITH EVALUATION CRITERIA

1. INTEGRITY

- o What types of cases or issues have come up in your court where you felt there was a potential impropriety or an appearance of impropriety? How did you handle the situation? Why did you handle it in the way that you did?
- o What do you do when one of the lawyers who appears in front of you is a prior business partner or close personal friend?
- o What do you do if you are acquainted with one of the parties in a case?
- o Do you have a policy concerning giving lawyers access to you to discuss a case off the record?
- o Do you ever engage in ex parte (only one side present) discussions with one of the lawyers or parties in a case?
- o What have you told your staff about handling ex parte communications from lawyers?

Where do you draw the line, if you do draw a line, in these types of situations?
- o Do you have strong personal feelings about certain cases or issues over which you preside?
- o What would you do if you found yourself experiencing a personal enmity or bias against someone who appeared in front of you?
- o Do you make a distinction between a personal bias and simply dealing with what may be an unpleasant case or heinous crime?

- o How does it affect you when you are handling a high publicity case?
- o Are you concerned about your public image as portrayed in the press?
- o What do you do to appear free from bias?
- o Under what circumstances is it appropriate to talk to parties on one side of a case and not the other?

2. KNOWLEDGE AND UNDERSTANDING OF THE LAW

- o What do you do to keep up with the law?
 - What do you read?
 - Seminars?
- o Do you depend on others for legal knowledge? If so, who?
- o If lawyers appear before you for legal argument, do you usually rely on their explanation of the issue(s) or do you do your own legal research?
- o When issuing a decision on a legal issue, do you normally rule directly from the bench or take the matter under advisement?
- o Do you issue oral or written rulings?
- o When issuing legal rulings, are you concerned that you may be reversed by an appellate court?
- o In a trial to the court, do you require litigants to adhere to the rules of evidence and procedure in the same manner as in a jury trial? If not, why do you make a distinction?
- o As the judge sitting on a case, do you ever get involved in attempting to settle the case? Why or why not?
- o If you are assigned as a settlement judge on a case assigned to another judge, what do you do?
- o Do you believe that judiciary should actively urge settlement of cases? Criminal and civil?
- o What procedures do you follow in writing your opinions?

3. COMMUNICATION SKILLS

- o What, if anything, do you tell litigants and attorneys who appear in front of you about what you expect from them in your courtroom?
- o Do you treat pro se litigants (litigants without a lawyer) differently than parties represented by counsel? If so, how do you treat them differently and why?

4. PREPARATION, ATTENTIVENESS AND CONTROL OVER PROCEEDINGS

- o Do you limit the time allotted to lawyers or litigants for a particular purpose or hearing?
- o How do you impose time limits?
- o Are your limits strictly enforced and uniform or are they flexible?
- o How do you deal with a distraught, unruly or obnoxious lawyer or litigant who appears before you?

Examples: Pro se party in a divorce case keeps screaming, crying - I can't get justice, why won't the court do something, etc.? Criminal defendant who says his public defender is in a conspiracy with the district attorney to send him to prison, won't shut up, and demands that you do something?

- o When do you read the paperwork related to a case (motions, briefs, etc.)? Before the hearing? During the hearing? After the lawyers have argued?
- o How do you keep up to date on the law?

5. SENTENCING PRACTICES

- o What is your sentencing philosophy?
- o How do you arrive at a sentence within the presumptive range? Mitigated range? Aggravating circumstances range?
- o How do you see your role in sentencing?
- o How do you decide who is sentenced to prison?
- o How do you decide who should be put on probation?
- o Do crowded jail conditions affect your sentencing decisions?

- o What is your philosophy about plea bargaining?
How do you handle plea bargaining in your court?
What is your role in plea bargaining?
- o Do you consider the defendant's ability to pay when imposing a fine?

6. DOCKET MANAGEMENT

- o Have you had to sacrifice quality for efficiency? Why or why not?
- o What procedure have you set up in your courtroom to try to move cases along?
- o What do you do with the rest of your docket when you are in a trial that lasts several days?
- o Do certain types of cases get priority in your courtroom? Why?
- o What techniques have you adopted in your division/courtroom to expedite and accelerate the court docket?
- o DISTRICT COURT JUDGES - How have you responded to Chief Justice Directive 89-1? (Concerning Colorado Standards for Case Management in the Trial Courts)
- o What are the things you can control to keep down the costs of the judicial process?
- o What do you think your best administrative skills are?
- o Are there any cases that took a disproportionate amount of time within the last year? Please explain.
- o SPECIALIZED DOCKETS - Does the practice of law in the area that you handle differ from the areas of law? How do you handle this area of law? Is any special preparation needed to handle this area of law? If so, what?

7. EFFECTIVENESS IN WORKING WITH OTHER PARTICIPANTS IN THE JUDICIAL PROCESS

- o How would you describe your relationship with your fellow judges?
- o If you have five cases set for trial in your division and miraculously they all settle, leaving you a "free" morning to catch up on a desk full of work, how do you react when another judge who has two cases ready for trial asks you to

take one of them?

- o Do you think the workload gets evenly distributed or do you end up taking more trials for others than they take for you?
- o What role does public opinion bear on your performance as a judge?
- o What do you think about your work load as a judge? How does it affect you?

8. SERVICES TO LEGAL PROFESSION AND PUBLIC

- o What services do you perform other than your duties as a judge?
- o What do you do to educate yourself or try to improve your performance?
- o How do you feel about this evaluation process?
- o Do you participate in the community, and if so, how?

Additional questions for consideration when evaluating "5. SENTENCING PRACTICES".

- o Is the judge prepared?
- o Is the sentencing hearing fair -- Do parties have the opportunity to present information and be heard?
- o Does the judge have his or her mind made up prior to the hearing?
- o Does the judge have knowledge of the law and follow the law?
- o Does the judge consider and give weight to important (appropriate) factors?
- o Does the judge use the reconsideration process correctly?
- o Do sentences reflect common sense?
- o Does the judge use creativity in sentencing?
- o Does the judge learn from mistakes?
- o Are the judges sentences generally fair under all circumstances

COMMISSION ON JUDICIAL PERFORMANCE
APPELLATE INTERVIEW QUESTIONS

GENERAL

- *o* Why do you want to be a judge?
- o What are your strengths as a judge?
- o What are your weaknesses as a judge?
- o What are the strengths of the court?
- o What are the weaknesses of the court?
- o What can you contribute to the judicial system?

QUESTIONS DEALING DIRECTLY WITH EVALUATION CRITERIA

1. INTEGRITY

- *o* What types of cases or issues come to mind where you have felt there was a potential impropriety or an appearance of impropriety? How did you handle the situation? Why did you handle it in the way that you did?
- *o* What do you do if you are acquainted with one of the parties in a case?
- *o* What have you told your staff about handling ex parte communications from lawyers?
- *o* Under what circumstances is it appropriate to talk to parties on one side of a case and not the other?
 - o What do you do when one of the lawyers who appears in front of you is a prior business partner or close personal friend?
 - o Do you have a policy concerning giving lawyers access to you to discuss a case off the record?
 - o Do you ever engage in ex parte (only one side present) discussions with one of the lawyers or parties in a case?

Where do you draw the line, if you do draw a line, in these types of situations?
 - o Do you have strong personal feelings about certain cases or issues over which you preside?
 - o What would you do if you found yourself experiencing a

personal enmity or bias against someone who appeared in front of you?

- o Do you make a distinction between a personal bias and simply dealing with what may be an unpleasant case or heinous crime?
- o How does it affect you when you are handling a high publicity case?
- o Are you concerned about your public image as portrayed in the press?
- o What do you do to appear free from bias?

2. KNOWLEDGE AND UNDERSTANDING OF THE LAW

o How do you handle your professional development?

- o What do you do to keep up with the law?
 - What do you read?
 - Seminars?
- o Do you depend on others for legal knowledge? If so, who?
- o When lawyers appear before you at oral argument, do you usually rely on their explanation of the issue(s) or do you do your own legal research?

3. COMMUNICATION SKILLS

- o What, if anything, do you tell litigants and attorneys who appear in front of you about what you expect from them in the courtroom?
- o Do you treat pro se litigants (litigants without a lawyer) differently than parties represented by counsel? If so, how do you treat them differently and why?

4. ATTENTIVENESS AND ADEQUATE PREPARATION

- *o* How do you prepare for oral arguments?
- *o* How do you prepare for en banc meetings with the court?
- o Do you limit the time allotted to lawyers or litigants for a particular purpose or hearing?
- o How do you impose time limits?

- o Are your limits strictly enforced and uniform or are they flexible?
- o How do you deal with a distraught, unruly or obnoxious lawyer or litigant who appears before you?
- o When do you read the paperwork related to a case (motions, briefs, etc.)? Before oral argument? During oral argument? After oral argument?
- o How do you keep up to date on the law?

5. PROMPT BUT CAREFUL CASE DISPOSITION

- *o* How do you respond to complaints from the bar that an inordinate amount of cases are dismissed by the court?
- *o* What procedures do you follow in writing your opinions?
- *o* How do you handle your workload?
- *o* How do you utilize law clerks and staff attorneys?
- o Have you had to sacrifice quality for efficiency? Why or why not?
- o What procedures have you set up to try to move cases along?
- o Do certain types of cases get priority? Why?
- o What techniques have you adopted to expedite and accelerate the court docket?
- o What do you think your best administrative skills are?
- o Are there any cases that took a disproportionate amount of time within the last year? Please explain.

6. COLLEGIALITY

- o How would you describe your relationship with your fellow judges/justices?
- o Do you think the workload gets evenly distributed or do you end up taking more cases than others?
- o What role does public opinion bear on your performance as a judge/justice?
- o What do you think about your work load as a judge? How does it affect you?

7. SERVICE TO THE LEGAL PROFESSION AND THE PUBLIC

- o What services do you perform other than your duties as a judge?
- o What do you do to educate yourself or try to improve your performance?
- o How do you feel about this evaluation process?
- o Do you participate in the community, and if so, how?
- *o* Is there any health reason why you could not continue on the bench?
- *o* Are you under any medications?

COMMISSIONS ON JUDICIAL PERFORMANCE SUMMARY OF ELECTION RESULTS

Court	Yes Votes	Percent Yes	No Votes	Percent No	Total Votes
<u>SUPREME COURT</u>					
Mary J. Mullarkey	543,421	67.76%	258,568	32.24%	801,989
<u>COURT OF APPEALS</u>					
Janice Burnett Davidson	526,390	67.26%	256,281	32.74%	782,671
Claus J. Hume	502,608	65.06%	269,957	34.94%	772,565
Raymond Dean Jones	498,345	64.97%	268,669	35.03%	767,014
Jose D.L. Marquez	498,281	64.46%	274,753	35.54%	773,034
Peter H. Ney	499,186	65.32%	265,061	34.68%	764,247
Leonard P. Plank	502,473	65.76%	261,681	34.24%	764,154
Harold D. Reed	503,594	66.15%	257,735	33.85%	761,329
Donald P. Smith, Jr.	499,571	65.87%	258,837	34.13%	758,408
<u>1ST DISTRICT (Jefferson)</u>					
Kenneth E. Barnhill, Jr.	District 76,332	62.56%	45,684	37.44%	122,016
James D. Zimmerman	District 76,599	62.49%	45,982	37.51%	122,581
Kim H. Goldberger	Jefferson 77,879	62.96%	45,821	37.04%	123,700
Frederic B. Rodgers	Gilpin 652	57.96%	473	42.04%	1,125
<u>2ND DISTRICT (Denver)</u>					
Harold Jeffrey Bayless	District 54,632	70.74%	22,598	29.26%	77,230
Lynne Marie Hufnagel	District 54,412	64.29%	30,229	35.71%	84,641
Robert S. Hyatt	District 54,741	71.02%	22,338	28.98%	77,079
Paul A. Markson, Jr.	District 53,495	69.77%	23,180	30.23%	76,675
Larry J. Naves	District 53,598	69.75%	23,250	30.25%	76,848
Nancy E. Rice	District 56,484	72.05%	21,909	27.95%	78,393
Richard T. Spriggs	District 49,530	64.74%	26,981	35.26%	76,511
Field C. Benton	Probate 54,076	70.63%	22,491	29.37%	76,567
<u>3RD DISTRICT (Las Animas)</u>					
Jesse C. Manzanares	District 3,778	74.99%	1,260	25.01%	5,038
Robert E. Haeger	Huerfano 1,424	81.89%	315	18.11%	1,739
George A. Newnam	Las Animas 2,314	73.07%	853	26.93%	3,167

	Court	Yes Votes	Percent Yes	No Votes	Percent No	Total Votes
<u>4TH DISTRICT (El Paso)</u>						
Douglas E. Anderson	District	58,090	65.85%	30,124	34.15%	88,214
James Madison Franklin	District	55,772	63.38%	32,246	36.64%	88,018
David D. Parrish	District	56,422	63.80%	32,010	36.20%	88,432
D. Richard Toth	District	56,199	63.58%	32,192	36.42%	88,391
Caroline M. Benham	El Paso	56,185	66.27%	28,596	33.73%	84,781
Peter W. Booth	El Paso	54,426	64.89%	29,445	35.11%	83,871
Geoffrey H. deWolfe	El Paso	53,831	64.36%	29,805	35.64%	83,636
Michael J. Heydt	El Paso	54,211	64.70%	29,578	35.30%	83,789
<u>5TH DISTRICT (Clear Creek)</u>						
Frederick W. Gannett	Eagle	2,967	74.45%	1,018	25.55%	3,985
Roland L. Gerard	Eagle	3,163	74.88%	1,061	25.12%	4,224
<u>6TH DISTRICT (La Plata)</u>						
James D. Childress	District	6,501	54.16%	5,503	45.84%	12,004
Al H. Haas	District	8,037	69.97%	3,449	30.03%	11,486
<u>7TH DISTRICT (Montrose)</u>						
Jerry D. Lincoln	District	12,599	66.46%	6,357	33.54%	18,956
Richard J. Brown	Montrose	5,905	77.65%	1,700	22.35%	7,605
Sharon E. Shuteran	San Miguel	1,029	75.33%	337	24.67%	1,366
P. David Smith	Ouray	748	71.17%	303	28.83%	1,051
Larry E. Vickers	Hinsdale	276	70.41%	116	29.59%	392
<u>8TH DISTRICT (Larimer)</u>						
John-David Sullivan	District	39,797	75.75%	12,741	24.25%	52,538
John E. Kochenburger	Larimer	38,256	75.13%	12,663	24.87%	50,919
<u>9TH DISTRICT (Garfield)</u>						
Judson E. DeVilbiss	District	9,115	69.52%	3,996	30.48%	13,111
Stephen L. Carter	Garfield	5,328	72.11%	2,061	27.89%	7,389
Fitzhugh (Tam) Scott III	Pitkin	2,895	80.06%	721	19.94%	3,616
Victor M. Zerbl, Jr.	Garfield	5,073	67.40%	2,454	32.60%	7,527
<u>10TH DISTRICT (Pueblo)</u>						
Charles Dennis Maes	District	29,981	77.20%	8,854	22.80%	38,835
Alex J. Martinez	District	29,640	76.09%	9,316	23.91%	38,956
David A. Cole	Pueblo	29,238	77.31%	8,582	22.69%	37,818
<u>11TH DISTRICT (Fremont)</u>						
John E. Anderson, III	District	11,160	71.75%	4,393	28.25%	15,553
O. Edward Schlatter	District	10,417	65.99%	5,368	34.01%	15,785
Stanley J. Mayhew	Park	1,114	53.76%	958	46.24%	2,072

	Court	Yes Votes	Percent Yes	No Votes	Percent No	Total Votes
<u>12TH DISTRICT (Alamosa)</u>						
O. John Kuenhold	District	9,598	77.27%	2,823	22.73%	12,421
Robert W. Ogburn	District	10,036	79.74%	2,550	20.26%	12,586
Gordon J. Bosa	Conejos	1,869	72.19%	720	27.81%	2,589
Michael H. Trujillo	Saguache	1,061	68.23%	494	31.77%	1,555
<u>13TH DISTRICT (Logan)</u>						
Douglas R. Vannoy	District	12,565	63.52%	7,217	36.48%	19,782
Baxter W. Arnold	Logan	4,480	71.77%	1,762	28.23%	6,242
Edgar H. Brandenburg	Morgan	3,241	60.03%	2,158	39.97%	5,399
David O. Colver	Phillips	1,525	86.60%	236	13.40%	1,761
Kevin L. Hoyer	Washington	1,578	83.14%	320	16.86%	1,898
<u>14TH DISTRICT (Moffat)</u>						
Richard P. Doucette	District	6,439	64.85%	3,490	35.15%	9,929
Rebecca Love Kourtiis	District	7,738	77.41%	2,258	22.59%	9,996
James H. Garrecht	Routt	3,033	75.79%	969	24.21%	4,002
Mary Lynne James	Moffat	2,014	73.88%	712	26.12%	2,726
Scotty P. Krob	Grand	2,411	67.67%	1,152	32.33%	3,563
<u>15TH DISTRICT (Prowers)</u>						
Norman L. Arends	District	4,142	63.10%	2,422	36.90%	6,564
Garth L. Nieschburg	District	4,353	66.10%	2,232	33.90%	6,585
George J. McLachlan	Prowers	2,115	64.13%	1,183	35.87%	3,298
Daniel L. Mundell	Baca	1,235	69.54%	541	30.46%	1,776
Paul D. Tallman	Cheyenne	442	50.00%	442	50.00%	884
<u>16TH DISTRICT (Otero)</u>						
Robert E. Blackburn	District	5,594	78.74%	1,510	21.26%	7,104
Carl W. Ross	Crowley	955	82.33%	205	17.67%	1,160
Ralph N. Wadleigh	Otero	3,512	74.12%	1,226	25.88%	4,738
<u>17TH DISTRICT (Adams)</u>						
Harlan R. Bockman	District	33,858	60.70%	21,923	39.30%	55,781
Michael A. Obermeyer	District	32,777	59.20%	22,592	40.80%	55,369
John E. Popovich, Jr.	District	32,114	58.19%	23,075	41.81%	55,189
Emil A. Rinaldi	Adams	32,721	59.24%	22,516	40.76%	55,237
Sabino E. Romano	Adams	32,319	58.37%	23,047	41.63%	55,366
Robert J. Steinborn	Adams	29,872	53.91%	25,535	46.09%	55,407

	Court	Yes Votes	Percent Yes	No Votes	Percent No	Total Votes
<u>18TH DISTRICT (Arapahoe)</u>						
Thomas J. Curry	District	67,958	66.12%	34,822	33.88%	102,780
Deanna E. Hickman	District	68,164	66.36%	34,557	33.64%	102,721
John P. Leopold	District	65,404	65.15%	34,979	34.85%	100,383
Thomas C. Levi	District	63,197	62.32%	38,217	37.68%	101,414
Jack F. Smith	District	66,322	64.80%	36,026	35.20%	102,348
Kenneth K. Stuart	District	65,864	64.32%	36,533	35.68%	102,397
Richard D. Turelli	District	66,355	65.07%	35,617	34.93%	101,972
Michael J. Watanabe	District	65,106	64.26%	36,212	35.74%	101,318
Geraldine L. Allan	Arapahoe	55,717	67.53%	26,793	32.47%	82,510
Howard G. Allspach	Douglas	10,480	66.91%	5,183	33.09%	15,663
Truston Lee Fisher	Lincoln	1,148	77.57%	332	22.43%	1,480
Donna M. Kirby	Elbert	1,990	69.27%	883	30.73%	2,873
Marguerite T. Langstaff	Arapahoe	55,847	67.63%	26,731	32.37%	82,578
<u>19TH DISTRICT (Weld)</u>						
Jonathan W. Hays	District	20,454	68.71%	9,313	31.29%	29,767
William L. West	District	19,488	68.22%	9,077	31.78%	28,565
Alvin Borg, Jr.	Weld	20,420	67.49%	9,835	32.51%	30,255
Willis K. Kulp	Weld	19,780	66.81%	9,828	33.19%	29,608
<u>20TH DISTRICT (Boulder)</u>						
Roxanne Bailin	District	45,630	73.42%	16,518	26.58%	62,148
Richard C. McLean	District	43,905	74.92%	14,698	25.08%	58,603
Virginia L. Chavez	Boulder	44,944	72.62%	16,942	27.38%	61,886
David R. Torke	Boulder	41,148	66.90%	20,356	33.10%	61,504
Marsha B. Yeager	Boulder	47,051	75.12%	15,580	24.88%	62,631
<u>21ST DISTRICT (Mesa)</u>						
David A. Bottger	District	19,198	68.98%	8,632	31.02%	27,830
Nicholas R. Massaro, Jr.	District	19,358	69.40%	8,535	30.60%	27,893
Arthur R. Smith, Jr.	Mesa	19,057	69.23%	8,472	30.77%	27,529
<u>22ND DISTRICT (Montezuma)</u>						
Grace S. Merlo	District	3,482	62.58%	2,082	37.42%	5,564