

Group gives local judges 'thumbs up'

Luke Clarke
Daily Sentinel

Three local judges are up for voters' review in November and a group set up to weigh their performances recommends keeping them all.

The judges were judged by an 11-member task force who interviewed each and polled four groups who work with them daily: lawyers, law enforcement officers, social workers and court personnel.

Mesa County Judge Art Smith and District Judge Larry Marquez were recommended on unanimous votes. The group voted 9-2 for retaining District Judge Charles Buss, said Henrietta Hay, a task force member.

Judges in Colorado are appointed by the governor. Voters get a say every four years on whether the judge should keep his job. In the event one is voted out, his replacement is appointed.

Voters with no personal experience with the courts have had only polls of lawyers conducted by bar associations to rely on since the system was established in 1966.

Mesa County was one of five judicial districts to experiment with a broader polling procedure this year. The exercise was developed by the Colorado Judicial Institute and first tried in 1984 in the 18th Judicial District, Arapahoe, Doug-

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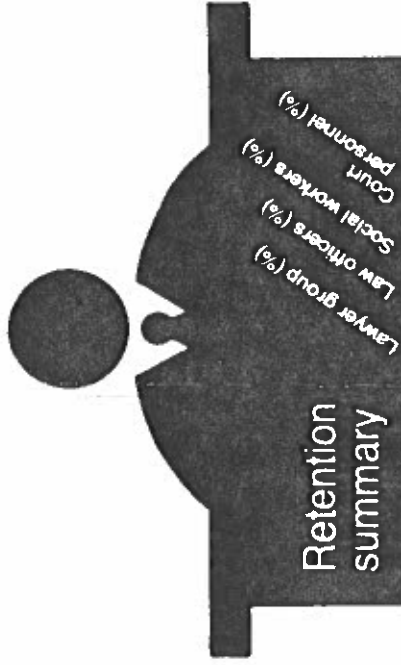
las, Lincoln and Elbert counties, in 1984.

All the local judges had well more than a majority in all the polls voting for retention.

Buss, a district judge since 1977, scored the lowest, with the following percentages in favor of retaining him in office: lawyers, 74 percent; law enforcement officers, 75 percent; social workers, 81 percent; and 100 percent of the 11 court personnel responding to the survey.

For Marquez, who has been on the bench since December 1983, it was: lawyers, 91 percent; law enforcement officers, 89 percent; social workers, 95 percent; and 100 percent of the court personnel.

For Smith, a county court judge since January 1983, it was: lawyers, 96 percent; law enforcement officers, 89 percent; social workers, 100 percent; and 92 percent of 12 court personnel.



Retention summary

Judge Smith

Favor retention 96 89 100 92
 "Do not retain" 4 10 0 8
 Abstaining 0 1 0 0

Judge Marquez

Favor retention 91 89 95 100
 "Do not retain" 6 11 5 0
 Abstaining 4 0 0 0

Judge Buss

Favor retention 74 75 81 100
 "Do not retain" 25 20 10 0
 Abstaining 2 5 10 0

Sentinel graphics by Mike Brubaker

Lawyers marked Buss down on courtesy; 36 percent rate him deficient or unacceptable, 33 percent rated him acceptable, and 31 percent rated him good or excellent on courtesy.

Copies of the full report are available at Mesa College, Elm Hall, Room 32, according to a press release issued by the committee. Mesa College assisted the group in

putting out the questionnaires and compiling the results.

The full committee also interviewed each judge before making the recommendation.

The committee members are: Robert Coe, Mary Graham, Hay, Les Halvorson, Jan McDaniel, Linda Moore, Rosemary Rashleigh, Marshall Scott, Marjorie Stout, Lydia Trujillo and Wesley Wendland.

21st
MESA

CITIZEN'S COMMITTEE

for
JUDICIAL PERFORMANCE EVALUATION
Twenty-First Judicial District

21st
Mesa

c/o Mesa College - School of Social & Behavioral Science - P. O. Box 2647 - Grand Junction, CO 81502

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Louis Morton, College Liaison

Committee Members:

Robert Coe
Mary Graham
Henrietta Hay
L. O. (Les) Halvorson
Jan McDaniel
Linda Moore
Rosemary Rashleigh
Marshall Scott
Marjorie Stout
Lydia Trujillo
Wesley Wendland

PRESS RELEASE

The Committee for Judicial Performance Evaluation, 21st Judicial District, has been working since April and is now releasing its final report. This Committee, with the cooperation of Mesa College, was commissioned by the Colorado Judicial Institute to evaluate the performances of District Judges Charles A. Buss and Jose D. L. Marquez and County Judge Arthur R. Smith, Jr., all three of whom are standing for retention in the November election.

The Committee has utilized several procedures in its work. It sent questionnaires to some 400 individuals in four Mesa County groups who have direct personal contact with the courts - lawyers, law enforcement officers, social workers, and courthouse personnel. Although the questionnaires for each group were different, these specific areas were covered in each: judicial temperament, fairness and decisiveness, diligence, integrity, and legal ability. The results of these polls have been tabulated and were considered in reaching the final conclusions. Summaries of these results are included in this release and the entire report will be available to the public at Elm Hall, Room 32, at Mesa College.

In addition to creating, distributing, and tabulating the questionnaires, the members of the Committee have spent many hours observing the judges in their courtrooms. Finally, each judge was interviewed at length by the Committee.

After careful and lengthy consideration, the Committee recommends the retention of all three judges.

Specific information about each judge follows. The table below each judge's evaluation summarizes each group's response to the question: "Should this judge be retained in office?"

<u>Robert Coe</u>	<u>Mary W. Graham</u>	<u>Linda K. Moore</u>
<u>Janice R. McDaniel</u>	<u>Les Halvorson</u>	<u>Wesley Wendland</u>
<u>Rosemary J. Rashleigh</u>	<u>Marshall Scott</u>	<u>Lydia Trujillo</u>
<u>Marjorie Stout</u>	<u>Henrietta W. Hay</u>	

Judge Smith has been a county judge in the 21st Judicial District since January, 1983. He rates high in the questionnaires on judicial temperament, fairness, decisiveness, and integrity. He is perceived as being unbiased, courteous, attentive, conscientious, and making rulings without delay. His ratings in legal ability are good. The respondents in all four groups polled were strongly supportive. The Committee found Judge Smith to be a conscientious and compassionate man.

SUMMARY CHART OF PERCENT FAVORING RETENTION AMONG THE FOUR GROUPS

JUDGE SMITH	LAWYER GROUP		LAW OFFICER		SOCIAL WORKERS		COURT PERSONNEL	
PERCENT FAVORING RETENTION	96%	97	89%	72	100%	9	92%	12
PERCENT 'DO NOT RETAIN'	4%	4	10%	8	0%	0	8%	1
PERCENT ABSTAINING	0%	0	1%	1	0%	0	0%	0
RESPONDENTS WITH AT LEAST ONE RESPONSE ON POLL	101		81		9		13	

JUDGE JOSE D. L. MARQUEZ

RECOMMEND FOR RETENTION
(UNANIMOUS VOTE OF THE COMMITTEE)

Judge Marquez has been with the 21st District as a district judge since December of 1983. He scored high in the polls in judicial temperament, integrity, and diligence. His ratings in legal ability are good. Respondents indicate that he avoids favoritism, is courteous, compassionate, attentive, and conducts court proceedings with dignity. The Committee found Judge Marquez to be a meticulous, patient, and dedicated individual.

SUMMARY CHART OF PERCENT FAVORING RETENTION AMONG THE FOUR GROUPS

JUDGE MARQUEZ	LAWYER GROUP		LAW OFFICER		SOCIAL WORKERS		COURT PERSONNEL	
PERCENT FAVORING RETENTION	91%	98	89%	50	95%	20	100%	11
PERCENT 'DO NOT RETAIN'	6%	6	11%	6	5%	1	0%	0
PERCENT ABSTAINING	4%	4	0%	0	0%	0	0%	0
RESPONDENT WITH AT LEAST ONE RESPONSE ON POLL	108		56		21		11	

JUDGE CHARLES A. BUSS

RECOMMEND FOR RETENTION
(NOT UNANIMOUS VOTE OF THE COMMITTEE)

Judge Buss has served as a district judge with the 21st Judicial District since September of 1977. He is ranked high by respondents in decisiveness, fairness, and integrity. His ratings in legal ability are good. According to the questionnaires, he is inconsistent in the area of judicial temperament. He is also considered by some to be impatient. Judge Buss was given high marks for conscientiously interpreting the law without regard to public criticism.

SUMMARY CHART OF PERCENT FAVORING RETENTION AMONG THE FOUR GROUPS

JUDGE BUSS	LAWYER GROUP		LAW OFFICER		SOCIAL WORKERS		COURT PERSONNEL	
PERCENT FAVORING RETENTION	74%	75	75%	48	81%	17	100%	11
PERCENT 'DO NOT RETAIN'	25%	25	20%	13	10%	2	0%	0
PERCENT ABSTAINING	2%	2	5%	3	10%	2	0%	0
RESPONDENTS WITH AT LEAST ONE RESPONSE TO POLL	102		64		21		11	