



**Wyoming Survey & Analysis Center**  
UNIVERSITY OF WYOMING

# **Wyoming State Bar Judicial Performance Assessment, 2022**

WYSAC Technical Report No. SRC-2204 (*Individual Judge Version*)

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# Wyoming State Bar Judicial Performance Assessment, 2022

By

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## 1. Introduction

In the spring of 2022, the Wyoming State Bar commissioned the Wyoming Survey & Analysis Center (WYSAC) at the University of Wyoming to administer the 2022 Wyoming Judicial Performance Assessment.

The Wyoming State Bar undertook its first judicial evaluation poll in 1976 and has completed one each election year since. The goals and uses of the Wyoming JAP conform to the American Bar Association (ABA) guidelines as well as to the practices of other Bar associations.

Judicial evaluation polls are used by Bar associations to provide feedback to judicial officials about their performance on the bench and to help the public make more informed judgments in judicial elections.

In spring 2021 an Ad hoc committee was formed to review the Wyoming JAPs conducted in previous years and suggest changes which would make the results more useful to the Wyoming judiciary and the Wyoming public. The committee included representatives of the Wyoming judiciary, Wyoming attorneys, the State Bar, as well as the Wyoming public. As a result of a year-long extensive effort, the committee decided to introduce changes to both the survey instrument and the protocols used in previous years.

It was decided that only attorneys who had appeared before a judge in the past 24 months would be invited to provide an evaluation of that judge. An appearance is defined as an attorney conducting any business before the judge. It may or may not involve the attorney actually appearing in court in person. Attorneys would evaluate Supreme Court Justices based on either an appearance in that court or review of their written opinions. Attorneys would also be asked to indicate whether they favor or oppose the respective judge's retention. Finally, attorneys would be asked to include their comments explaining their rating on each group of items.

As in previous years all written comments would be shared with the judge/justice only, but the author of the comments will not be disclosed.

The survey instrument was extended to include more items/detail, and organized into several areas of performance.

The rating scale was changed. Instead of an approve/disapprove scale, a sliding scale of 10 to 100, where 10 to 39 is considered "below adequate", 40-69 is considered "adequate", and 70 to 100 is considered "above adequate" was introduced. This scale would lend itself to reporting of the results with less, or more granularity depending on the purpose and the audience of the report.

It was also decided that the survey would be launched earlier than in previous years to make it possible to tabulate and publish the results earlier than in previous years with the goal of making them more useful to both the judges and the Wyoming voting public.

As was the case in the past eight iterations (2006, 2008, 2010, 2012, 2014, 2016, 2018, 2020), also this year the JAP would be conducted as a web-based survey.

Based on these decisions, the revised survey instrument and protocols were used to program the survey for online survey administration. The list of attorneys and the judges before whom each attorney had appeared in the past 24 months was provided to WYSAC by the Wyoming Supreme Court Administration

The poll was launched on June 21, 2022, with an email invitation for participation. Prior to this initial email invitation, Sharon Wilkinson of the Wyoming State Bar emailed all attorneys to inform them of the upcoming survey and explain the important of the project. To all attorneys who had not yet responded with completed surveys, reminder emails were sent roughly every week. A total of three reminder emails were sent to all attorneys who had not yet completed a survey.

The survey closed on July 21, 2022, providing all attorneys more than five weeks to respond. After closing, the online database was exported into a format suitable for data analysis. A total of 673 attorneys *accessed* the online survey. A total of 418 valid completions were obtained before the cut-off date. After accounting for bad email addresses in the list, the total number of potentially eligible respondents for the effort was 1913. The total number of completions of 418 results in a response rate of 22%.

## 2. Results

The following files present the individual results for this judge (*public version*). The judges version of this report contains mean scores for each item, information regarding how many times the rating attorneys have appeared before this judge in the previous 24 months, and open-ended comments provided to the judge from each attorney that offered them (anonymously). These three components are not presented in this public release.

Instructions were provided to all attorneys before each section asking them to rate each item on the following guidance: a sliding scale of 10 to 100, where 10 to 39 is considered “below adequate”, 40-69 is considered “adequate”, and 70 to 100 is considered “above adequate.” For the public, only these aggregate ratings are provided.