

# **Evaluation of the Judiciary Serving Jefferson County, KY**

*Jefferson Family Court & Jefferson District Court*

## **Comparison of Judges Summary Report**



**The Louisville Bar Association and  
The Louisville Bar Foundation  
600 West Main Street  
Louisville, KY 40202**

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**2005 Evaluation  
Reported in February 2006**



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# Background and Methodology



## Background and Methodology

### **Background**

The Louisville Bar Association (LBA) contracted the services of Wilkerson & Associates to assist in its annual review of the performance of sitting judges. The LBA sent evaluations to all Kentucky Bar Association members with contact addresses in Jefferson County to rate the performance of various judges with whom they have had experience over the past two years. Jefferson Family Court and Jefferson District Court judges were included in the evaluation for 2005.

### **Methodology**

Letters and postcards were sent to an estimated 3,800 members in September 2005, informing them of the annual Judicial Evaluation. Members who were qualified to participate in the review were asked to fill out the postcard request and return it to Wilkerson & Associates no later than October 26, 2005. A total of 694 postcard requests were received by the postmark date. Survey packets and return envelopes were mailed to the 694 respondents during the first week of November 2005. Reminder postcards were sent approximately two weeks later. Respondents were asked to return the completed evaluation forms to Wilkerson & Associates postmarked no later than November 30, 2005. A total of 367 completed survey forms were returned by the postmark date.

### **Response Rate**

Because of the size of the litigation bar and the nature of such practice, only a limited number of attorneys have had significant experience with a particular judge in a specific court. Consequently, from the original 3,800 attorneys who received notice of the evaluation, just a fraction could reasonably be expected to respond to the survey questions. Of those attorneys who were qualified and agreed to respond to the evaluation, many may have significant experience in only one of the courts evaluated or with a limited number of the judges listed. Still, the number of lawyers responding is more than adequate to result in a statistically valid evaluation of the judiciary.



The judges rated during the 2005 evaluation and the total number of respondents rating each judge are shown below:

**Jefferson Family Court**

- Dolly Wisman Berry (n=154)
- Jerry J. Bowles (n=205)
- Joan L. Byer (n=189)
- Patty Walker FitzGerald (n=169)
- Eleanore M. Garber (n=167)
- Kevin L. Garvey (n=188)
- Stephen M. George (n=190)
- Hugh Smith Haynie (n=178)
- Joseph W. O'Reilly (n=188)
- Paula F. Sherlock (n=117)

**Jefferson District Court**

- Donald E. Armstrong (n=194)
- Judith K. Bartholomew (n=197)
- Angela McCormick Bisig (n=174)
- Sheila A. Collins (n=172)
- Kevin W. Delahanty (n=177)
- Sean R. Delahanty (n=195)
- Deborah J. Deweese (n=167)
- Audra J. Eckerle (n=139)
- Jacquelyn P. Eckert (n=200)
- Matthew K. Eckert (n=193)
- Paula Fitzgerald (n=193)
- Anne Haynie (n=128)
- Janice R. Martin (n=226)
- Claude Randall Prather (n=162)
- William P. Ryan, Jr. (n=180)
- Michele B. Stengel (n=143)
- Joan "Toni" Stringer (n=176)

**Questionnaire**

The survey instrument included a series of 19 attributes that were used to evaluate the performance of each judge. Respondents were asked to indicate the extent to which they agreed or disagreed with each statement used to describe a particular judge using a four-point rating scale of strongly disagree, disagree, agree and strongly agree. Respondents were also given an option to write in any advice they would give to a particular judge to improve his/her performance. These comments were provided only to the applicable judge under separate cover as confidential feedback for his or her personal review. General comments on how to improve the evaluation process or the court system were submitted to the LBA under separate cover.

Respondents were instructed to rate only those judges with whom they have had substantial professional contact within the past two years.

Comparative ratings from the 2003 Judicial Evaluation are shown in this report where applicable. The exceptions for this report include:

- Because they were not on the bench in 2003, there is no comparative data available for judges Dolly Wisman Berry, Paula F. Sherlock, Audra J. Eckerle and Anne Haynie.
- Because Family Court judges rarely preside over criminal matters, no evaluations are shown for Family Court judges in the category of Criminal Cases. Family Court judges were not evaluated in the area of Civil Cases during the 2003 evaluation, and no comparative data is available for Family Court judges in this area.





## General Satisfaction with Performance

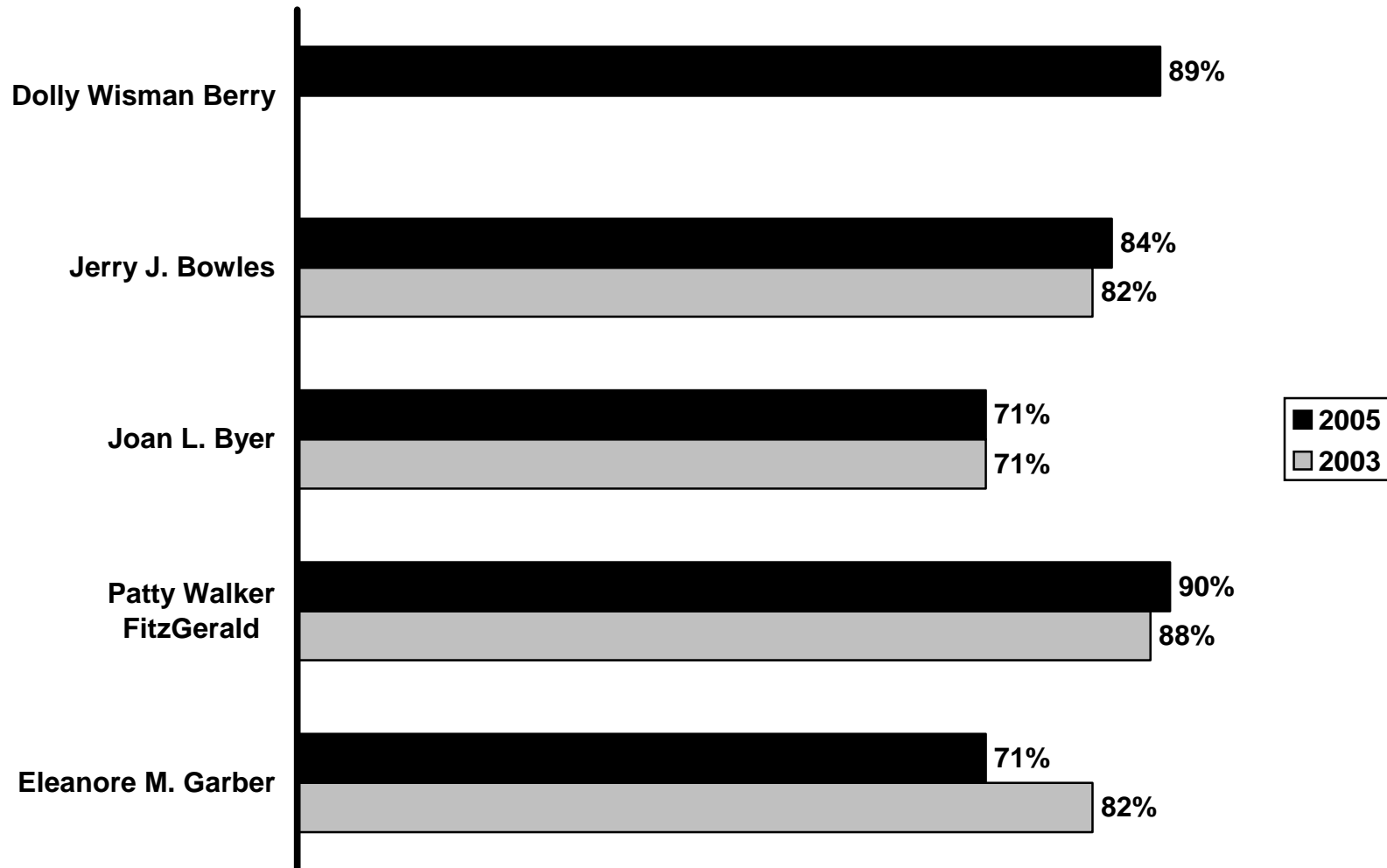
The rating for this category is based on the level of agreement with the following statement for each judge:

- Does a good job overall.

This is an independent rating of the above attribute. It is not a mathematical average of all other ratings.



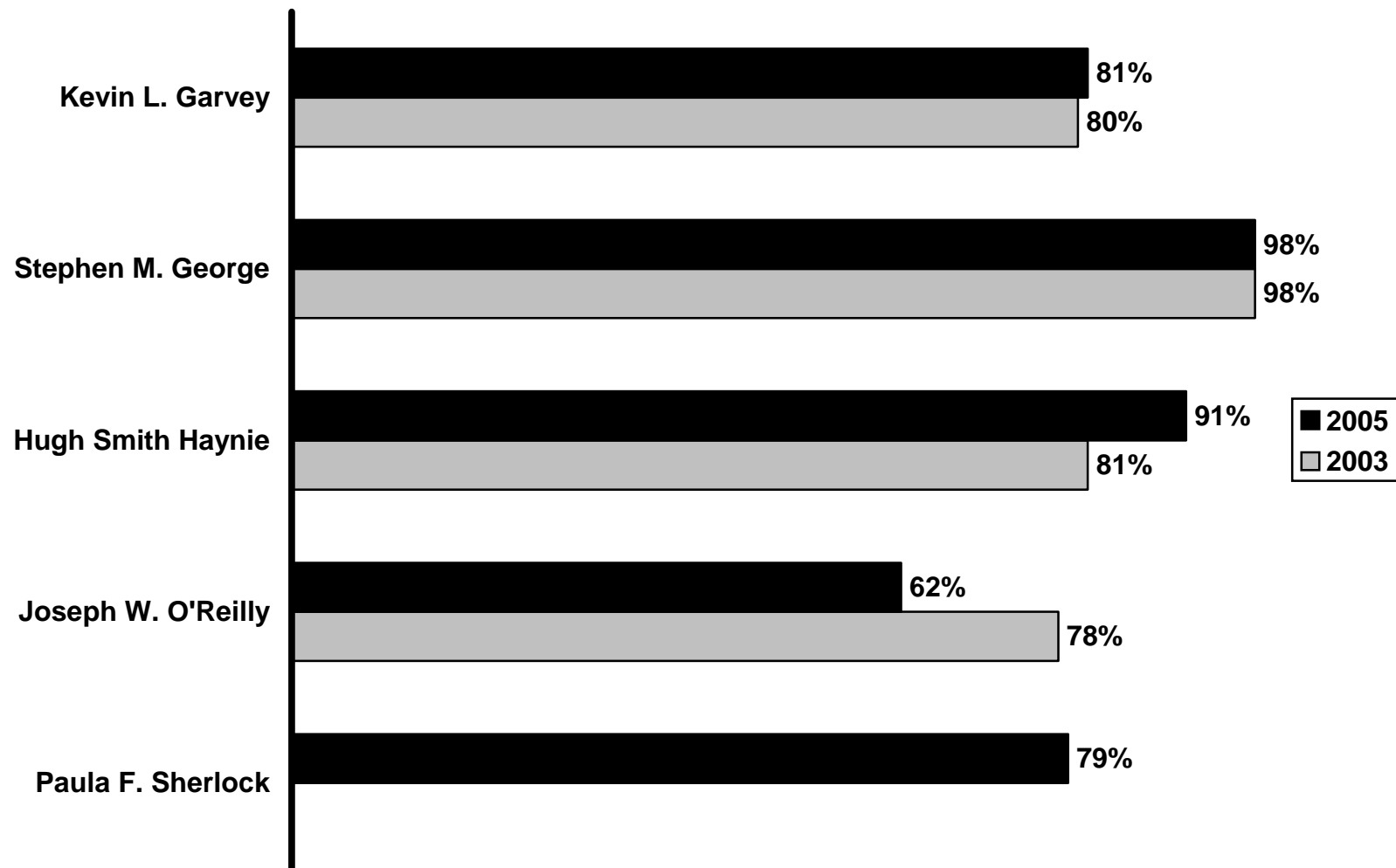
## General Satisfaction with Performance – Jefferson Family Court



Note: Dolly Wisman Berry was not evaluated in 2003.



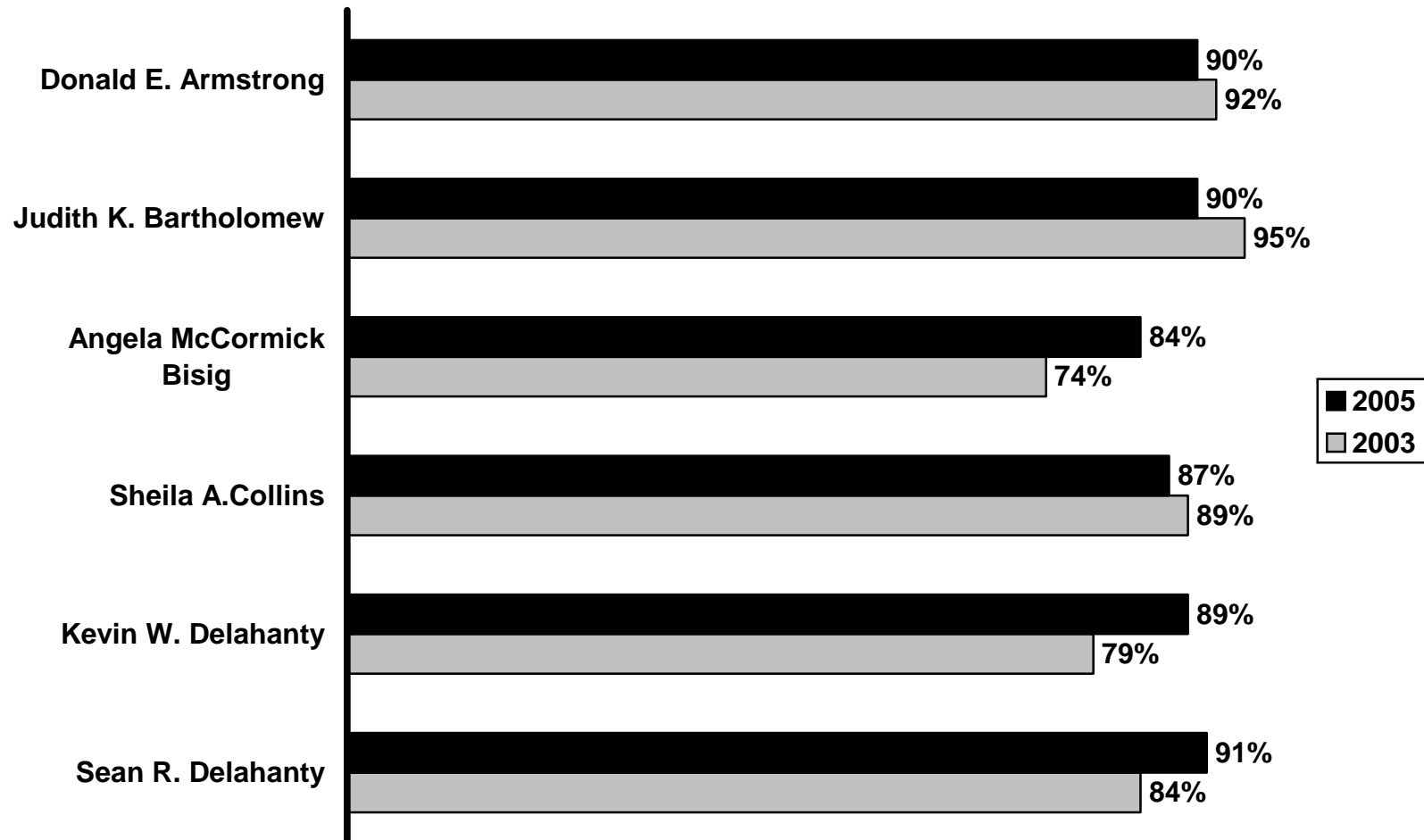
### General Satisfaction with Performance – Jefferson Family Court (Continued)



Note: Paula F. Sherlock was not evaluated in 2003.

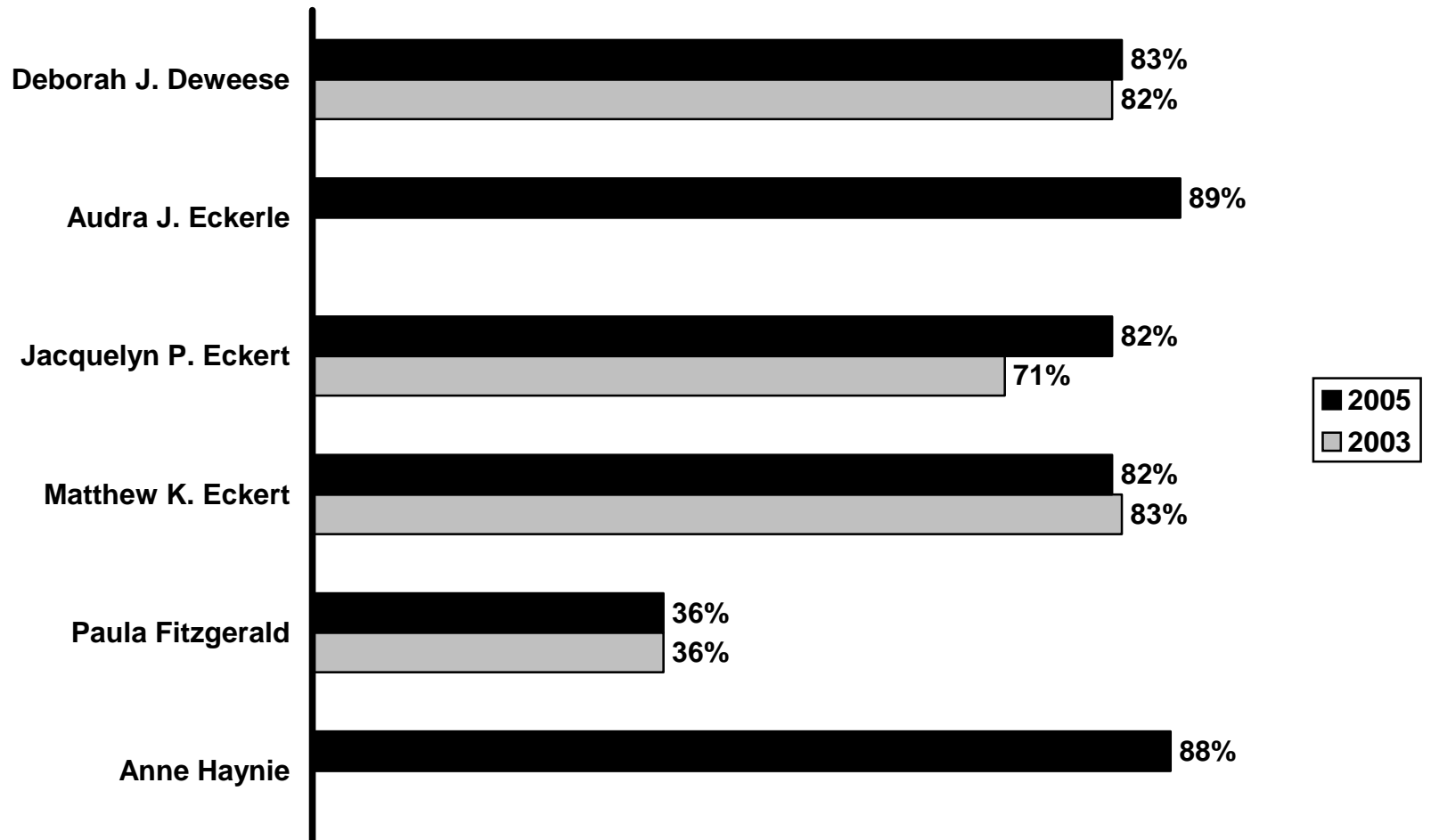


## General Satisfaction with Performance – Jefferson District Court





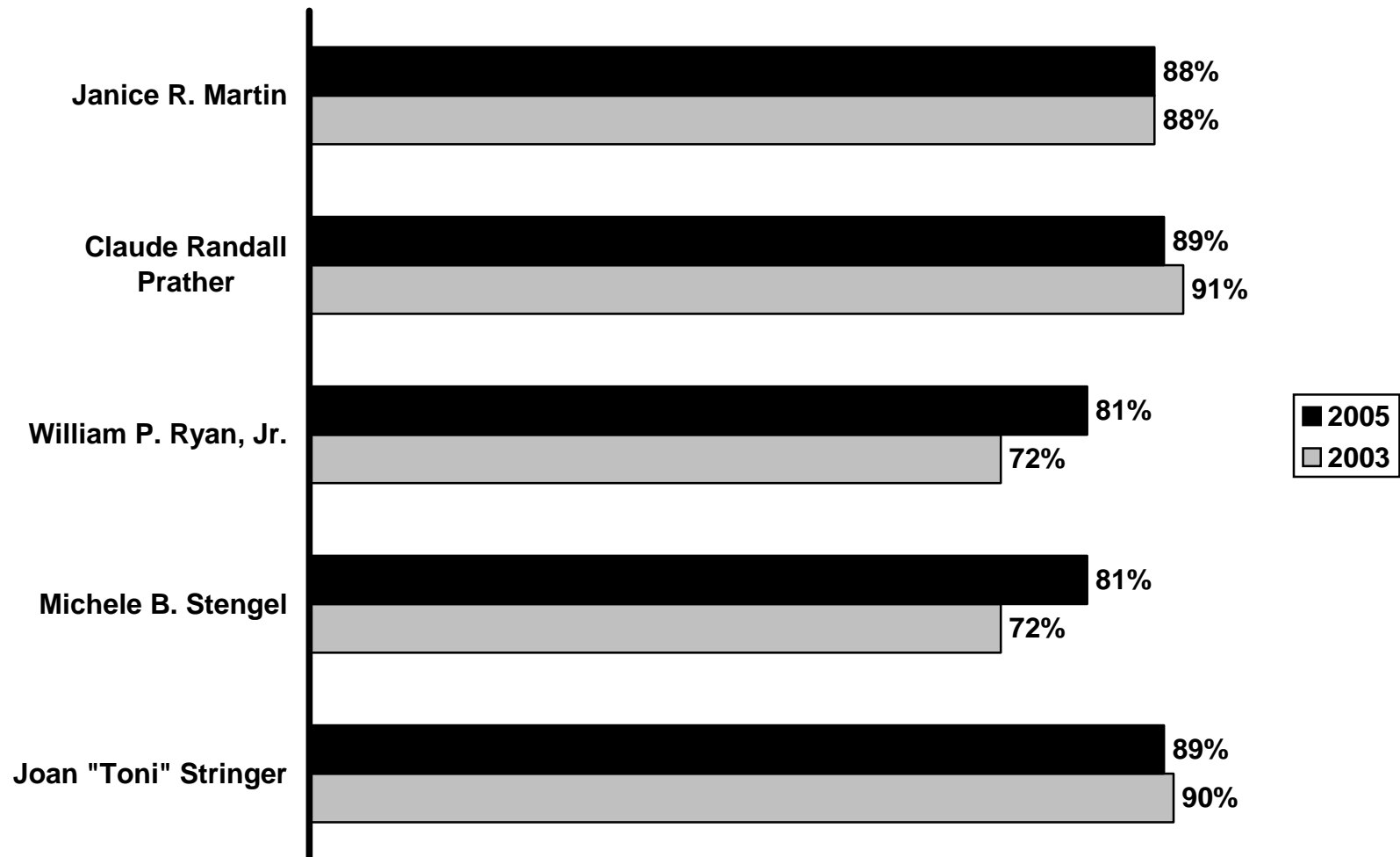
### General Satisfaction with Performance – Jefferson District Court (Continued)



Note: Audra J. Eckerle and Anne Haynie were not evaluated in 2003.



### General Satisfaction with Performance – Jefferson District Court (Continued)





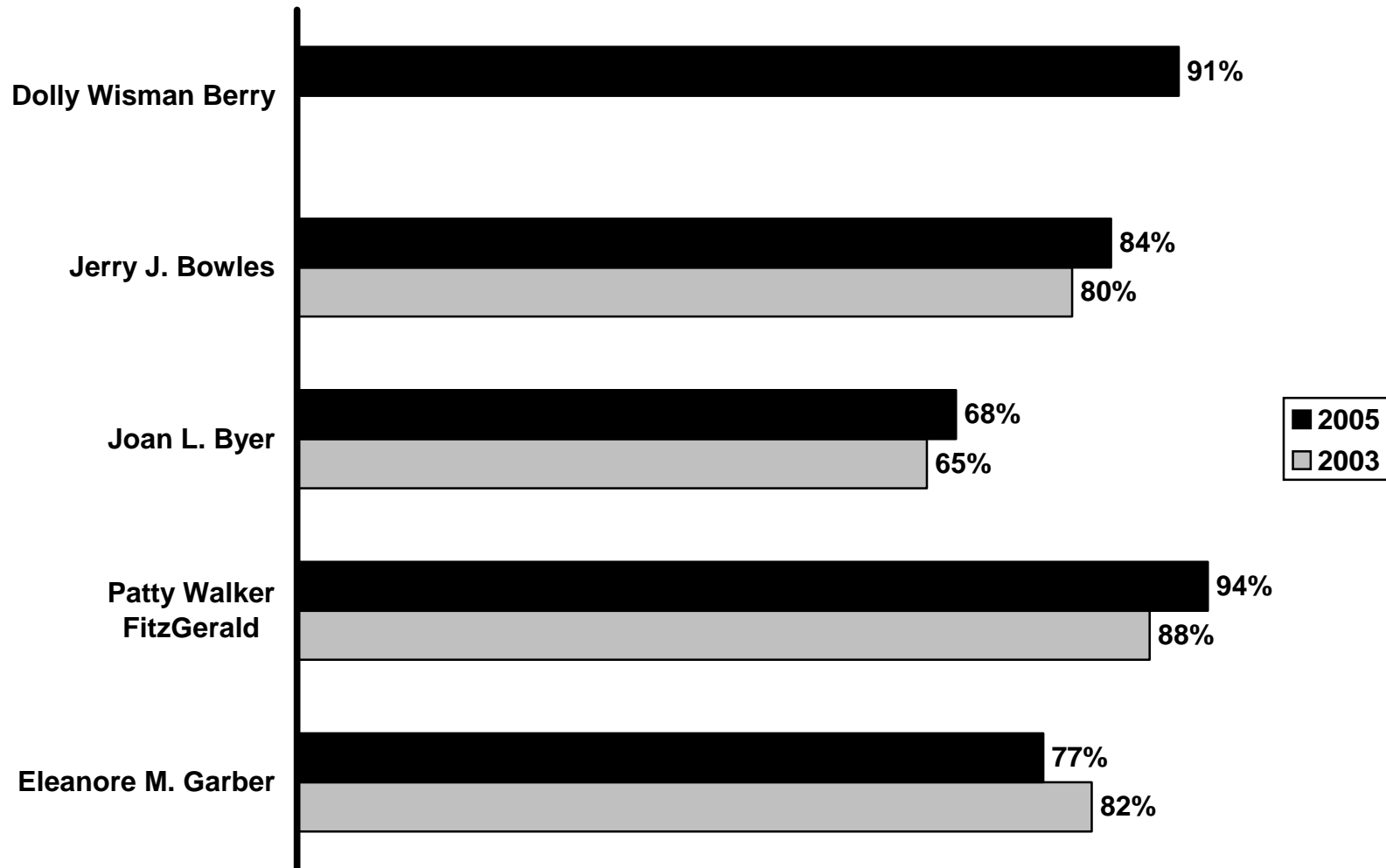
## Judicial Temperament Ratings

An average rating was calculated for the performance attributes that make up the Judicial Temperament category. This rating was calculated by averaging the positive ratings for each attribute (“strongly disagree” and “disagree” for negative statements, “agree” and “strongly agree” for positive statements). The performance areas under Judicial Temperament are:

- Gives due consideration to arguments of counsel.
- Conducts court proceedings courteously.
- Pre-determines the outcome of the case.
- Refrains from interfering with the role of counsel in case presentation.
- Conducts court proceedings with objectivity.



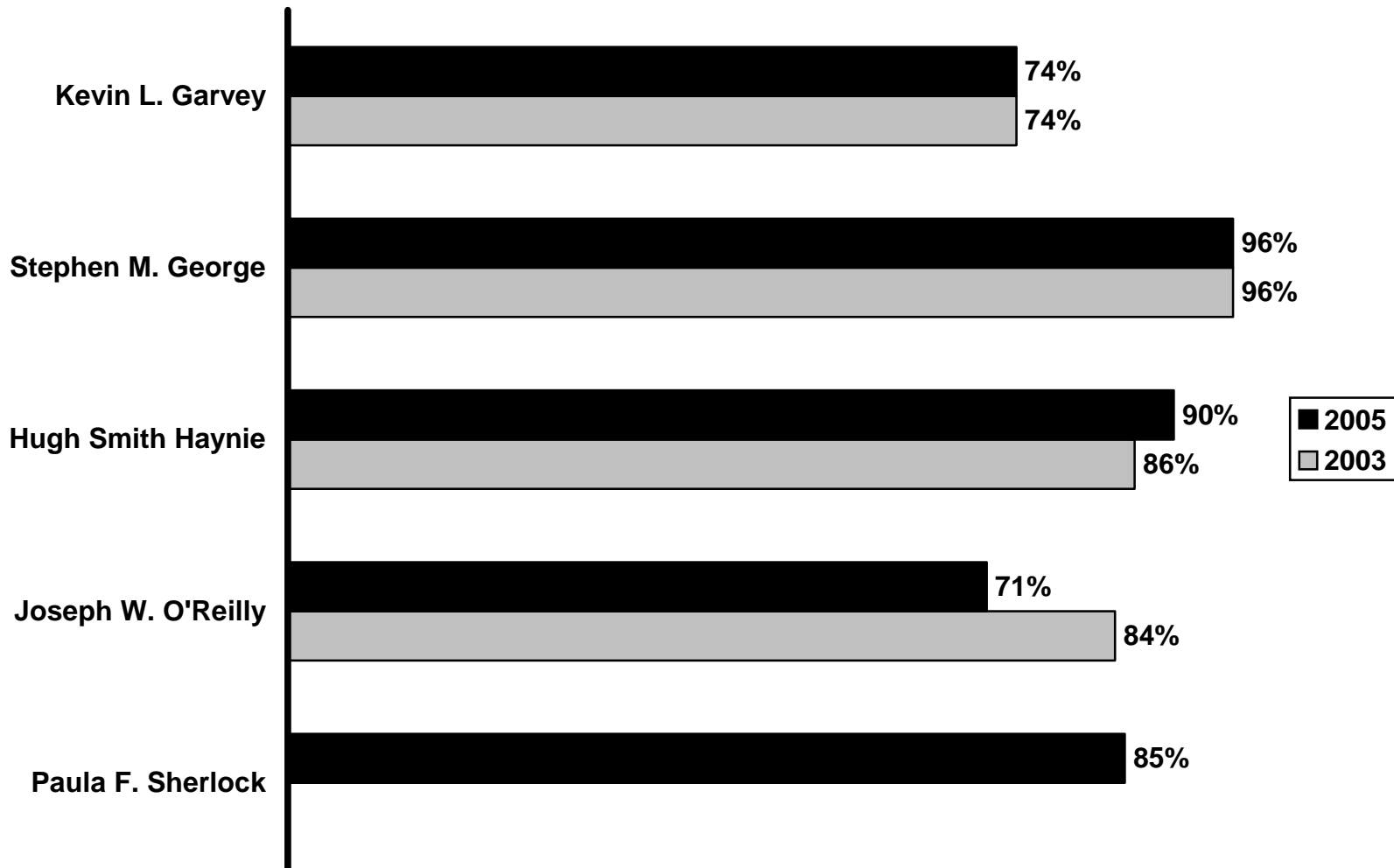
### Judicial Temperament – Jefferson Family Court



Note: Dolly Wisman Berry was not evaluated in 2003.



### Judicial Temperament – Jefferson Family Court (Continued)



Note: Paula F. Sherlock was not evaluated in 2003.

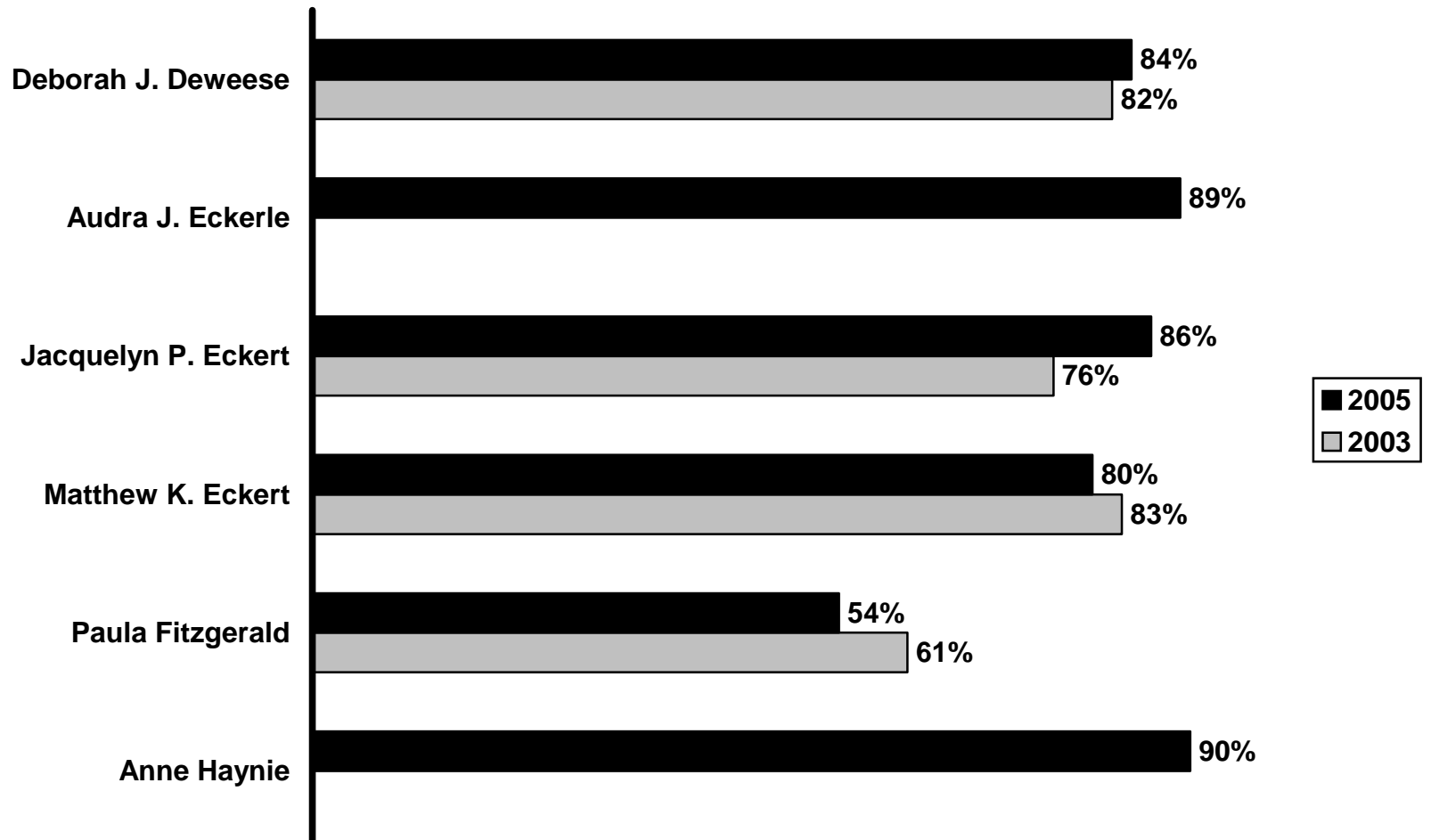


## Judicial Temperament – Jefferson District Court





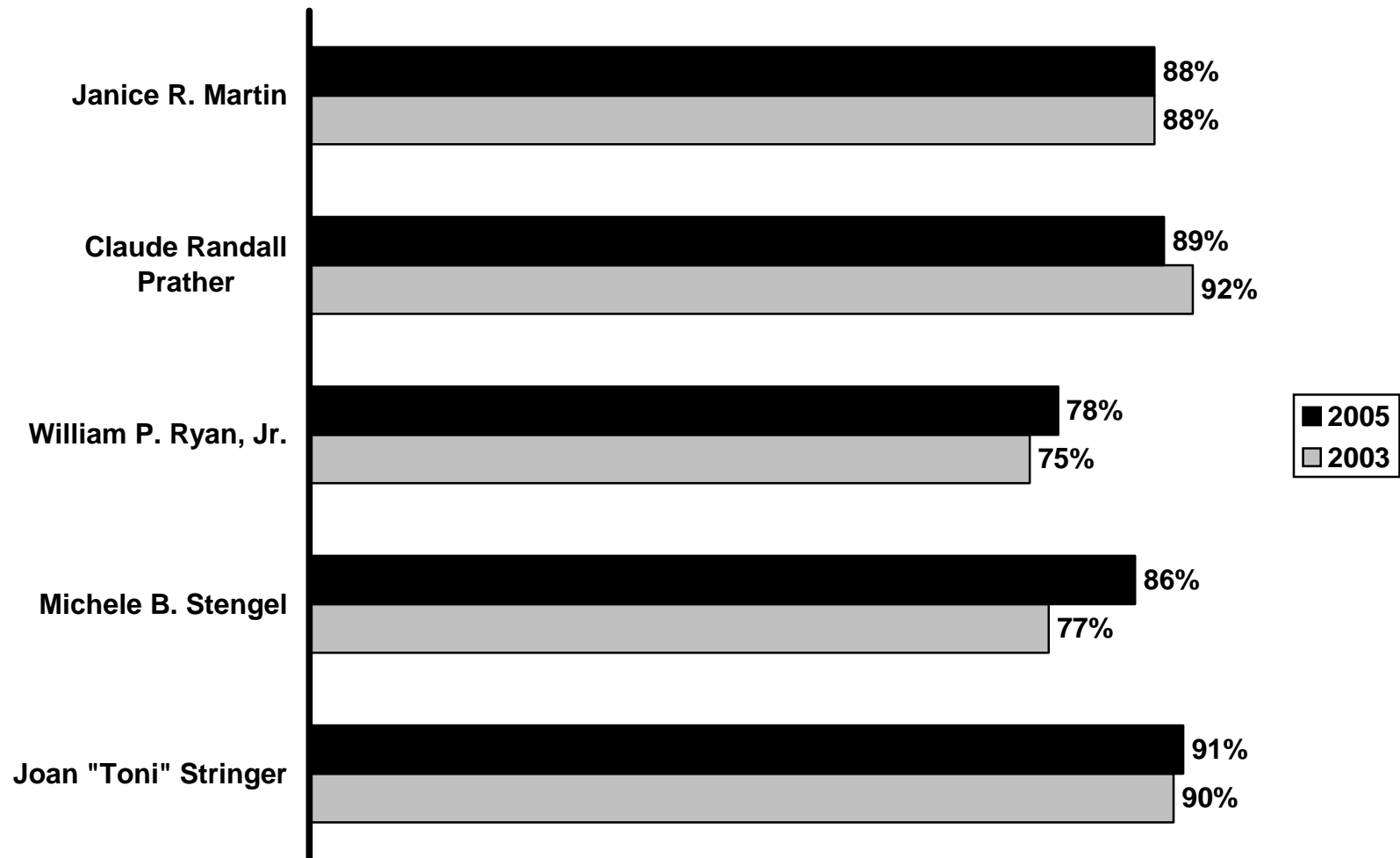
### Judicial Temperament – Jefferson District Court (Continued)



Note: Audra J. Eckerle and Anne Haynie were not evaluated in 2003.



### Judicial Temperament – Jefferson District Court (Continued)





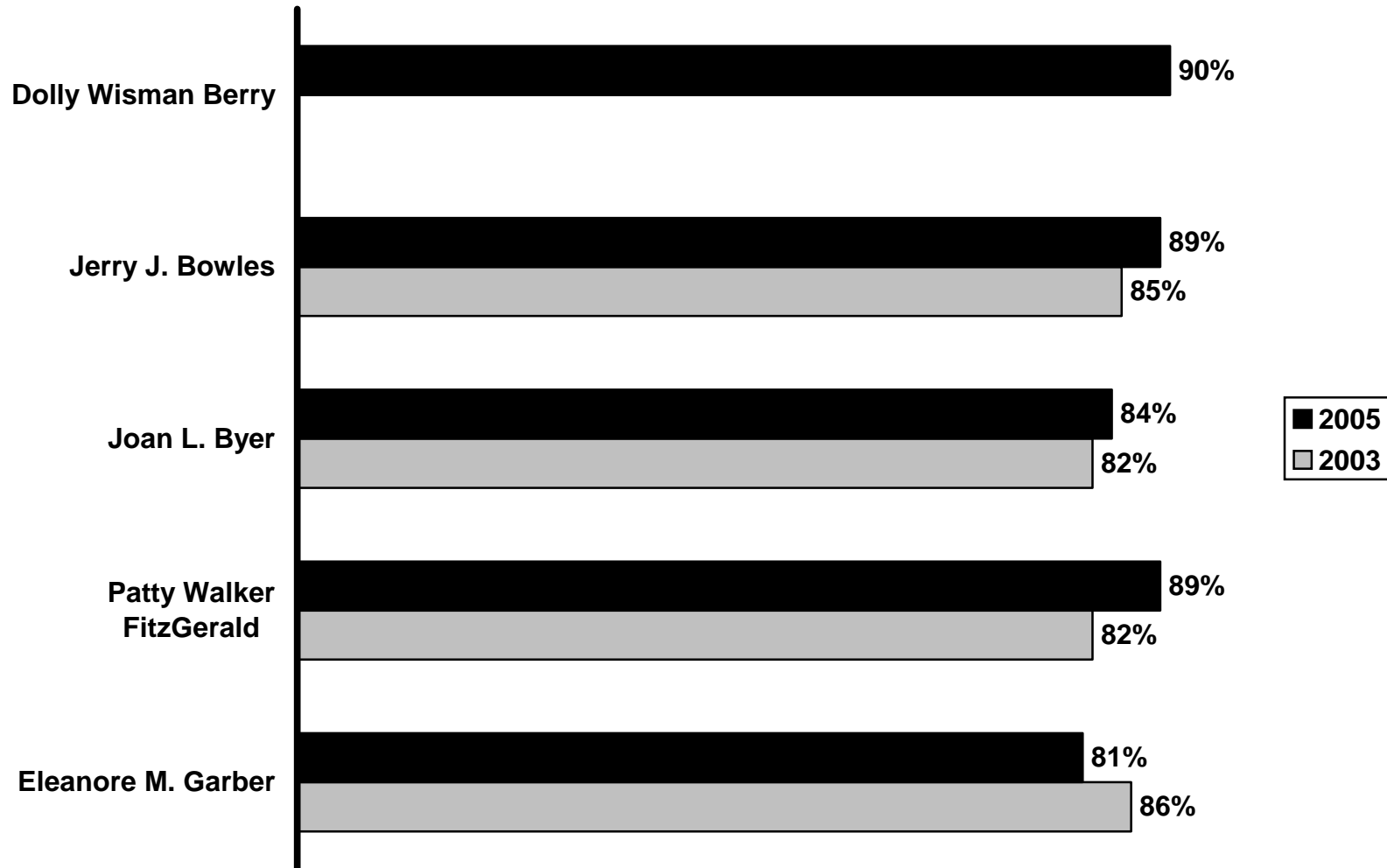
## Court Management Ratings

An average rating was calculated for the performance attributes that make up the Court Management category. This rating was calculated by averaging the positive ratings for each attribute (“agree” and “strongly agree”). The performance areas under Court Management are:

- Conducts court business in a timely manner.
- Is usually available for business during normal working hours.
- Is familiar with the file so as to consider issues presented.
- Exercises appropriate control over court proceedings and court personnel.



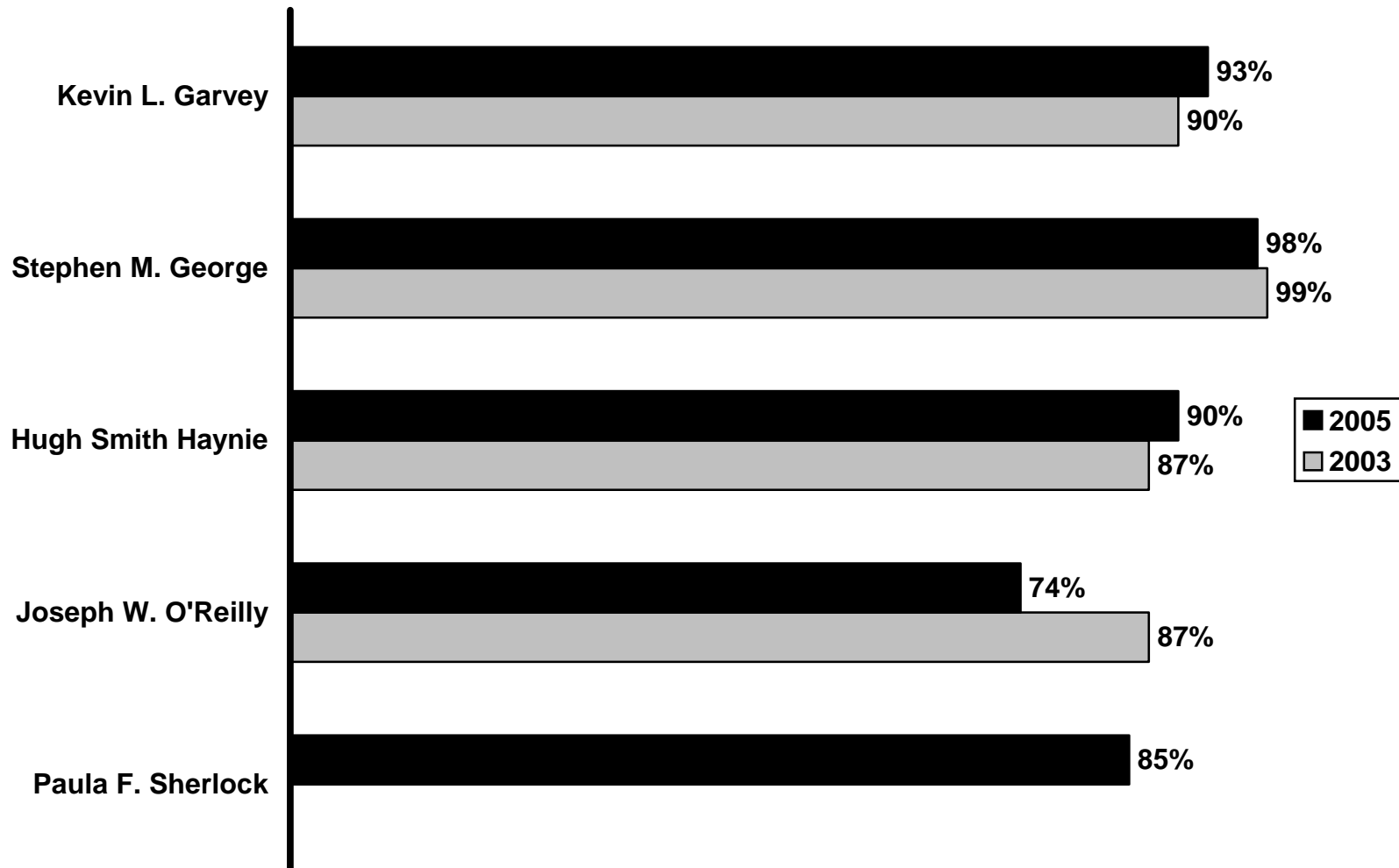
### Court Management – Jefferson Family Court



Note: Dolly Wisman Berry not evaluated in 2003.



### Court Management – Jefferson Family Court (Continued)



Note: Paula F. Sherlock was not evaluated in 2003.

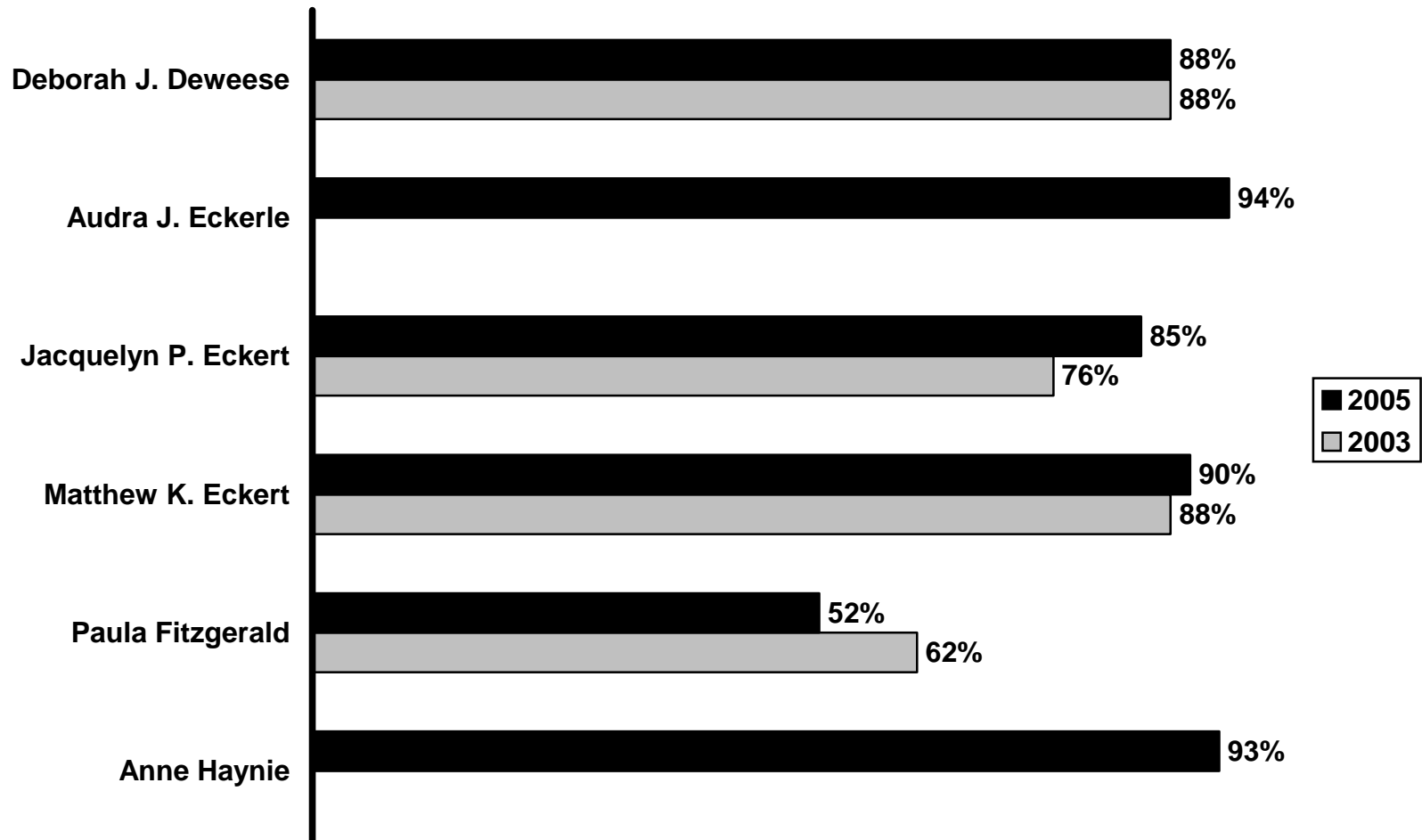


## Court Management – Jefferson District Court





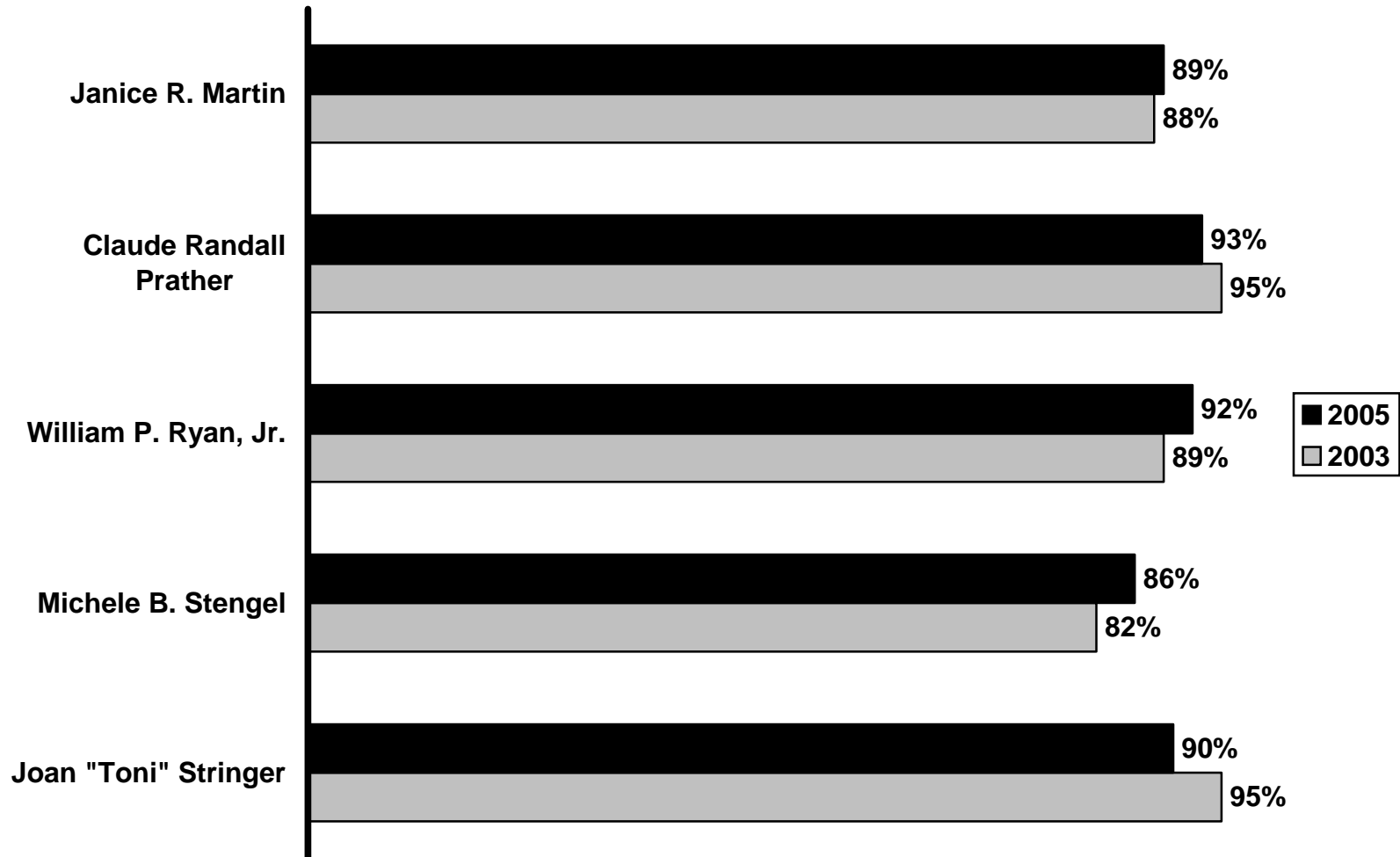
### Court Management – Jefferson District Court (Continued)



Note: Audra J. Eckerle and Anne Haynie were not evaluated in 2003.



### Court Management – Jefferson District Court (Continued)





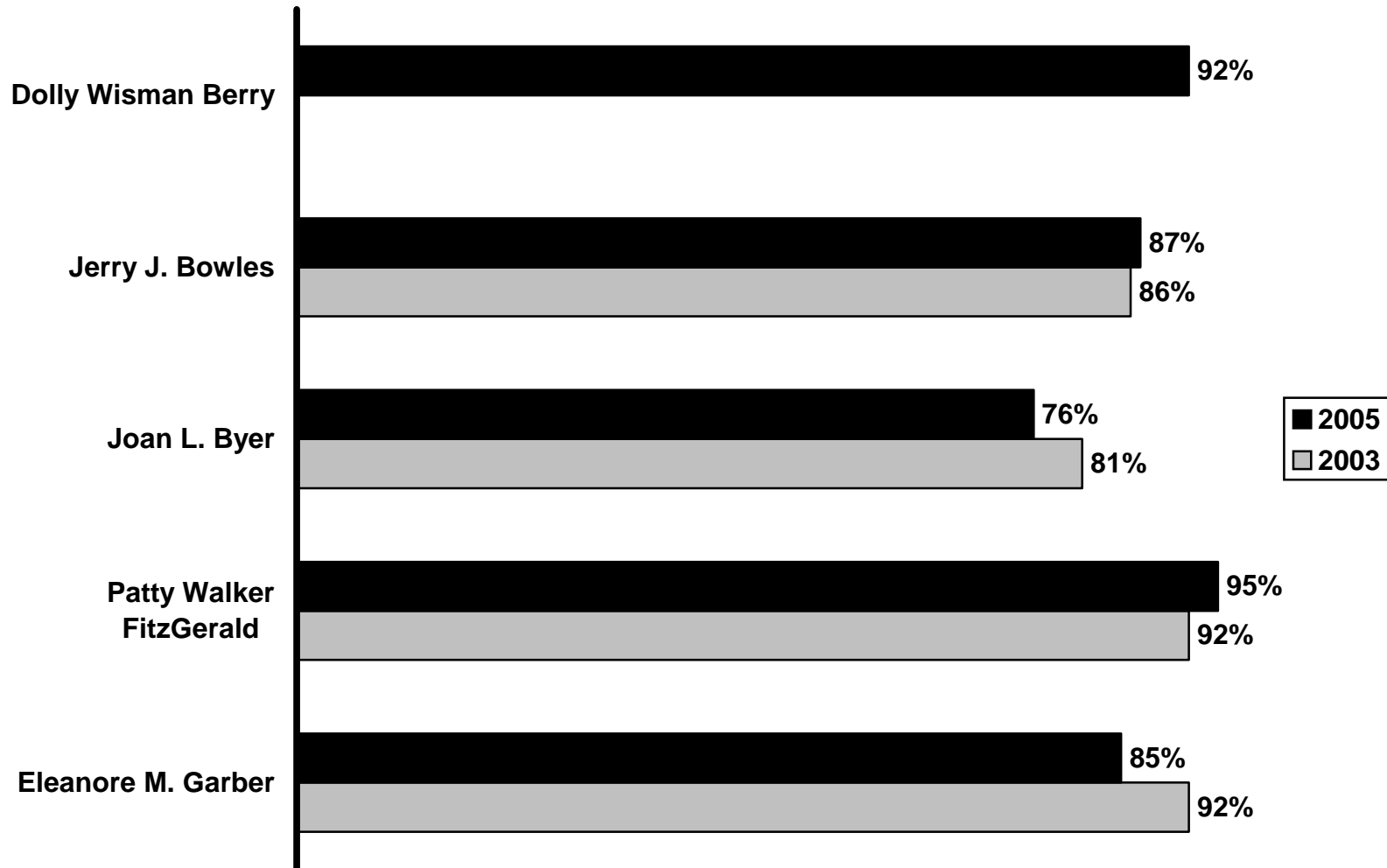
## Judicial Integrity Ratings

An average rating was calculated for the performance attributes that make up the Judicial Integrity category. This rating was calculated by averaging the positive ratings for each attribute (“strongly disagree” and “disagree” for negative statements, “agree” and “strongly agree” for positive statements). The performance areas under Judicial Integrity are:

- Is influenced by the race, religion, gender, national origin, disability, age, sexual orientation, or socio-economic status of persons appearing in court.
- Engages in out-of-court conduct or activity which directly interferes with judicial effectiveness.
- Is affected by partisan interests in the conduct of the court.
- Engages in *ex parte* communications which may prejudice proceedings.
- Lets personal relationships affect his/her judgment.
- Adheres to the highest ethical standards in and out of court.



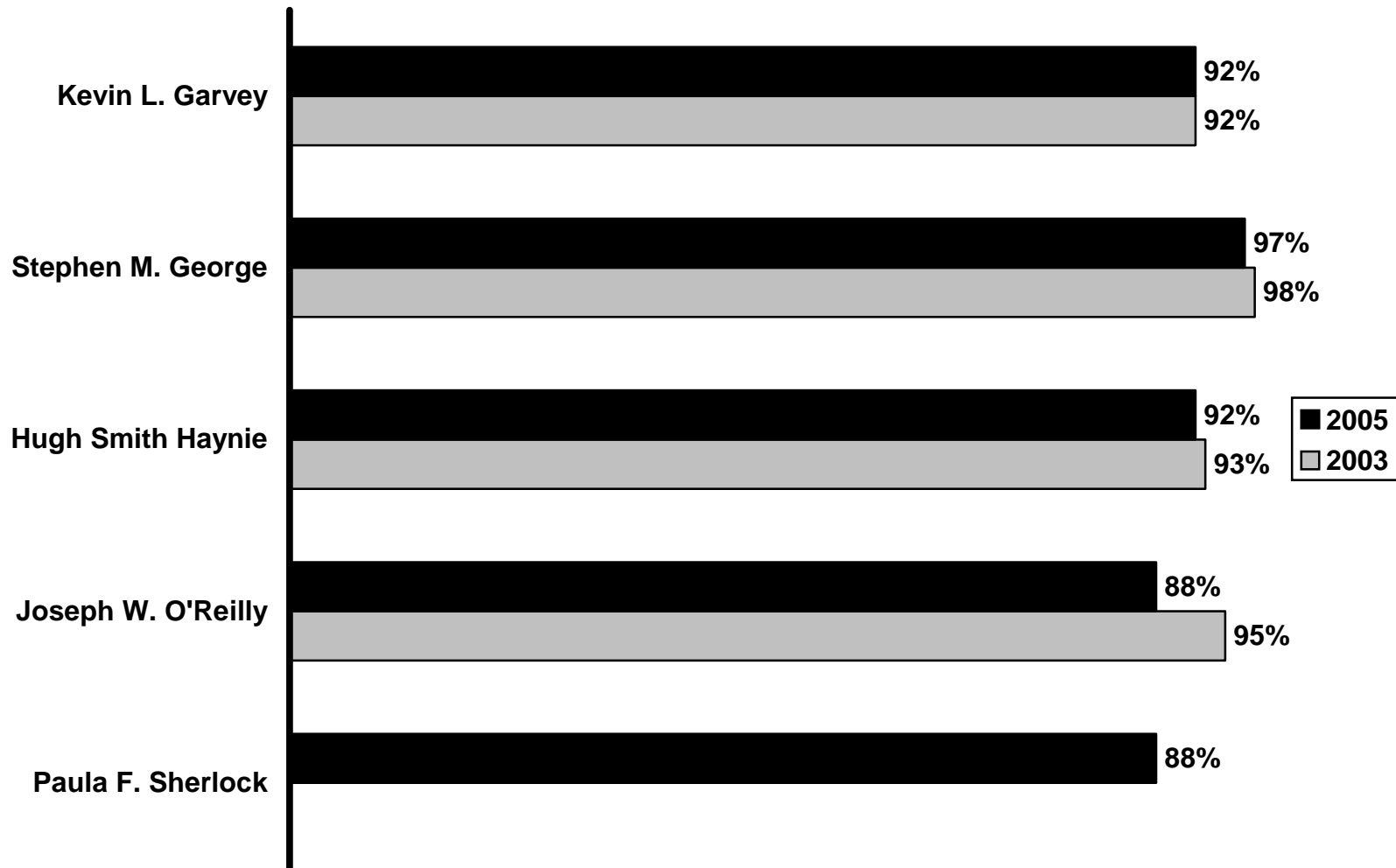
### Judicial Integrity – Jefferson Family Court



Note: Dolly Wisman Berry was not evaluated in 2003.



### Judicial Integrity – Jefferson Family Court (Continued)



Note: Paula F. Sherlock was not evaluated in 2003.

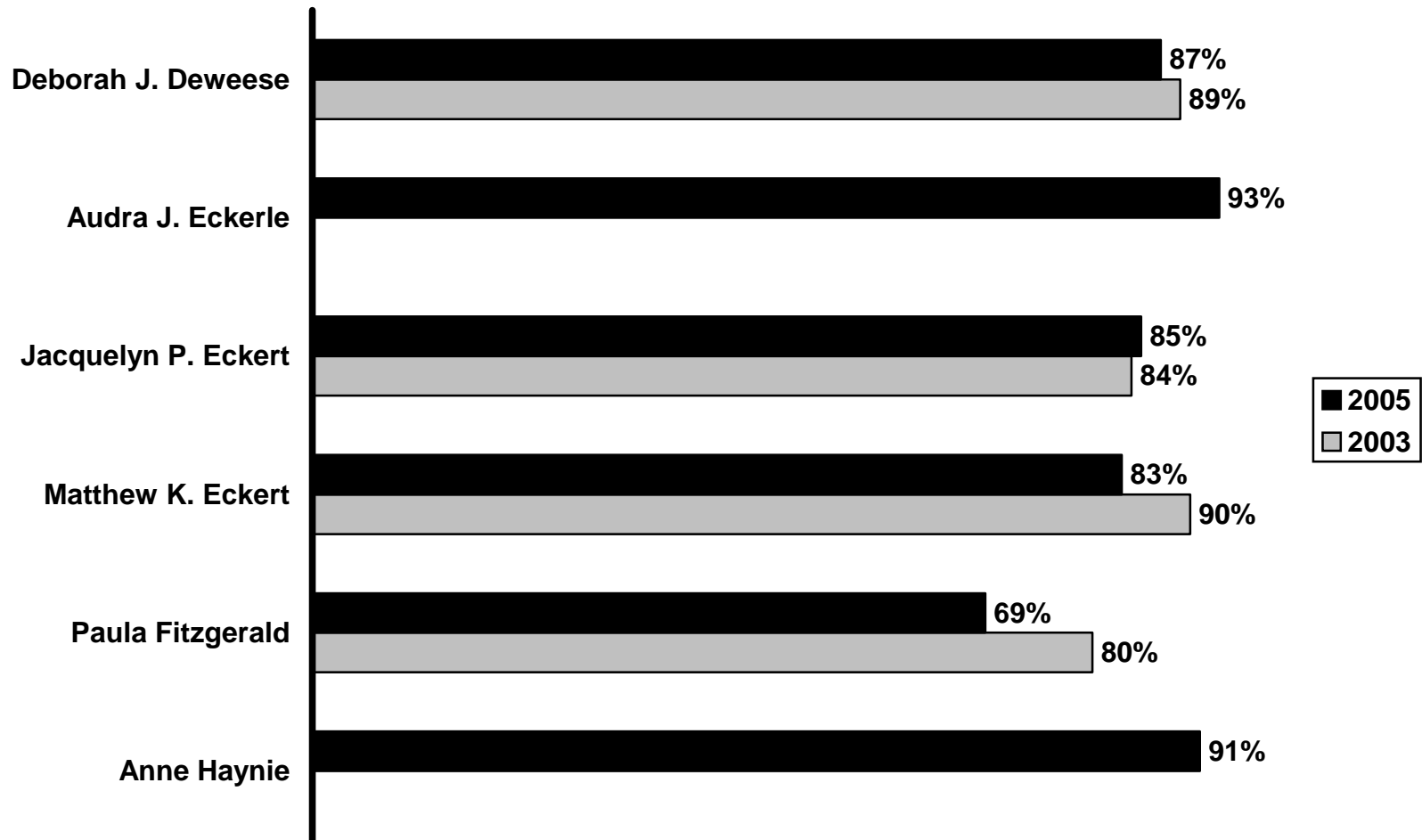


### Judicial Integrity – Jefferson District Court





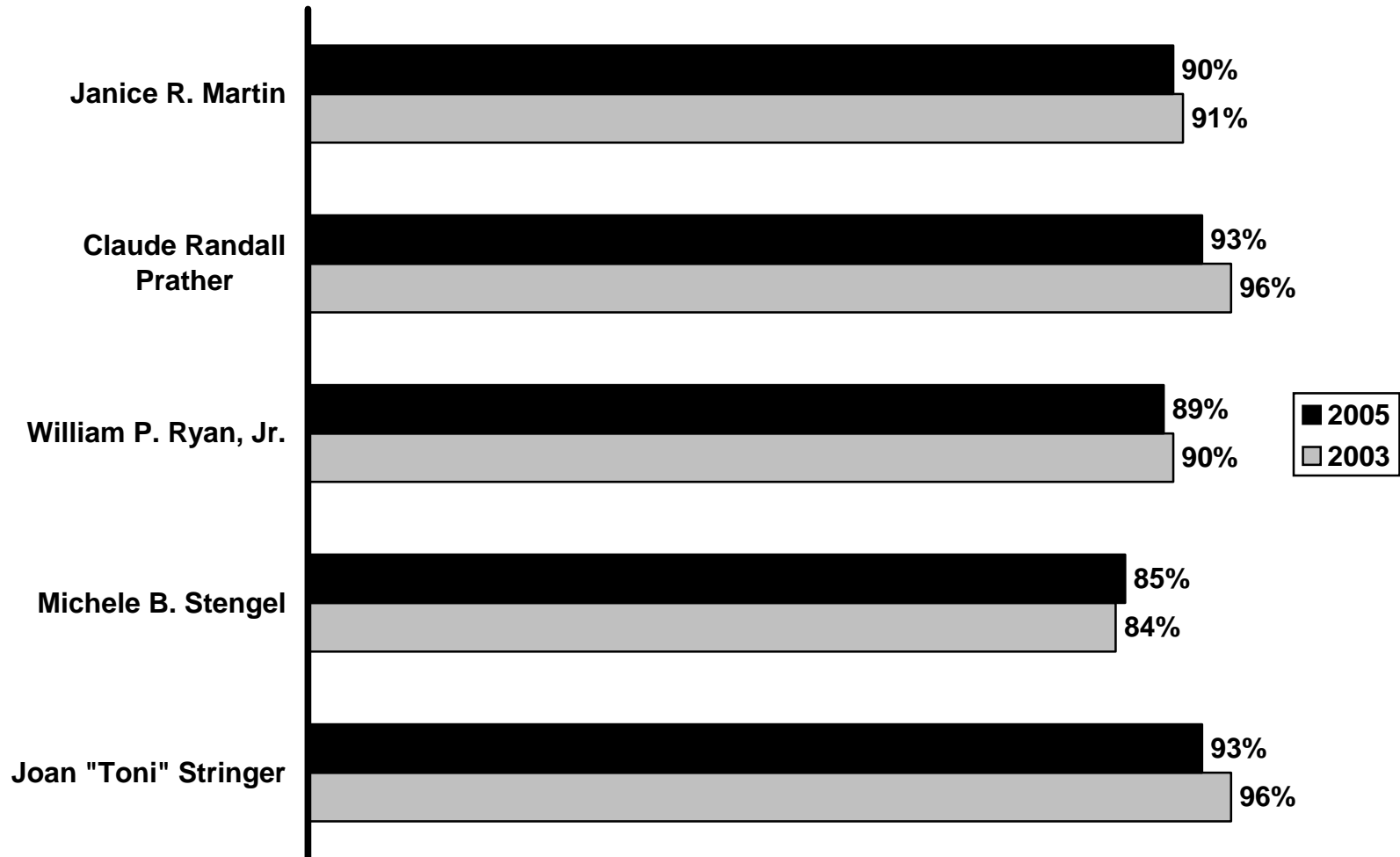
### Judicial Integrity – Jefferson District Court (Continued)



Note: Audra J. Eckerle and Anne Haynie were not evaluated in 2003.



### Judicial Integrity – Jefferson District Court (Continued)





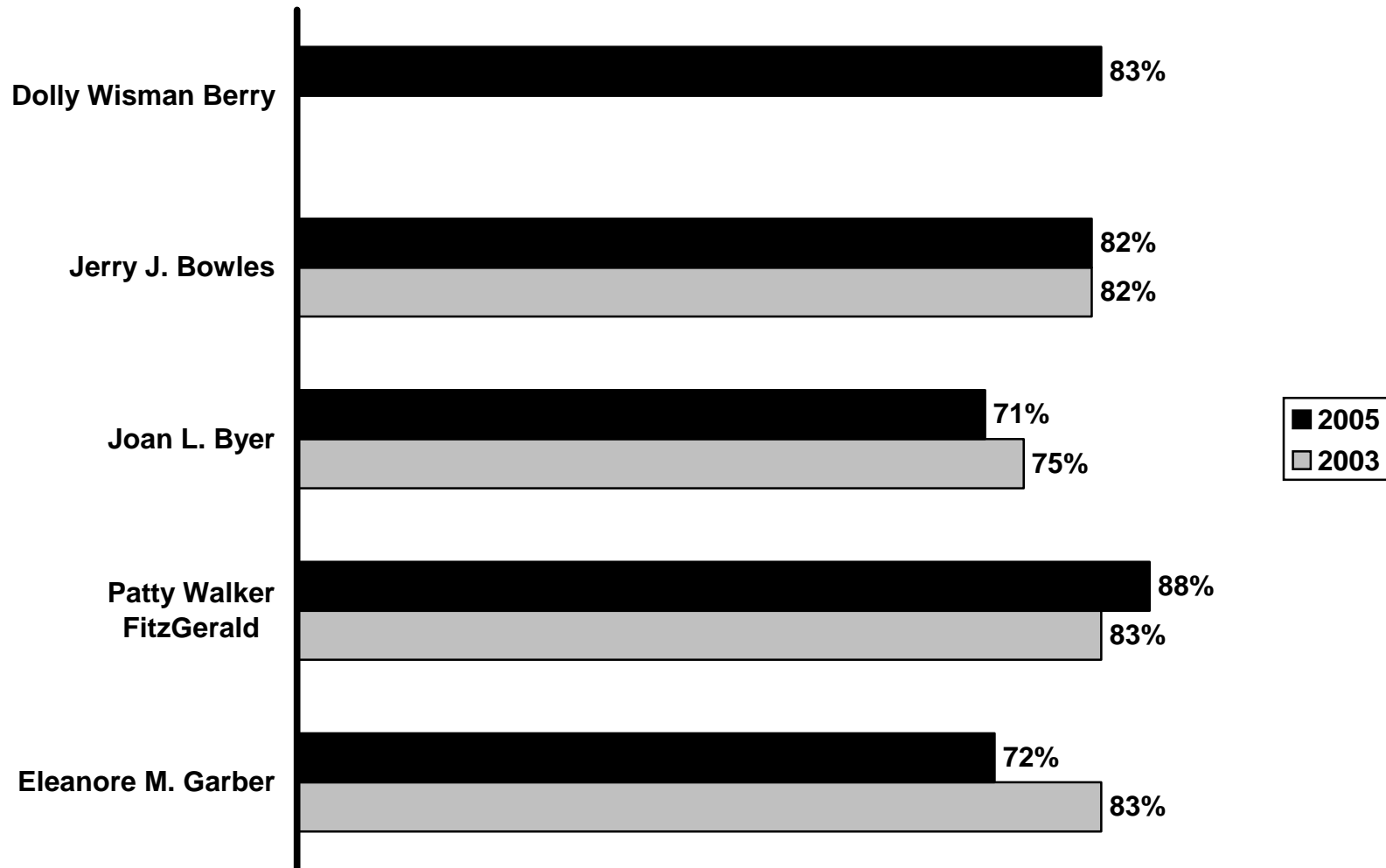
## Legal Ability Ratings

The following charts show the level of agreement with the following statement for each judge:

- Renders decisions that reflect sound legal analysis.



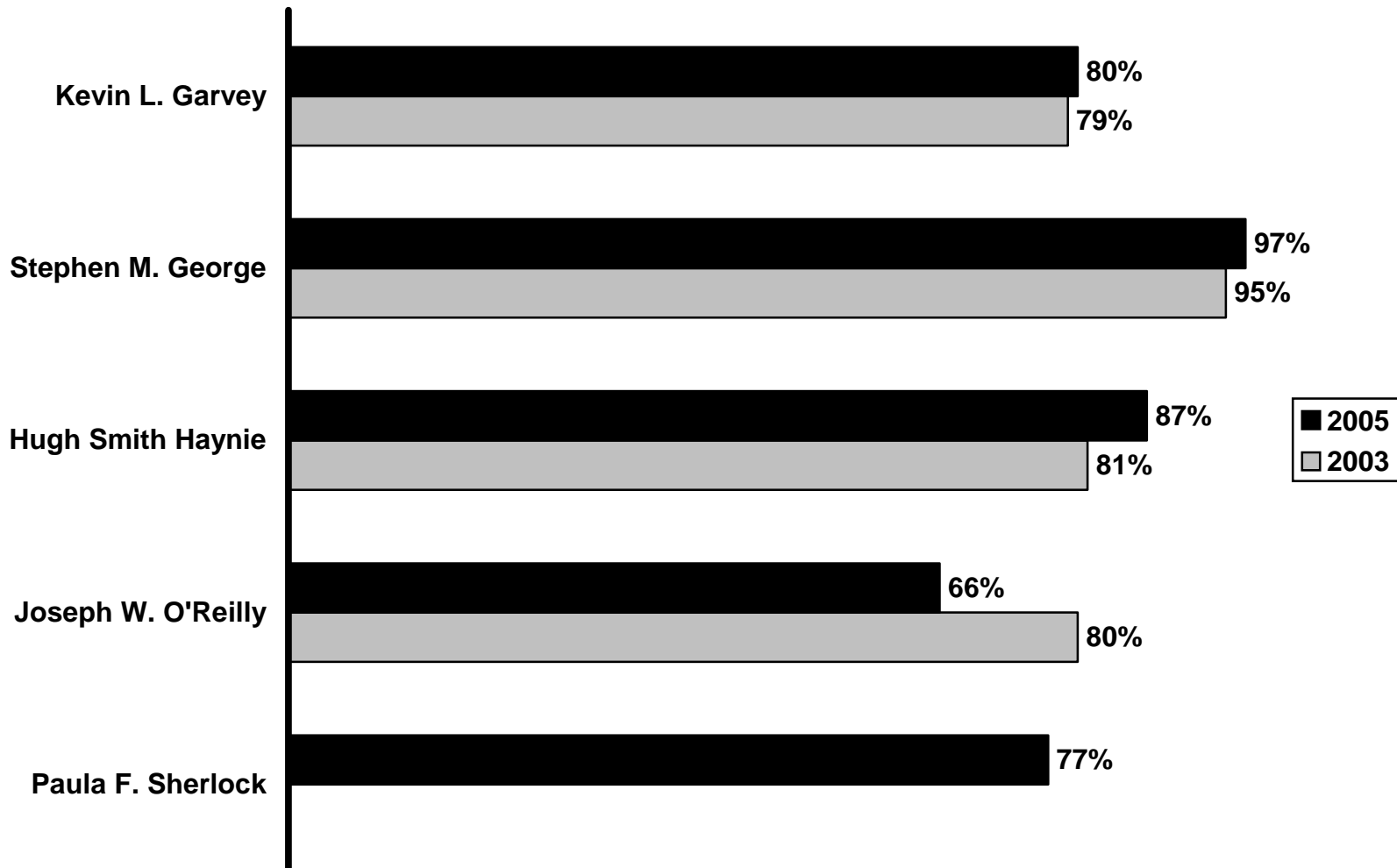
### Legal Ability – Jefferson Family Court



Note: Dolly Wisman Berry was not evaluated in 2003.



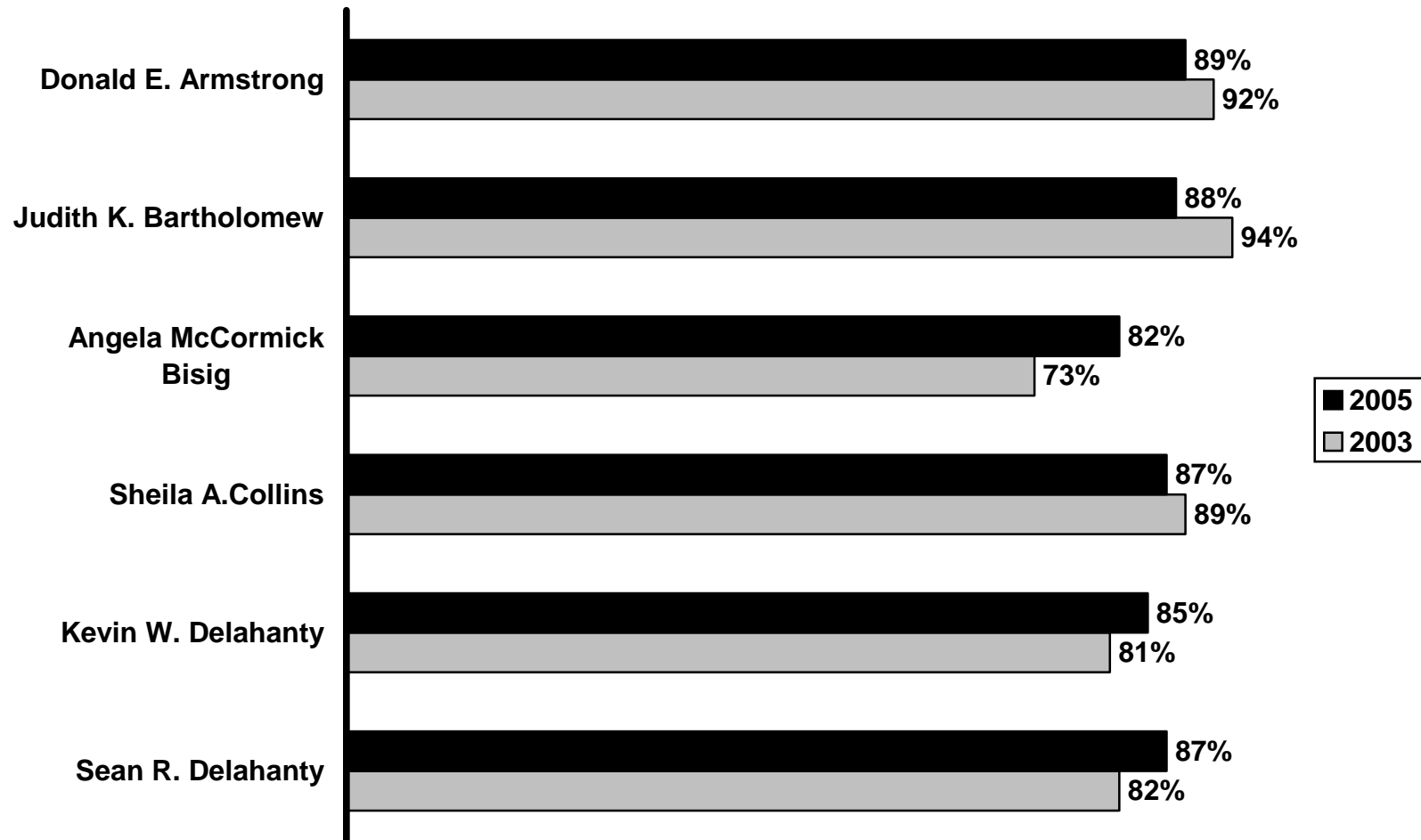
### Legal Ability – Jefferson Family Court (Continued)



Note: Paula F. Sherlock was not evaluated in 2003.

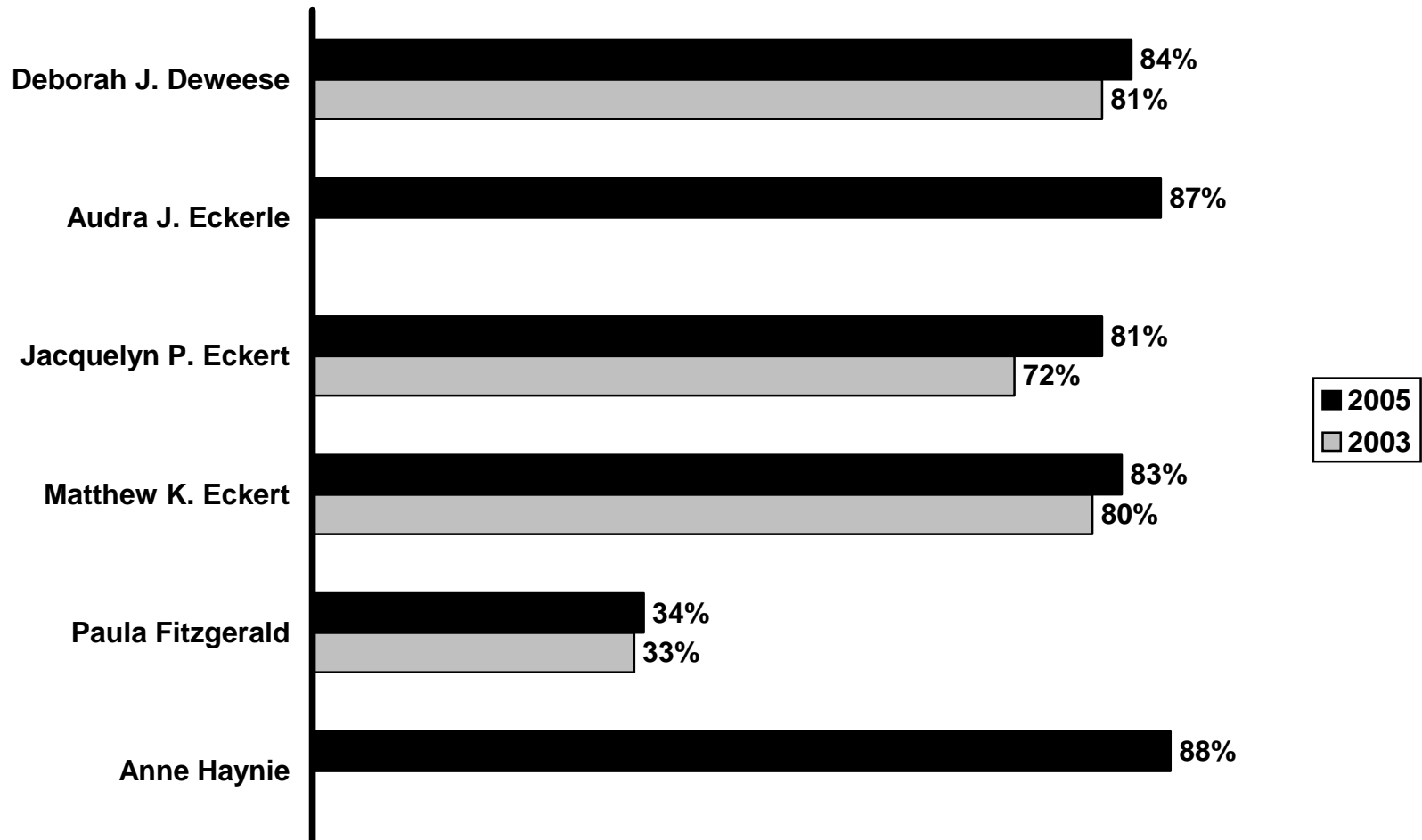


### Legal Ability – Jefferson District Court





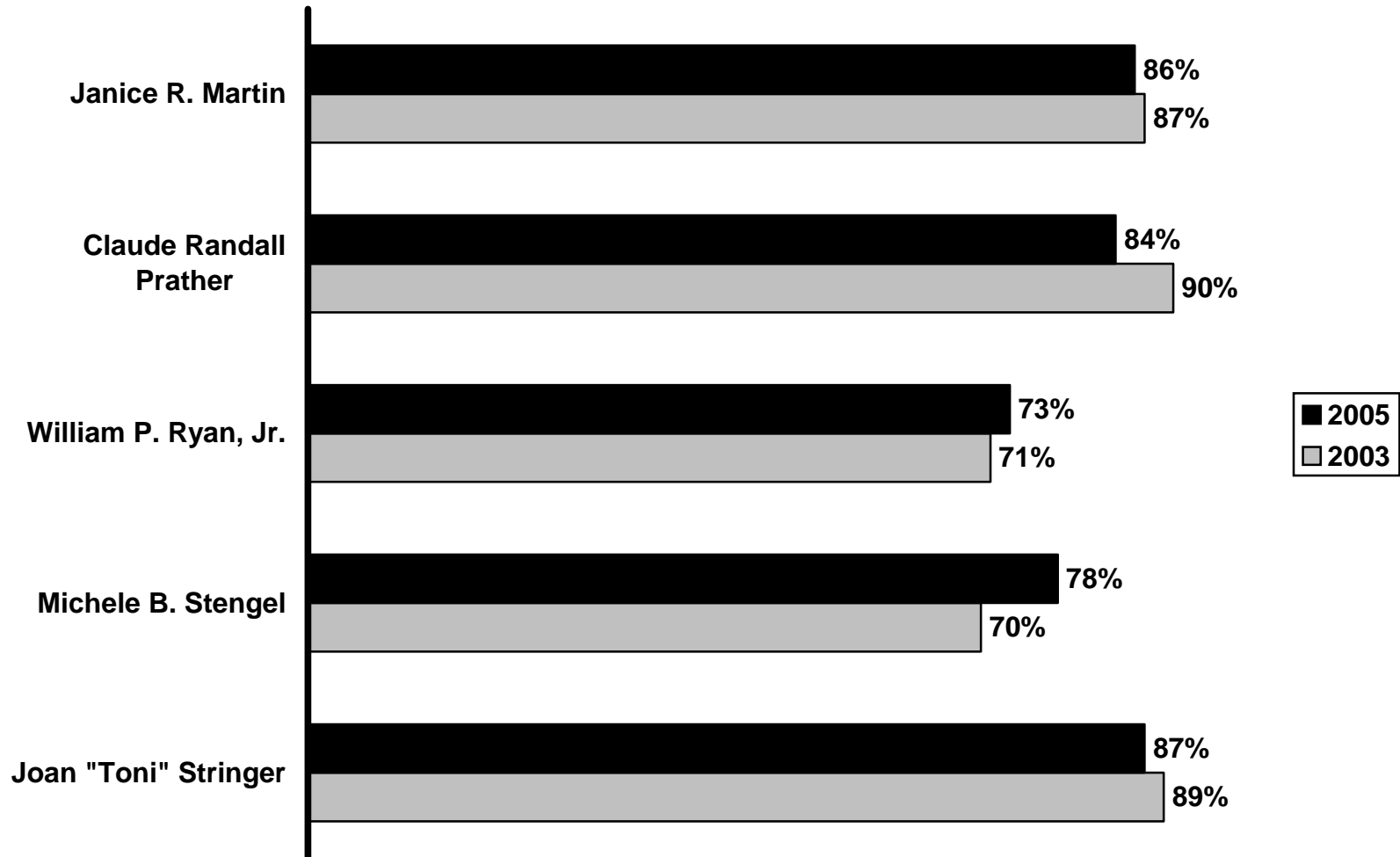
### Legal Ability – Jefferson District Court (Continued)



Note: Audra J. Eckerle and Anne Haynie were not evaluated in 2003.



### Legal Ability – Jefferson District Court (Continued)





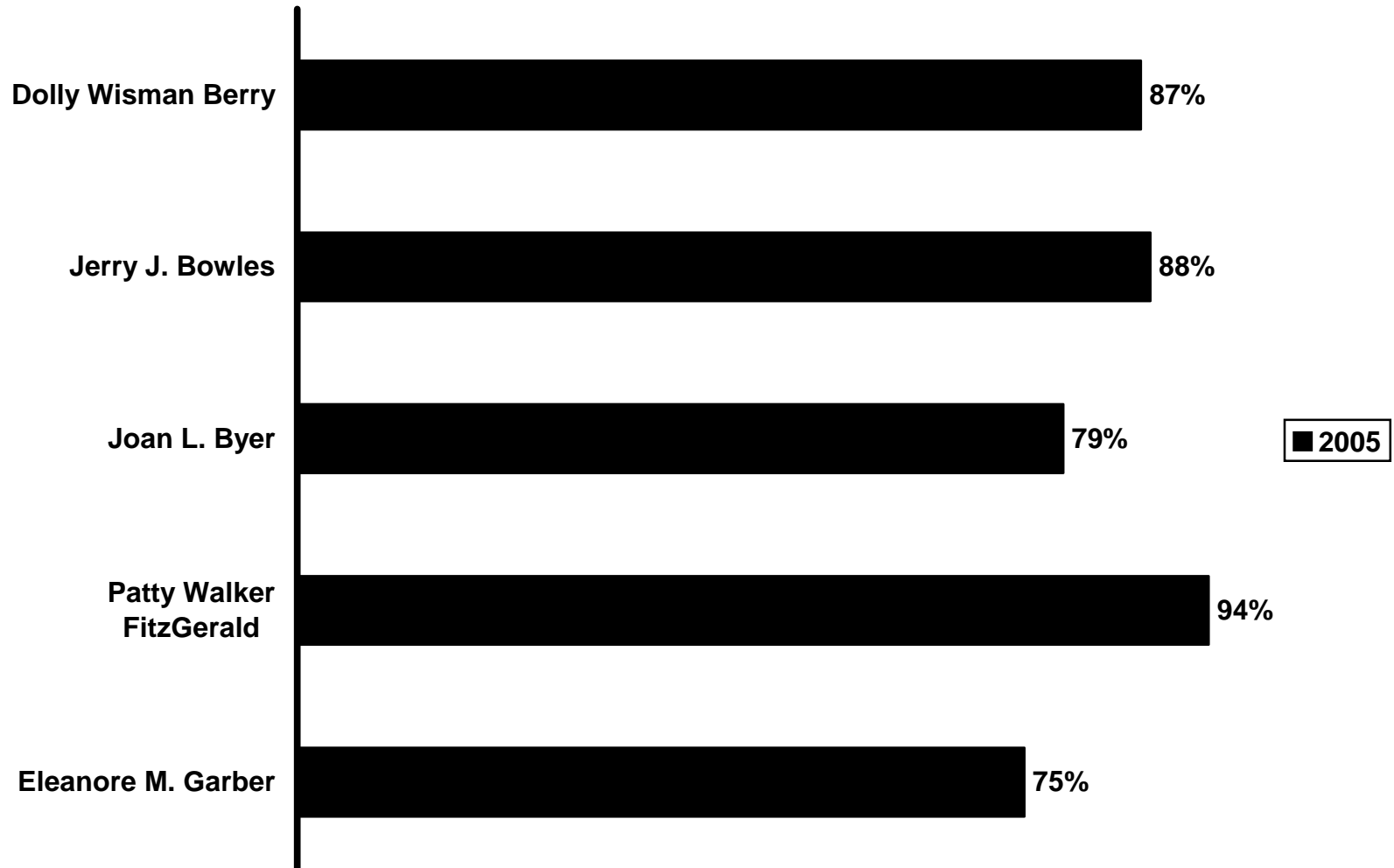
## Civil Cases Ratings

The following charts show the level of agreement with the following statement for each judge:

- Does a good job in handling civil cases.



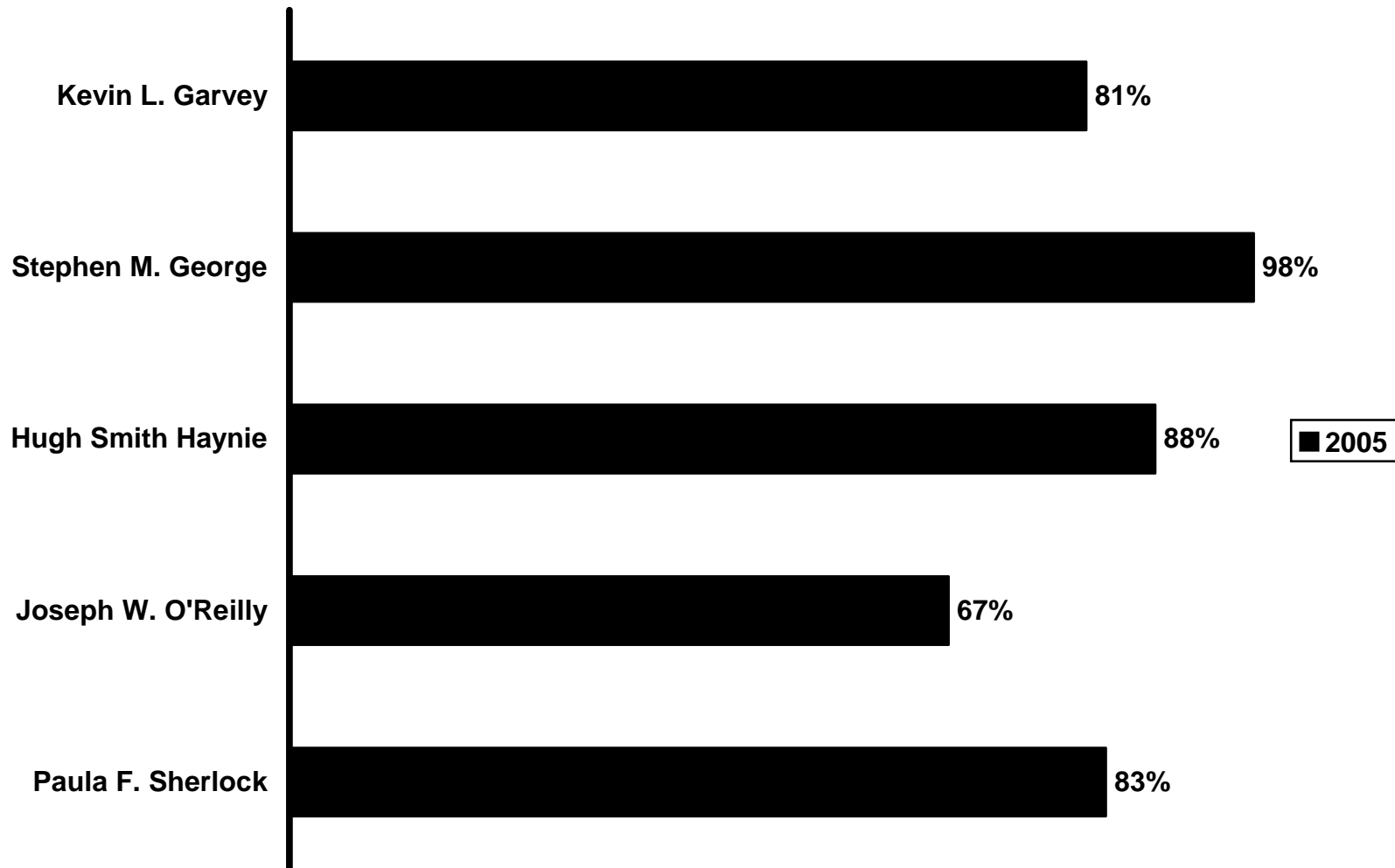
### Civil Cases – Jefferson Family Court



Note: Family Court judges were not evaluated on civil cases in 2003



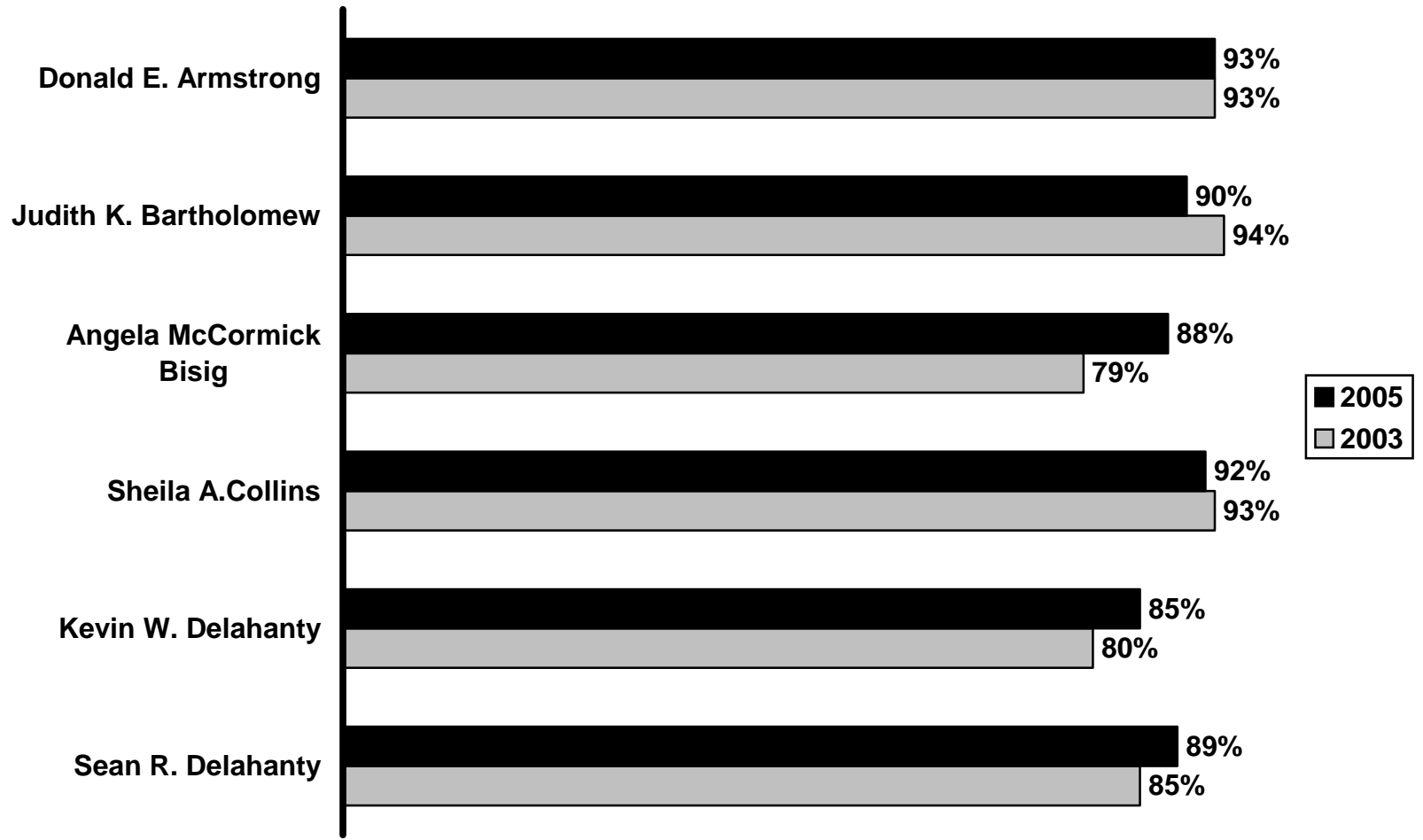
### Civil Cases – Jefferson Family Court (Continued)



Note: Family Court judges were not evaluated on civil cases in 2003

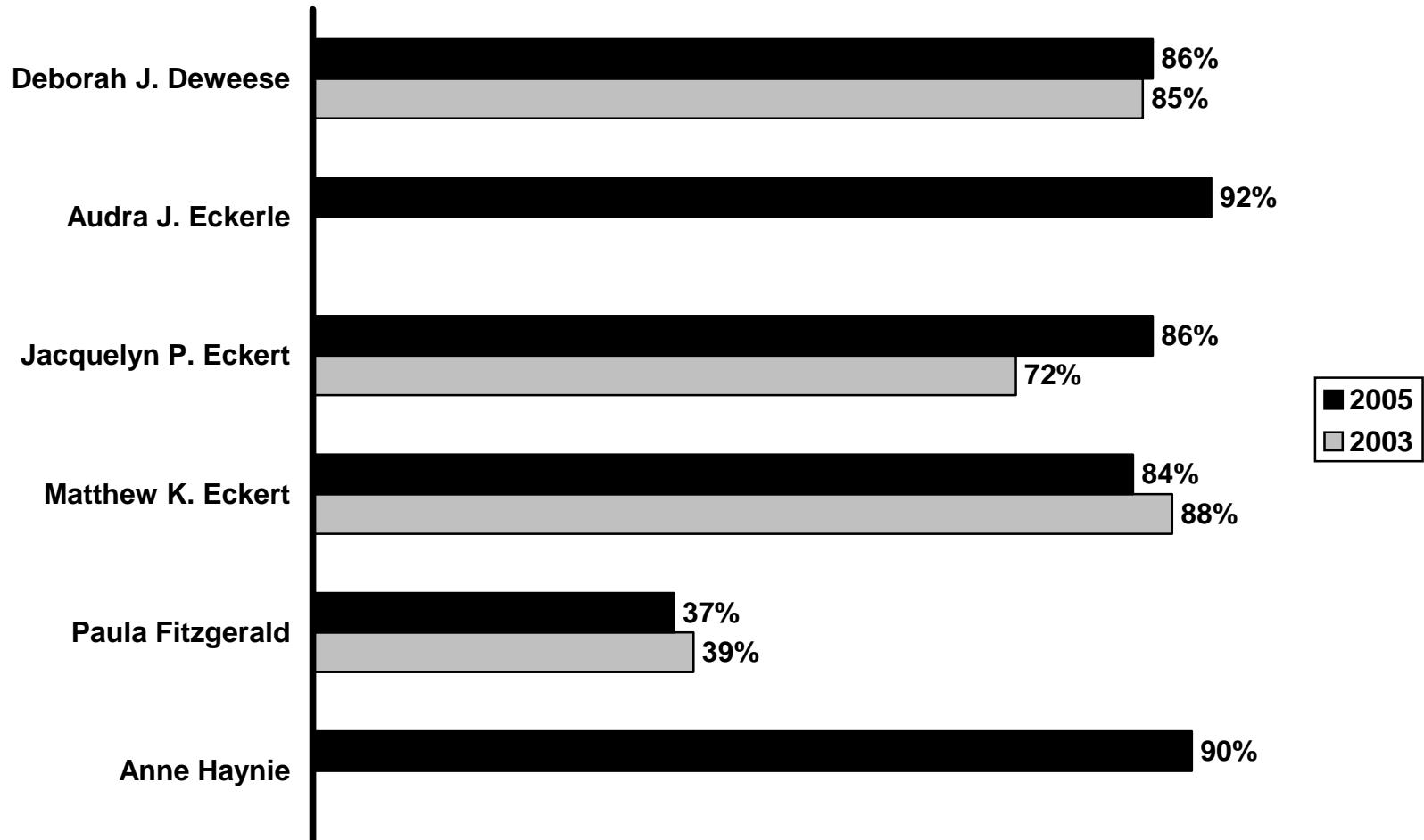


### Civil Cases – Jefferson District Court





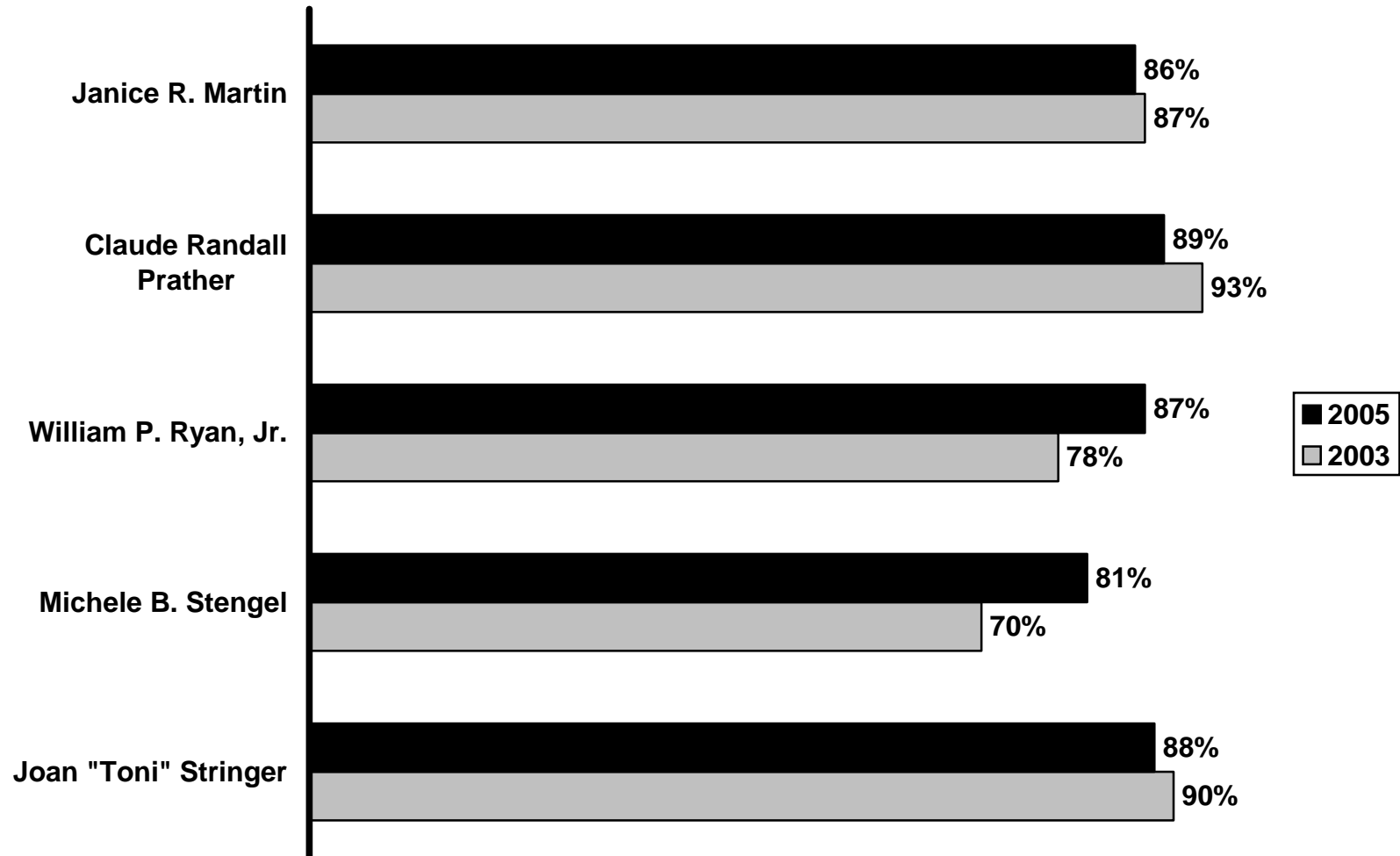
### Civil Cases – Jefferson District Court (Continued)



Note: Audra J. Eckerle and Anne Haynie were not evaluated in 2003.



### Civil Cases – Jefferson District Court (Continued)





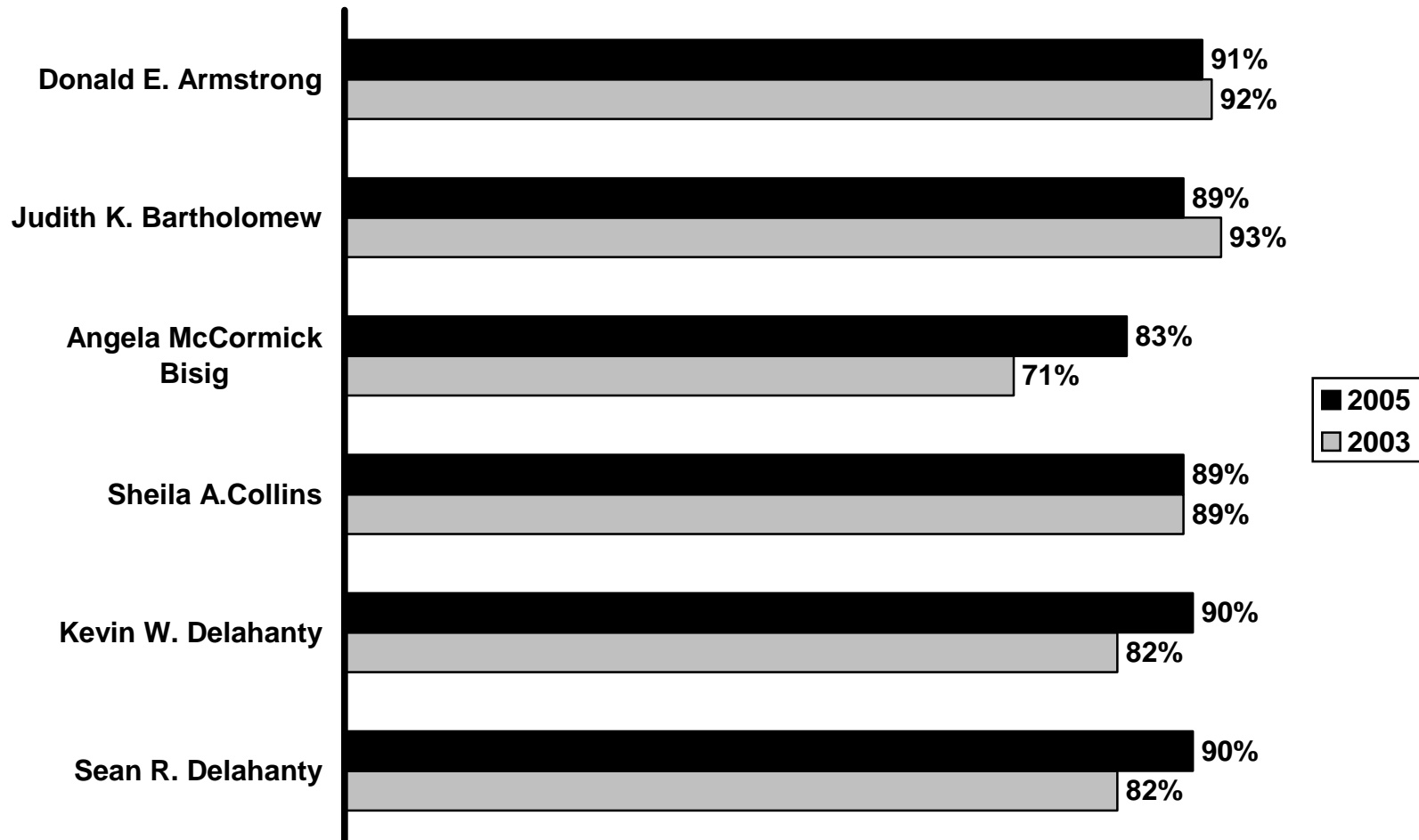
## Criminal Cases Ratings

The following charts show the level of agreement with the following statement for each judge:

- Does a good job in handling criminal cases.

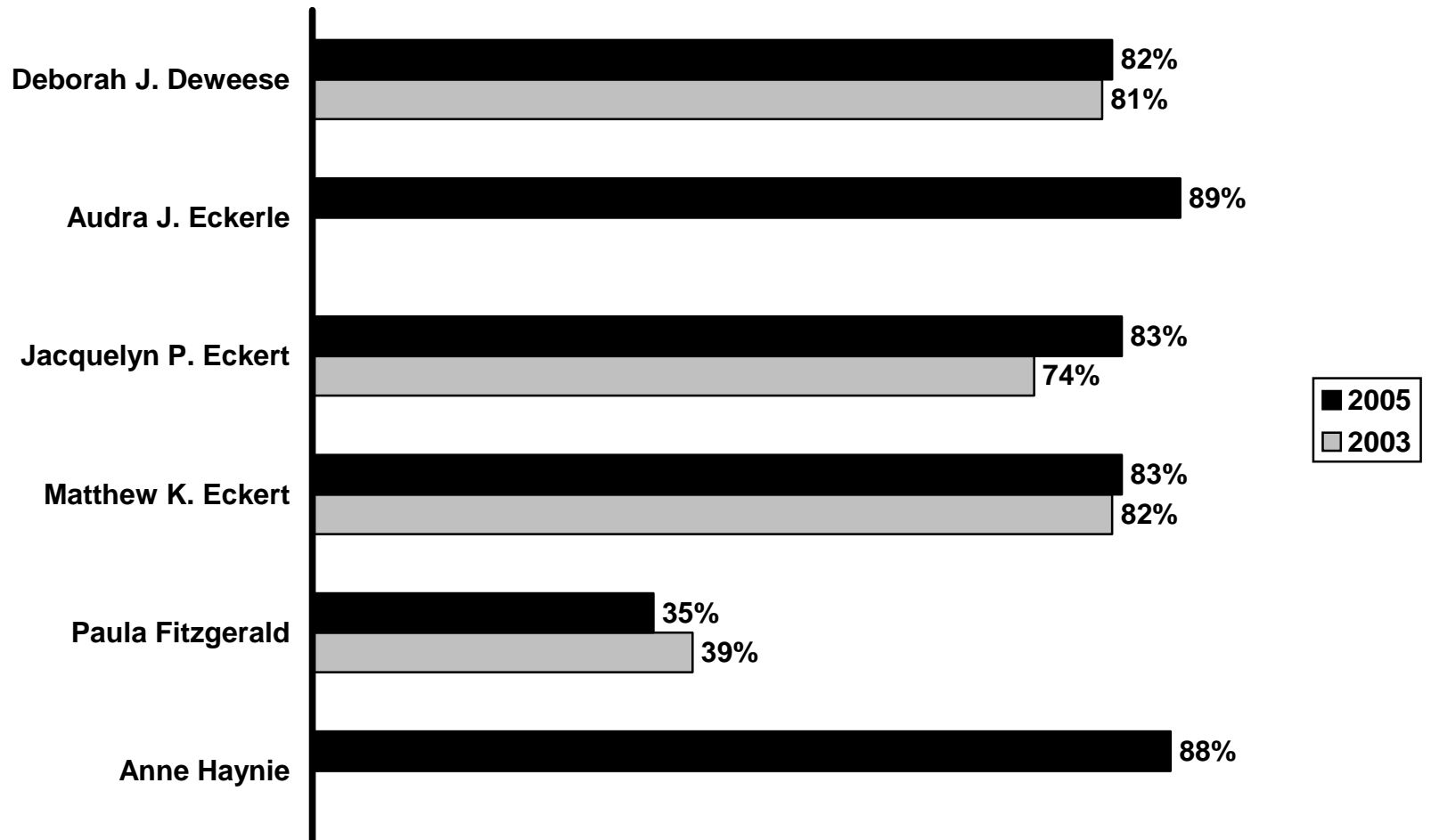


### Criminal Cases – Jefferson District Court





### Criminal Cases – Jefferson District Court (Continued)



Note: Audra J. Eckerle and Anne Haynie were not evaluated in 2003.



### Criminal Cases – Jefferson District Court (Continued)

