

**JUDICIAL PERFORMANCE EVALUATION OF THE
HEARING AND MEDIATION JUDGES OF THE
WASHINGTON BOARD OF INDUSTRIAL INSURANCE APPEALS**

FINAL REPORT

PREPARED FOR:

Washington Board of Industrial Insurance Appeals

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INTRODUCTION

The Washington State Board of Industrial Insurance Appeals (BIIA) is an independent, statutorily created agency established to adjudicate appeals filed by injured workers, employers, and others resulting from orders issued by the Washington Department of Labor and Industries. The BIIA hears appeals from decisions made by the Department in several areas, primarily a) industrial insurance (workers' compensation), b) safety citations under the Washington Industrial Safety and Health Act (WISHA), and c) crime victim compensation.

The BIIA granted 8,983 appeals during the past fiscal year. To perform this function, the BIIA employs 54 administrative law judges who oversee mediations and conduct adversarial hearings as part of the industrial insurance appeals process. In 2008 the Board contracted with Washington State University (WSU) to design and conduct performance evaluations of the BIIA's mediation and hearing judges for the dual purposes of *judicial self-improvement* and *internal agency assessment* regarding judicial performance with respect to BIIA service goals and objectives. The results of this evaluation were presented to the Board in 2009. In 2013 a similar evaluation was conducted of the BIIA judges. In 2016 the Board once again contracted with WSU to design and conduct performance evaluations of the BIIA's mediation and hearing judges. This report presented the results obtained from the performance evaluations.

The evaluation process developed and implemented under this agreement is based largely on the 2005 American Bar Association's Guidelines for the Evaluation of Judicial Performance. Under these guidelines, a JPE program should:

- Evaluate judges on presence of universally accepted qualities expected to be possessed by outstanding judges.
- Employ specific behavior-based measures of the presence of these qualities.
- Permit evaluators to provide written feedback to the judge that may be used for judicial self-improvement.
- If possible, obtain information from multiple "populations," including attorneys, litigants, and other groups of individuals who have first-hand experiences with a judge being evaluated.
- Permit only those individuals who have observed a judge's performance to participate in the evaluation.
- Employ statistically and scientifically reliable methods for conducting the evaluation and for computing the results.

The BIIA JPE program developed for this project follows these principles. The performance of BIIA judges was evaluated by several distinct populations: attorneys, paralegals, lay representatives, litigants, and employers. In addition, only individuals who appeared before a judge were permitted to evaluate the judge's performance. Participants in the evaluation surveys conducted were asked to assess the judges' performance with respect to more than 25 behavior-based criteria. Finally, BIIA JPE assessment survey respondents were asked to provide written comments that could be used for judicial self-improvement as warranted.

This report, which presents the overall results of the BIIA Judicial Performance Evaluation, is organized into five principal sections:

- **Introduction**
- **Attorney, Paralegal, and Lay Representative Evaluations**
- **Litigant Evaluations**
- **Comparison of 2009, 2013, and 2016 Evaluation Results**
- **Conclusion**
- **Appendices**

ATTORNEY, LAY REPRESENTATIVE, AND PARALEGAL EVALUATIONS

An important component of a judicial evaluation program is to obtain information from individuals who have had an opportunity to personally observe the judge being evaluated during the relevant time period. To facilitate collection of such information BIIA staff generated a database for each judge consisting of the attorneys, paralegals, lay representatives, litigants and employers who appeared before a mediation or hearing judge during 2015. In all, 16,809 appearances before judges were included in the database, consisting of 6,524 attorneys, lay representatives, and paralegals, as well as 10,213 claimants and employers.¹ These databases, which were generated from computer records, provided the individual's name, their mailing address, and if available their e-mail address and the judge(s) before whom they appeared. Because thousands of these cases did not have an e-mail address associated with them, WSU staff supplemented the database by obtaining e-mail addresses for hundreds of attorneys from the Washington State Bar Association's electronic lawyer directory, and for lay representatives by telephoning businesses that handle third party claims administration directly.

The vast majority of the data collected for the BIIA JPE evaluation was gathered electronically using web based survey software. Attorneys, lay representatives, and paralegals were sent invitations via e-mail to evaluate judges before whom they appeared. The e-mail message contained a link to a web-based survey questionnaire for the individual to evaluate that particular judge. People who appeared before multiple judges received a separate e-mail providing them with a survey to evaluate each individual judge. Regardless of how many times a person may have appeared before a judge, individuals were allowed to evaluate each judge only one time. The responses to the survey were received via this secure web-based system, and made available for data entry and tabulation by WSU researchers.

BIIA JPE evaluation questionnaires were administered to attorneys, paralegals, and lay representatives during the Summer of 2016. The questionnaires were developed in cooperation with BIIA agency staff, and pre-tested to assure prima facie validity. In all, a total of 4,380 invitations to evaluate judges were distributed to attorneys, paralegals, and lay representatives. Based on these invitations, 1,489 evaluation questionnaires were completed (906 for hearing judges, 583 for mediation judges), yielding a theoretical estimated response rate of 34.0%.

¹While over 16,000 individual appearances were provided in the database, a significant portion of them were unusable. Several reasons account for this, including the fact that a company name was listed rather than an individual litigant in many instances. Similarly, in a number of cases a law firm, third party representative firm, corporation, or other generic identifier was listed rather than an individual who appeared at a hearing or mediation, thus precluding their inclusion in the evaluation.

This response rate represents a highly conservative estimate. Response rates are measured as the percent of people who received requests to complete surveys who returned completed surveys. With Internet-based surveys that are distributed via e-mail, an unknowable number of people who were sent surveys did not receive them, either due to spam blockers, firewalls, outdated e-mail addresses, or for other reasons. A true response rate would be calculated by dividing the number of responses by the number of people who actually received but did not complete surveys: individuals who never received the request would be excluded from this calculation. As the number of these individuals is not knowable, they were included in the response rate calculation reported here. As such, the response rates reported for mediation judges and hearing judges are surely lower (more conservative) estimates than an omnisciently calculated rate would be.

The evaluation focused upon the behavior-based measures recommended and centered around two sets of standards. General measures of judicial competencies were based largely on those contained in the ABA Guidelines. In addition to these factors, a number of items were included to measure key competencies expected of Industrial Insurance Appeals Judges as set out in the Board's September 2005 Performance Expectations for Industrial Insurance Appeals Judges. Specifically, evaluators were asked to rate the performance of each judge before whom they appeared under multiple criteria, which fall loosely into five categories: legal ability, integrity and impartiality, communication, professionalism, and administrative skills. As the specific performance expectations and skills required for mediation and hearing judges are not identical, slightly different criteria were used for judges conducting mediations versus those conducting adversarial hearings. The specific criteria used in the evaluation for each type of judge, which were arrived at in conjunction with the BIIA Judicial Survey Committee, are presented in Tables 1 and 2.²

After establishing the performance criteria on which the judges would be evaluated, questionnaires were developed to collect information measuring agency client perceptions of these items. The questionnaires asked individuals who had appeared at a hearing or mediation in front of a judge to rate the judge's performance with respect to each criterion using the following scale:

Excellent	5
Very Good	4
Acceptable	3
Poor	2
Unacceptable	1

In addition to questions regarding the judge's performance, several other categories of information were also collected. First, respondents were asked questions regarding the general nature of their appearances before the judge being evaluated. Specifically respondents were asked in what capacity they appeared before the judge, as well as their perception of the level of success.

² Copies of the survey questionnaires used in the evaluation are presented in Appendix A.

Table 1 Criteria for Evaluating Hearing Judges [Attorneys, Paralegals, Lay Representatives]

Category	Criteria
LEGAL ABILITY	<p>Exercised necessary legal reasoning ability.</p> <p>Understood the relevant substantive law.</p> <p>Understood the relevant rules of procedure and evidence.</p>
INTEGRITY AND IMPARTIALITY	<p>Avoided impropriety and the appearance of impropriety.</p> <p>Maintained a neutral presence.</p> <p>Permitted all parties to be heard and present their case.</p> <p>Conducted proceedings in a manner promoting public confidence in the integrity & impartiality of the industrial appeals system.</p> <p>Refrained from inappropriate ex parte communication.</p> <p>Based decisions on the law and facts without regard to the identity of the parties or counsel.</p> <p>Acted without favor or disfavor toward anyone based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.</p> <p>Acted without favor or disfavor toward anyone, based on their representation of an employer, a worker, the state, or any other interest.</p>
COMMUNICATION	<p>Used clear and logical oral communication during proceedings.</p> <p>Acted decisively throughout proceedings.</p> <p>Prepared clear and logical written decisions and orders.</p>
PROFESSIONALISM	<p>Treated people with courtesy and respect.</p> <p>Was attentive to proceedings.</p> <p>Acted with patience and self-control.</p> <p>Promoted a sense of fairness.</p>
ADMINISTRATIVE SKILLS	<p>Displayed common sense.</p> <p>Started proceedings on time.</p> <p>Was prepared for hearings and conferences.</p> <p>Maintained control over the proceedings.</p> <p>Appropriately enforced rules and orders.</p> <p>Appropriately enforced deadlines.</p> <p>Prepared orders in a timely manner.</p> <p>Managed the proceedings efficiently.</p>

Table 2 Criteria for Evaluating Mediation Judges [Attorneys, Paralegals, Lay Representatives]

Category	Criteria
LEGAL ABILITY	<p>Exercised necessary legal reasoning ability.</p> <p>Understood the relevant substantive law.</p> <p>Understood the relevant rules of procedure and evidence.</p>
INTEGRITY AND IMPARTIALITY	<p>Avoided impropriety and the appearance of impropriety.</p> <p>Maintained a neutral presence.</p> <p>Permitted all parties to be heard and present their case.</p> <p>Conducted proceedings in a manner promoting public confidence in the integrity & impartiality of the industrial appeals system.</p> <p>Refrained from inappropriate ex parte communication.</p> <p>Based decisions on the law and facts without regard to the identity of the parties or counsel.</p> <p>Acted without favor or disfavor toward anyone based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.</p> <p>Acted without favor or disfavor toward anyone, based on their representation of an employer, a worker, the state, or any other interest.</p>
COMMUNICATION	<p>Used clear and logical oral communication during the mediation.</p> <p>Adequately facilitated communication between the parties.</p> <p>The agreement (if one was obtained) was written clearly and accurately reflected what transpired.</p> <p>Returned messages and correspondence in a reasonably prompt manner.</p>
PROFESSIONALISM	<p>Treated people with courtesy and respect.</p> <p>Was attentive during mediation.</p> <p>Acted with patience and self-control.</p> <p>Promoted a sense of fairness.</p>
ADMINISTRATIVE SKILLS	<p>Displayed common sense.</p> <p>Started proceedings on time.</p> <p>Was prepared for hearings and conferences.</p> <p>Maintained control over the proceedings.</p> <p>Helped parties identify the issues in the dispute.</p> <p>Helped participants understand each other's position.</p> <p>Prepared written orders in a timely manner.</p>

Took reasonable and appropriate steps to encourage settlement.

Attorneys, lay representatives, and paralegals were asked to provide general information about the type of client they represented, the type of organization for which they work, and whether they are an attorney, paralegal, or lay representative.

Litigants were asked about their level of satisfaction with the outcome of the case. Additionally, litigants evaluating a mediation judge were asked about the helpfulness of the mediation process and the number of issues that were resolved³.

The final category of supplemental information collected involved soliciting narrative comments from the BIIA JPE survey respondents. In judicial performance evaluations often the most telling and beneficial information is obtained from specific comments supplied by evaluators. Written comments get beyond quantitative measures, and frequently provide an important qualitative sense of a judge's performance concerning specific areas of concern.

To facilitate collection of narrative comments, at the end of the BIIA JPE survey questionnaire, respondents were invited to record their comments by this statement:

Please provide any additional comments or details related to either the items raised in this questionnaire or the judge's performance in the space below. Additionally, feel free to describe the strengths and weaknesses of the judge.

Comments provided by respondents for each judge, which have been redacted to remove identifying information, are included in the individual judge reports located in Appendix B.

AGGREGATE DESCRIPTION OF ATTORNEY, PARALEGAL, AND LAY REPRESENTATIVE RESPONDENTS

As discussed above, the evaluation questionnaire asked attorneys, paralegals, and lay representatives to provide information about themselves and the role they played in the BIIA proceeding in question. Characteristics of the respondents for each judge are included in the results reported for those individual judges in Appendix B. The characteristics, in aggregate, of the respondents participating in the evaluation are listed below in Tables 3 through 7.

Table 3 Description of Client Represented by Respondent

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
Injured Worker	394	45.2	210	36.7
Employer	166	19.0	158	27.6
Labor and Industries	299	34.3	193	33.7
Other	13	1.5	11	1.9

³ Due to the fact that no judge was evaluated by more than four litigants thereby precluding meaningful measures at the individual judge level, only aggregate results from the litigant evaluations are presented in this report. That being said, the individual judge reports presented in Appendix B includes hand written comments for individual judges submitted by litigants.

Table 4 Work Setting

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
Attorney General's Office	285	32.5	184	32.9
In House Corporate Counsel	7	0.8	3	0.5
Private Practice	534	61.0	324	58.0
Other	50	5.7	48	8.6

Table 5 Respondent Professional Job Description

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
Attorney	798	91.7	414	73.5
Paralegal	44	5.1	126	22.4
Lay Representative	2	0.2	11	2.0
Others	26	3.0	12	2.1

Table 6 Employees Employed by Respondent's Firm

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
Sole Practitioner	105	13.5	59	14.6
2-5 Attorneys	239	30.8	154	38.1
6-10 Attorneys	124	16.0	56	13.9
11-20 Attorneys	20	2.6	26	5.4
20 or more Attorneys	288	37.1	109	27.0

Table 7 Practitioner's Time as Practicing Attorney

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
2 or Fewer Years	51	6.5	13	3.2
3-5 Years	42	5.4	19	4.7
6-10 Years	59	7.5	38	9.4
More than 10 Years	631	80.6	334	82.7

In addition to requesting that BIIA JPE survey respondents provide information regarding their professional background characteristics and role played in mediations and hearings, the questionnaire also asked about the perceived level of success achieved in cases brought before the judge under evaluation. The aggregate responses for this item is presented in Table 8 below.

Table 8 Respondent Perceived Level of Success Before Judge

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
Very Unsuccessful	74	8.7	59	10.4
Somewhat Unsuccessful	105	12.4	22	3.9
Neither	309	36.4	206	36.1
Somewhat Successful	314	36.9	199	34.9
Very Successful	48	5.6	84	14.7

Table 9 Hispanic Origin by Respondent

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
Yes	63	7.6%	32	6.2%
No	771	99.1%	487	93.8%

Table 10 Racial Background by Respondent

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
White	728	94.1%	449	92.6%
Black or African American	0	0.0%	1	0.2%
American Indian or Alaskan Native	0	0.0%	1	0.2%
Asian	9	1.2%	9	1.9%
Native Hawaiian or Pacific Islander	3	0.4%	3	0.6%
Multiracial	22	2.8%	6	1.2%
Other	24	3.0%	16	3.3%

Table 11 Gender by Respondent

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
Male	485	60.1%	275	55.4%
Female	322	39.9%	221	44.6%

AGGREGATE ATTORNEY, LAY REPRESENTATIVE , AND PARALEGAL EVALUATION RESULTS

For each of the criteria used in the evaluation, behavior-based questions were asked for which there were five possible substantive responses: unacceptable, poor, acceptable, very good, and excellent. Additionally, attorneys were asked to answer “don’t know” for questions which they did not have sufficient first-hand knowledge to provide an assessment. To foster usability of the results, numerical

values were assigned to each evaluative rating and are the basis for the average ratings achieved for each question in the evaluation.

Table 12 Attorney, Paralegal, and Lay Representative Responses (Hearing Judges)

	Item Average	Category Average	Unacceptable	Poor	Acceptable	Very Good	Excellent
LEGAL ABILITY		3.97					
Exercised necessary legal reasoning ability.	3.93		3.2%	10.2%	17.4%	29.2%	40.0%
Understood the relevant substantive law.	3.97		2.2%	9.9%	19.0%	26.1%	42.8%
Understood the relevant rules of procedure and evidence.	4.04		2.5%	8.2%	16.3%	28.7%	44.2%
INTEGRITY AND IMPARTIALITY		4.18					
Avoided impropriety and the appearance of impropriety.	4.23		3.3%	5.1%	11.5%	25.6%	53.8%
Maintained a neutral presence.	4.15		3.9%	4.7%	14.6%	26.7%	50.2%
Permitted all parties to be heard and present their case.	4.19		4.1%	4.6%	13.6%	23.8%	54.0%
Conducted proceedings in a manner promoting public confidence in the integrity & impartiality of the industrial appeals system.	4.07		5.6%	7.1%	11.7%	25.4%	50.1%
Refrained from inappropriate ex parte communication.	4.44		0.7%	2.3%	10.1%	25.8%	61.1%
Based decisions on the law and facts without regard to the identity of the parties or counsel.	3.98		6.1%	9.0%	13.2%	24.1%	47.6%
Acted without favor or disfavor toward anyone based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.	4.45		1.8%	2.3%	11.1%	18.5%	66.3%
Acted without favor or disfavor toward anyone, based on their representation of an employer, a worker, the state, or any other interest.	4.16		4.4%	7.1%	10.9%	22.6%	54.9%
COMMUNICATION		4.01					
Used clear and logical oral communication during proceedings.	4.14		1.1%	6.3%	16.8%	29.2%	46.6%
Acted decisively throughout proceedings.	4.03		2.6%	4.8%	21.5%	28.6%	42.4%
Prepared clear and logical written decisions and orders.	3.89		4.7%	8.1%	20.4%	27.7%	39.1%

	Item Average	Category Average	Unacceptable	Poor	Acceptable	Very Good	Excellent
PROFESSIONALISM		4.23					
Treated people with courtesy and respect.	4.27		3.8%	4.9%	9.5%	24.3%	57.5%
Was attentive to proceedings.	4.40		0.6%	2.1%	12.7%	26.3%	58.4%
Acted with patience and self-control.	4.19		4.0%	5.1%	11.2%	26.9%	52.7%
Promoted a sense of fairness.	4.07		6.1%	6.0%	12.7%	25.1%	50.1%
ADMINISTRATIVE SKILLS		4.19					
Displayed common sense.	4.04		3.5%	8.2%	15.7%	26.2%	46.3%
Started proceedings on time.	4.38		0.3%	1.7%	14.6%	26.0%	57.4%
Was prepared for hearings and conferences.	4.36		0.2%	2.5%	14.8%	26.6%	56.0%
Maintained control over the proceedings.	4.28		1.3%	1.3%	18.0%	26.9%	52.5%
Appropriately enforced rules and orders.	4.08		3.7%	5.6%	17.7%	25.1%	47.8%
Appropriately enforced deadlines.	4.14		2.6%	3.1%	19.3%	27.6%	47.4%
Prepared orders in a timely manner.	4.13		1.7%	2.2%	22.5%	28.8%	44.9%
Managed the proceedings efficiently.	4.19		2.7%	3.7%	16.2%	26.5%	50.9%

Table 13 Attorney, Paralegal, and Lay Representative Responses (Mediation Judges)

	Item Average	Category Average	Unacceptable	Poor	Acceptable	Very Good	Excellent
LEGAL ABILITY		4.33					
Exercised necessary legal reasoning ability.	4.43		0.7%	2.8%	10.7%	33.3%	52.6%
Understood the relevant substantive law.	4.33		0.7%	2.8%	10.4%	34.9%	51.2%
Understood the relevant rules of procedure and evidence.	4.33		0.9%	1.2%	11.2%	37.1%	49.6%
INTEGRITY AND IMPARTIALITY		4.41					
Avoided impropriety and the appearance of impropriety.	4.42		1.6%	2.2%	9.2%	26.6%	60.4%
Maintained a neutral presence.	4.28		3.8%	3.3%	10.7%	25.4%	56.7%
Permitted all parties to be heard.	4.43		1.2%	3.3%	8.8%	24.5%	62.2%
Conducted mediation proceedings in a manner that promotes public confidence in the integrity and impartiality of the industrial appeals system.	4.41		2.8%	2.8%	5.9%	27.5%	61.0%
Acted without favor or disfavor toward anyone based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.	4.58		0.4%	0.7%	8.1%	22.0%	68.8%
Acted without favor or disfavor toward anyone, based on their representation of an employer, a worker, the state, or any other interest.	4.42		2.4%	3.1%	7.7%	23.7%	63.1%
COMMUNICATION		4.36					
Used clear and logical oral communication during the mediation.	4.38		0.9%	1.4%	11.5%	31.0%	55.3%
Adequately facilitated communication between the parties.	4.30		1.2%	3.5%	12.8%	28.9%	53.6%
The agreement (if one was obtained) was written clearly and accurately reflected what transpired.	4.41		0.7%	1.6%	10.5%	31.0%	56.3%
Returned messages and correspondence in a reasonably prompt manner.	4.43		0.6%	0.4%	11.6%	30.2%	57.2%

	Item Average	Category Average	Unacceptable	Poor	Acceptable	Very Good	Excellent
PROFESSIONALISM		4.45					
Treated people with courtesy and respect.	4.52		1.9%	1.0%	8.8%	19.6%	68.6%
Was attentive during the mediation.	4.50		1.2%	1.1%	9.8%	22.6%	65.3%
Acted with patience and self-control.	4.45		1.9%	3.0%	7.5%	24.0%	63.7%
Promoted a sense of fairness.	4.38		2.8%	1.9%	8.7%	28.1%	58.6%
ADMINISTRATIVE SKILLS		4.37					
Displayed common sense.	4.41		1.6%	3.5%	7.8%	26.9%	60.3%
Started proceedings on time.	4.45		0.5%	1.4%	9.5%	30.0%	58.6%
Was prepared for proceedings.	4.45		0.5%	1.3%	10.6%	27.6%	59.9%
Maintained control over the proceedings.	4.39		1.2%	1.1%	11.4%	30.3%	56.0%
Helped parties identify the issues in dispute.	4.34		1.4%	2.7%	11.4%	28.9%	55.6%
Helped participants understand each other's position.	4.33		0.9%	3.8%	11.0%	30.3%	54.0%
Prepared written orders in a timely manner.	4.42		0.6%	2.0%	10.4%	28.7%	58.3%
Took reasonable and appropriate steps to encourage settlement.	4.29		2.2%	2.2%	13.3%	29.5%	52.8%

SUMMARY OF RESULTS FOR INDIVIDUAL JUDGES

Tables 14 and 15 present the average rating obtained by each BIIA judge for the five substantive categories. Specific ratings received by judges for each question can be found in the individual report prepared for the judges located in Appendix B.

Table 14 Average Ratings for Hearing Judges

	Responses	Legal Ability	Integrity & Impartiality	Communication	Professionalism	Administrative Skills
L. Birnbaum	16	3.14	3.53	2.91	3.55	3.08
H. Bolong	20	3.83	4.49	3.96	4.38	4.28
R. Bolong	17	3.29	4.08	3.25	4.32	3.46
B. Bono	18	2.89	3.18	3.12	2.82	3.18
A. Booker-Hay	12	3.67	4.08	4.00	4.17	3.82
C. Cicierski	17	4.37	4.48	4.16	4.37	4.48
S. Dannen	20	4.20	4.33	4.03	4.15	4.39
D. Emmingham	30	4.31	4.41	4.43	4.45	4.48
J. Fairley	33	4.39	4.56	4.24	4.43	4.69
A. Gil	34	3.96	4.34	4.08	4.41	4.24
W. Gilbert	58	3.63	3.54	3.70	3.40	3.81
R. Hansen	17	4.76	4.77	4.67	4.71	4.63
M. Harada	24	4.06	4.41	4.24	4.54	4.42
J. Hickman	22	4.36	4.46	4.45	4.63	4.47
D. Jinhong	40	4.58	4.68	4.56	4.74	4.57
D. Johnson	12	4.11	4.44	4.22	4.38	4.61
T. Kalenius	44	4.11	4.43	4.09	4.64	4.31
H. Kessler	22	4.67	4.78	4.63	4.89	4.72
M. Metzger	28	4.21	4.35	4.13	4.18	4.43
C. Molchior	30	3.57	3.70	3.62	3.33	3.64
W. A. Myers	20	3.22	3.57	3.45	3.73	3.69
J. O'Connell	28	4.86	4.78	4.81	4.82	4.75
D. Redford	12	4.33	5.00	4.33	5.00	4.94
K. Redman	19	4.15	4.56	4.35	4.64	4.41
B. Ridley	21	4.10	4.22	4.00	4.50	4.32
M. Ryan	12	4.00	4.00	4.11	4.00	4.00
M. Schwartz	20	2.93	3.35	3.27	3.30	3.49
M. Sheeran	26	3.03	3.24	3.51	3.19	3.34
J. Sohng	12	3.33	4.48	4.40	4.92	4.54
C. Stewart	30	4.23	4.21	4.23	4.33	4.41
K. Stockman	40	4.07	4.25	3.77	4.43	4.17
W. Strange	18	3.44	3.83	3.67	4.00	4.00
S. Straume	24	3.75	4.33	3.76	4.31	4.15
M. Taylor	28	4.25	4.37	4.38	4.35	4.15
A. Torem	22	4.15	4.28	4.15	4.34	4.25
T. Wakenshaw	28	4.62	4.81	4.69	4.89	4.86
S. Yeager	32	3.44	3.69	3.09	3.94	3.82
OVERALL	906	3.98	4.21	4.02	3.94	4.20

Table 15 Average Ratings for Mediation Judges

	Responses	Legal Ability	Integrity & Impartiality	Communication	Professionalism	Administrative Skills
T. Blood	34	3.48	3.47	3.76	3.52	3.53
J. Burkhardt	38	4.44	4.75	4.44	4.66	4.57
Z. Caner	32	4.17	4.44	4.30	4.52	4.29
C. Carlson	23	4.16	4.36	4.16	4.39	4.17
S. F. Feller	20	4.33	4.30	4.32	4.31	4.24
J. Gillian	32	4.35	4.70	4.30	4.50	4.42
J. Grant	32	4.75	4.94	4.88	4.94	4.93
L. Hanson	40	4.62	4.69	4.53	4.77	4.63
J. Klayman	27	4.40	3.83	3.91	3.67	4.00
K. Klohe	48	3.87	4.11	4.32	4.27	4.13
R. Lamb	32	4.67	4.94	4.66	4.88	4.78
A. McIntosh	21	4.62	4.17	4.42	4.46	4.57
R. Milholland	33	4.16	4.35	4.18	4.45	4.13
R. Raymond, Jr.	42	4.43	4.45	4.50	4.48	4.50
R. Rekasis	47	4.71	4.75	4.76	4.84	4.82
D. Swan	52	4.56	4.56	4.55	4.64	4.55
R. G. Thorson	30	3.87	3.90	3.87	4.05	3.90
Total	583	4.34	4.42	4.38	4.46	4.38

LITIGANT EVALUATIONS

In addition to having the BIIA judges evaluated by individuals appearing in a representative capacity, input regarding judicial performance was also obtained from employers and litigants who appeared before a judge. The BIIA provided WSU researchers with a list of litigants who appeared before a judge during 2015. The list provided by the agency contained information about the judge before whom these individuals appeared, and well as the mailing address that was part of the BIIA records. In all, such information was provided for 10,243 litigant and employer appearances before the court. From this sample, a total of unique individuals were identified and mailed surveys to evaluate the judges before whom they appeared in 2015. A total of 132 completed evaluations were returned; consisting of 58 for hearing judges and 74 for mediation judges. As with the attorney BIIA JPE evaluations, the litigant evaluations focused upon behavior-based measures. Given the nature of their role in the system and their lack of legal training, litigants were not asked to evaluate judges on their legal ability but rather on criteria within the knowledge and experience of the typical litigant. Measures used are presented in Tables 16 and 17

Table 16 Criteria for Evaluating Hearing Judges

Category	Criteria
INTEGRITY AND IMPARTIALITY	<p>Avoided impropriety and the appearance of impropriety.</p> <p>Maintained a neutral presence.</p> <p>Permitted all parties to be heard and present their case.</p> <p>Conducted proceedings in a manner promoting public confidence in the integrity & impartiality of the industrial appeals system.</p> <p>Acted without favor or disfavor toward anyone based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.</p> <p>Acted without favor or disfavor toward anyone, based on their representation of an employer, a worker, the state, or any other interest.</p>
COMMUNICATION	<p>Used clear and logical oral communication during proceedings.</p> <p>Acted decisively throughout proceedings.</p> <p>Prepared clear and logical written decisions and orders.</p> <p>Returned messages and correspondence in a reasonably prompt manner.</p>
PROFESSIONALISM	<p>Treated people with courtesy and respect.</p> <p>Was attentive to proceedings.</p> <p>Acted with patience and self-control.</p> <p>Promoted a sense of fairness.</p>
ADMINISTRATIVE SKILLS	<p>Displayed common sense.</p> <p>Started proceedings on time.</p> <p>Was prepared for hearings and conferences.</p> <p>Maintained control over the proceedings.</p> <p>Appropriately enforced rules and orders.</p> <p>Appropriately enforced deadlines.</p> <p>Prepared orders in a timely manner.</p> <p>Managed the proceedings efficiently.</p>

Table 17 Criteria for Evaluating Mediation Judges

Category	Criteria
INTEGRITY AND IMPARTIALITY	<p>Avoided impropriety and the appearance of impropriety.</p> <p>Maintained a neutral presence.</p> <p>Permitted all parties to be heard and present their case.</p> <p>Conducted proceedings in a manner promoting public confidence in the integrity & impartiality of the industrial appeals system.</p> <p>Acted without favor or disfavor toward anyone based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.</p> <p>Acted without favor or disfavor toward anyone, based on their representation of an employer, a worker, the state, or any other interest.</p>
COMMUNICATION	<p>Used clear and logical oral communication during the mediation.</p> <p>Adequately facilitated communication between the parties.</p> <p>The agreement (if one was obtained) was written clearly and accurately reflected what transpired.</p> <p>Returned messages and correspondence in a reasonably prompt manner.</p> <p>Had sufficient communication with you prior to mediation conferences.</p>
PROFESSIONALISM	<p>Treated people with courtesy and respect.</p> <p>Was attentive during mediation.</p> <p>Acted with patience and self-control.</p> <p>Promoted a sense of fairness.</p>
ADMINISTRATIVE SKILLS	<p>Displayed common sense.</p> <p>Started proceedings on time.</p> <p>Was prepared for hearings and conferences.</p> <p>Maintained control over the proceedings.</p> <p>Helped parties identify the issues in dispute.</p> <p>Helped participants understand each other’s position.</p> <p>Prepared written orders in a timely manner.</p> <p>Took reasonable and appropriate steps to encourage settlement.</p>

AGGREGATE DESCRIPTION OF LITIGANT RESPONDENTS AND SUMMARY OF RESULTS

Litigants were asked to provide their position in the case as well as their perception of the overall experience. Additionally, litigants who evaluated mediation judges were also asked about the helpfulness of the mediation process. Aggregate responses are presented below in Tables 18 through 20. Aggregated results for litigant responses to evaluation criteria are presented in Tables 21 and 22.

Table 18 Description of Litigant

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
Injured Worker	57	98.3%	69	93.2%
Employer	1	1.7%	5	6.8%

Table 19 Litigant Overall Satisfaction with Hearing / Mediation Outcome

	Hearing Judges		Mediation Judges	
	Number	Percent	Number	Percent
Very Satisfied	27	47.4%	21	30.4%
Somewhat Satisfied	8	14%	10	14.5%
Neither	4	7%	8	11.6%
Somewhat Dissatisfied	1	1.8%	6	8.7%
Very Dissatisfied	17	29.8%	24	34.8%

Table 20 Helpfulness of Mediation Process

	Number	Percent
Very Helpful	31	30.6%
Somewhat Helpful	12	19.4%
Not Helpful	19	50%

Table 21 Hearing Judges Litigant Responses

	Item Average	Category Average	Unacceptable	Poor	Acceptable	Very Good	Excellent
INTEGRITY AND IMPARTIALITY		3.83					
Avoided impropriety and the appearance of impropriety.	4.0		8.2%	10.2%	12.2%	12.2%	57.1%
Maintained a neutral presence.	3.8		12.7%	7.3%	18.2%	10.9%	50.9%
Permitted all parties to be heard and present their case.	3.87		10.7%	8.9%	16.1%	10.7%	53.6%
Conducted proceedings in a manner that promotes public confidence in the integrity and impartiality of the industrial appeals system.	3.73		16.1%	7.1%	16.1%	8.9%	51.8%
Acted without favor or disfavor toward anyone, based on their representation of an employer, a worker, the state, or any other interest.	3.73		16.1%	10.7%	10.7%	8.9%	53.6%
COMMUNICATION		3.85					
Used clear and logical oral communication during proceedings.	4.04		7.3%	3.6%	20%	16.4%	52.7%
Acted decisively throughout proceedings.	3.91		8.9%	5.4%	17.9%	21.4%	46.4%
Prepared clear and logical written decisions and orders.	3.67		13.7%	13.7%	9.8%	17.6%	45.1%
Returned messages and correspondence in a reasonably prompt manner.	3.76		7.3%	12.2%	17.1%	24.4%	39%
PROFESSIONALISM		4.09					
Treated people with courtesy and respect.	4.15		9.1%	5.5%	10.9%	10.9%	63.6%
Was attentive to proceedings.	4.18		7.3%	5.5%	12.7%	10.9%	63.6%
Acted with patience and self-control.	4.2		7.3%	7.3%	10.9%	7.3%	67.3%
Promoted a sense of fairness.	3.82		12.5%	14.3%	8.9%	7.1%	57.1%
ADMINISTRATIVE SKILLS		4.06					
Displayed common sense.	3.91		10.9%	9.1%	16.4%	5.5%	58.2%
Started proceedings on time.	4.18		1.8%	3.6%	25.5%	12.7%	56.4%
Was prepared for hearings and conferences.	4.2		5.5%	5.5%	16.4%	9.1%	63.6%
Maintained control over the proceedings.	4.27		3.6%	3.6%	16.4%	14.5%	61.8%
Appropriately enforced rules and orders.	4.05		9.1%	1.8%	20	12.7%	56.4%
Appropriately enforced deadlines.	3.96		7.7%	7.7%	17.3%	15.4%	51.9%
Prepared orders in a timely manner.	3.9		10%	6%	16%	18%	48%
Managed the proceedings efficiently.	4.04		11.3%	3.8%	17%	5.7%	62.3%

Table 22 Mediation Judges Litigant Responses

	Item Average	Category Average	Unacceptable	Poor	Acceptable	Very Good	Excellent
INTEGRITY AND IMPARTIALITY		3.72					
Avoided impropriety and the appearance of impropriety.	3.73						
Maintained a neutral presence.	3.64		14.9%	11.9%	10.4%	19.4%	43.3%
Permitted all parties to be heard and present their case.	4.0		6.0%	10.4%	10.4%	23.9%	49.3%
Conducted mediation in a manner that promotes public confidence in the integrity and impartiality of the industrial appeals system.	3.62		20.0%	7.7%	6.2%	23.1%	43.1%
Acted without favor or disfavor toward anyone, based on their representation of an employer, a worker, the state, or any other interest.	3.6		20.9%	7.5%	9.0%	16.4%	46.3%
COMMUNICATION							
Used clear and logical oral communication during proceedings.	4.19	3.70	4.7%	1.6%	21.9%	14.1%	57.8%
Adequately facilitated communication between the parties.	3.91		9.2%	6.2%	15.4%	23.1%	46.2%
The agreement (if one was obtained) was written clearly and accurately reflected what transpired.	3.48		22.2%	7.4%	13.0%	14.8%	42.6%
Returned messages and correspondence in a reasonably prompt manner.	3.62		12.0%	12.0%	18.0%	18.0%	40.0%
Had sufficient communication with you prior to mediation conferences.	3.28		26.7%	3.3%	18.3%	18.3%	33.3%
PROFESSIONALISM		4.04					
Treated people with courtesy and respect.	4.17		7.6%	6.1%	10.6%	13.6%	62.1%
Was attentive to mediation.	4.03		4.6%	13.8%	12.3%	12.3%	56.9%
Acted with patience and self-control.	4.21		4.8%	4.8%	15.9%	14.3%	60.3%
Promoted a sense of fairness.	3.73		20.3%	7.8%	4.7%	12.5%	54.7%
ADMINISTRATIVE SKILLS		3.85					
Displayed common sense.	3.97		13.6%	4.5%	9.1%	16.7%	56.1%
Started proceedings on time.	4.22		6.0%	4.5%	9.0%	22.4%	58.2%
Was prepared for hearings and conferences.	4.03		10.6%	4.5%	10.6%	19.7%	54.5%
Appropriately enforced rules and orders.	3.68		17.7%	9.7%	8.1%	16.1%	48.4%
Maintained control over the proceedings.	4.22		7.8%	1.6%	10.9%	20.3%	59.4%
Helped parties identify the issues in dispute.	3.68		13.6%	4.5%	14.1%	11.7%	56.1%
Helped participants understand each other's position.	3.55		19.4%	9.7%	8.1%	22.6%	40.3%
Prepared written orders in a timely manner.	3.74		13.8%	3.4%	17.2%	25.9%	39.7%
Took reasonable and appropriate steps to encourage settlement.	3.54		24.6%	5.3%	7.0%	17.5%	45.6%

COMPARISONS BETWEEN 2009 AND 2013 EVALUATIONS

Overall, the results obtained in the 2009, 2013, and 2016 judicial performance evaluations are similar. (see Tables 23 and 24 below). The largest difference was in the number of evaluations completed by litigants and the corresponding increase in the number of comments that were provided. This is likely due to improved address maintenance for individuals who appeared before the court.

Substantively, there were small shifts in the aggregate scores obtained by each type of judge. The ratings for hearing and mediation judges were down slightly in 2016. These differences are insignificant and not an indication of overall performance, which remains excellent .

Table 25 presents the ratings obtained for the judges who were evaluated in 2009, 2013, and 2016. While there was some inevitable fluctuation in specific average ratings received by each judge. Overall, the ratings received stayed relatively consistent. It should be noted that while most judges worked in either mediations or hearings for each evaluation period, several switched between evaluations. For the seven judges who changed roles in the system, the role for each evaluation period is denoted next to the judge’s name, from oldest, 2009 to most recent 2016 (H= Hearings IAJ M=Mediation IAJ).

Table 23 Total Respondents

	2009	2013	2016
Attorney, Paralegal, & Lay Reps	1,875	1,725	1,489
Litigants	189	688	132

Table 24 Ratings by Attorneys, Paralegals, & Lay Representatives

	Hearing Judges			Mediation Judges		
	2009	2013	2016	2009	2013	2016
Legal Ability	4.10	4.01	3.97	4.44	4.44	4.33
Integrity And Impartiality	4.31	4.25	4.01	4.42	4.59	4.41
Communication	4.20	4.06	4.23	4.46	4.50	4.36
Professionalism	4.35	4.28	4.18	4.42	4.62	4.45
Administrative Skills	4.27	4.22	4.19	4.40	4.48	4.37

Table 25 Rating Comparison Between 2009 , 2013 and 2016 Evaluations

	Legal Ability			Integrity & Impartiality			Communication			Professionalism			Administrative Skills		
	2009	2013	2016	2009	2013	2016	2009	2013	2016	2009	2013	2016	2009	2013	2016
Blood (-HM)		3.15	3.48		3.49	3.47		3.58	3.76		3.52	3.52		3.75	3.53
Burkhardt (HMM)	4.20	4.30	4.44	4.59	4.56	4.75	4.27	4.43	4.44	4.59	4.57	4.66	4.35	4.44	4.57
Caner (HMM)	3.17	4.22	4.17	3.52	4.40	4.44	4.00	4.25	4.30	4.08	4.50	4.52	3.74	4.27	4.29
Cicierski		4.35	4.37		4.53	4.48		4.48	4.16		4.66	4.37		4.51	4.48
Dannen		3.96	4.20		4.43	4.33		4.27	4.03		4.60	4.15		4.36	4.39
Emmingham		4.27	4.31		4.37	4.41		4.38	4.43		4.35	4.45		4.40	4.48
Fairley	4.13	4.43	4.39	4.11	3.83	4.56	4.13	4.11	4.24	4.07	3.73	4.43	4.28	4.20	4.69
Feller	4.72	4.35	4.33	4.78	4.39	4.30	4.77	4.38	4.32	4.76	4.48	4.31	4.73	4.40	4.24
Gil		3.79	3.96		4.25	4.34		3.89	4.08		4.33	4.41		4.27	4.24
Gilbert		3.72	3.63		3.94	3.54		3.90	3.70		3.62	3.40		3.90	3.81
Gilligan (HMM)	4.36	4.27	4.35	4.71	4.54	4.70	4.52	4.37	4.30	4.69	4.55	4.50	4.45	4.40	4.42
Grant (HMM)	4.33	4.55	4.75	4.80	4.98	4.94	4.49	4.83	4.88	4.75	4.96	4.94	4.59	4.67	4.93
Hansen	4.26	4.73	4.76	4.49	4.82	4.77	4.34	4.70	4.67	4.45	4.83	4.71	4.34	4.73	4.63
Hanson	4.69	4.46	4.62	4.71	4.48	4.69	4.69	4.53	4.53	4.68	4.58	4.77	4.70	4.50	4.63
Harada	4.33	4.17	4.06	4.48	4.31	4.41	4.37	4.14	4.24	4.50	4.40	4.54	4.46	4.42	4.42
Hickman	4.17	4.60	4.36	4.40	4.79	4.46	4.21	4.55	4.45	4.58	4.93	4.63	4.39	4.71	4.47
Johnson	3.82	4.00	4.11	3.79	4.16	4.44	4.11	4.08	4.22	3.75	4.00	4.38	4.10	4.26	4.61
Kalenius	4.37	3.71	4.11	4.57	3.99	4.43	4.25	3.85	4.09	4.53	4.32	4.64	4.34	4.05	4.31
Klayman	4.65	4.50	4.40	4.59	4.45	3.83	4.51	4.43	3.91	4.48	4.47	3.67	4.50	4.52	4.00
Khloe (-HM)		3.41	3.87		4.40	4.11		3.85	4.32		4.47	4.27		4.15	4.13
Lamb	4.57	4.71	4.67	4.68	4.79	4.94	4.59	4.74	4.66	4.70	4.86	4.88	4.52	4.70	4.78

Table 25 Rating Comparison Between 2009 , 2013 and 2016 Evaluations cont.

	Legal Ability			Integrity & Impartiality			Communication			Professionalism			Administrative Skills		
	2009	2013	2016	2009	2013	2016	2009	2013	2016	2009	2013	2016	2009	2013	2016
McIntosh	4.59	4.26	4.62	4.30	3.97	4.17	4.46	4.16	4.42	4.08	4.05	4.46	3.74	4.14	4.57
Metzger	4.24	4.48	4.21	4.41	4.28	4.35	4.30	4.31	4.13	4.51	4.32	4.18	4.24	4.38	4.43
Milholland	4.33	4.17	4.16	4.44	4.42	4.35	4.60	4.34	4.18	4.07	4.49	4.45	4.28	4.30	4.13
Molchoir	4.30	4.33	3.57	4.44	4.56	3.70	4.24	4.39	3.62	4.76	4.57	3.33	4.73	4.50	3.64
O'Connell	4.10	4.19	4.86	4.44	4.14	4.78	4.26	4.22	4.81	4.63	4.22	4.82	4.43	4.29	4.75
Raymond (HHM)	3.81	3.90	4.43	4.19	4.51	4.45	3.88	4.19	4.50	4.69	4.48	4.48	4.45	4.22	4.50
Rekasis	4.85	4.79	4.71	4.90	4.79	4.75	4.85	4.75	4.76	4.75	4.84	4.84	4.59	4.69	4.82
Ridley	3.96	4.18	4.10	4.22	4.37	4.22	4.00	3.93	4.00	4.45	4.43	4.50	4.34	4.22	4.32
Stewart	4.31	4.28	4.23	4.41	4.48	4.21	4.46	4.53	4.23	4.50	4.50	4.33	4.46	4.61	4.41
Stockman	4.24	4.21	4.07	4.49	4.51	4.25	4.27	4.21	3.77	4.58	4.62	4.43	4.39	4.34	4.17
Strange	3.78	3.58	3.44	4.00	3.72	3.83	3.99	3.56	3.67	3.75	3.44	4.00	4.10	4.12	4.00
Straume	3.96	3.11	3.75	4.39	3.67	4.33	4.30	3.20	3.76	4.53	3.81	4.31	4.34	3.38	4.15
Swan	4.62	4.67	4.56	4.68	4.57	4.56	4.62	4.61	4.55	3.60	4.60	4.64	3.64	4.59	4.55
Taylor		3.90	4.25		4.40	4.37		4.05	4.38		4.52	4.35		4.24	4.15
Thorson	4.49	4.44	3.87	4.66	4.66	3.90	4.38	4.26	3.87	4.48	4.64	4.05	4.50	4.36	3.90
Wakenshaw	4.00	4.41	4.62	4.56	4.48	4.81	4.36	4.40	4.69	4.70	4.57	4.89	4.52	4.44	4.86
Yeager	4.00	4.21	3.44	4.35	4.31	3.69	3.92	4.32	3.09	3.54	4.46	3.94	3.95	4.16	3.82

CONCLUSION

As was the case in 2009 and 2013, it is clear from the findings presented herein that judges working in the BIIA as adversary hearings officers and mediators are doing an excellent job. All judges received generally high marks from those legal system professionals and lay citizens who come before them in the course of their work.

Since the data collected here – including the qualitative comments recorded by survey participants – will be made available to each individual judge, it is ultimately their judgment on the utility of the information collected that ought to be used to assess the overall value of the agency's JPE effort. If the agency staff and the individual BIIA judges find value in these findings, then it would likely be wise to plan for the periodic collection of such data as the BIIA continues to carry out its current duties and incorporates new challenges as they arise in the course of the agency's performance of its mission.

APPENDIX A
SURVEY INSTRUMENTS

Attorney Evaluation of Hearings Judge _____

Please answer the following questions about your **personal experience** with Judge _____ at the **Washington Board of Industrial Insurance Appeals**.

Please rate the judge’s performance, based on your own personal experience, using the following scale:

A Excellent B Very Good C Acceptable D Poor F Unacceptable

Please answer **Don’t Know/Does not Apply (“DK/DNA”)** for any items in which you lack sufficient information from your own observation to fairly and accurately rate the judge’s performance or items which do not apply to your interactions with the judge.

	A	B	C	D	F	DK/DNA
<u>Section 1: Legal Ability</u>						
a. Exercised necessary legal reasoning ability.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Understood the relevant substantive law.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Understood the relevant rules of procedure and evidence.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Section 2: Integrity and Impartiality</u>						
a. Avoided impropriety and the appearance of impropriety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Maintained a neutral presence.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Permitted all parties to be heard and present their case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Conducted proceedings in a manner that promotes public confidence in the integrity and impartiality of the industrial appeals system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Refrained from inappropriate <i>ex parte</i> communication.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Based decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Acted without favor or disfavor toward anyone based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Acted without favor or disfavor toward anyone, based on their representation of an employer, a worker, the state, or any other interest.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you believe the judge favored or disfavored a party as described above, please explain the nature of the bias in the space below.

A B C D F DK/DNA

Section 3: Communication

- | | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Used clear and logical oral communication during proceedings. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Acted decisively throughout proceedings. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Prepared clear and logical written decisions and orders. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Section 4: Professionalism and Temperament

- | | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Treated people with courtesy and respect. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Was attentive to proceedings. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Acted with patience and self-control. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Promoted a sense of fairness. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Section 5: Administrative Capacity

- | | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Displayed common sense. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Started proceedings on time. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Was prepared for hearings and conferences. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Maintained control over the proceedings. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Appropriately enforced rules and orders. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Appropriately enforced deadlines. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Prepared orders in a timely manner. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Managed the proceedings efficiently. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Ensured that the record of the proceedings was clear and complete. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Section 6: Background and Demographic Information

a. Which of the following best describes your client in this appeal(s)?

- INJURED WORKER
- EMPLOYER
- LABOR AND INDUSTRIES
- OTHER _____

b. Which of the following best describes your work setting?

- ATTORNEY GENERAL'S OFFICE
- IN-HOUSE CORPORATE COUNSEL
- PRIVATE PRACTICE
- OTHER (PLEASE SPECIFY) _____

c. Which of the following best describes your position in appearing before the judge?

- ATTORNEY
- PARALEGAL
- LAY REPRESENTATIVE
- OTHER (PLEASE SPECIFY) _____

d. How would you rate the level of success you have had before this judge during previous two years?

- VERY UNSUCCESSFUL
- SOMEWHAT UNSUCCESSFUL
- NEITHER SUCCESSFUL NOR UNSUCCESSFUL
- SOMEWHAT SUCCESSFUL
- VERY SUCCESSFUL

Comments

Please provide any additional comments or details related to either the items raised in this questionnaire or the judge's performance in the space below. Additionally, feel free to describe the strengths and weaknesses of the judge. (You may write on the back of this page or add additional pages if needed.)

Thank you very much for your time and effort.

Attorney Evaluation of Mediation Judge _____

Please answer the following questions about your **personal experience** with Judge _____ at the **Washington Board of Industrial Insurance Appeals**. The questionnaire will take 5-10 minutes to complete.

Your responses will be confidential.

Please rate the judge’s performance, based on your own personal experience, using the following scale:

A Excellent B Very Good C Acceptable D Poor F Unacceptable

Please answer **Don’t Know/Does not Apply (“DK/DNA”)** for any items in which you lack sufficient information from your own observation to fairly and accurately rate the judge’s performance or items which do not apply to your interactions with the judge.

	A	B	C	D	F	DK/DNA
<u>Section 1: Legal Ability</u>						
a. Exercised necessary legal reasoning ability.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Understood the relevant substantive law.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Understood the relevant rules of procedure and evidence.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Section 2: Integrity and Impartiality</u>						
a. Avoided impropriety and the appearance of impropriety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Maintained a neutral presence.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Permitted all parties to be heard.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Conducted mediation proceedings in a manner that promotes public confidence in the integrity and impartiality of the industrial insurance appeals system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Acted without favor or disfavor toward anyone based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Acted without favor or disfavor toward anyone, based on their representation of an employer, a worker, the state, or any other interest.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Section 3: Communication</u>						
a. Used clear and logical oral communication during the mediation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Adequately facilitated communication between the parties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	A	B	C	D	F	DK/DNA
c. The agreement (if one was obtained) was written clearly and accurately reflected what transpired.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Returned messages and correspondence in a reasonably prompt manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Section 4: Professionalism and Temperament</u>						
a. Treated people with courtesy and respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Was attentive during the mediation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Acted with patience and self-control.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Promoted a sense of fairness.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Section 5 Administrative Capacity</u>						
a. Displayed common sense.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Started proceedings on time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Was prepared for proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Maintained control over the proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Helped parties identify the issues in the dispute.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Helped participants understand each other's positions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Prepared written orders in a timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Took reasonable and appropriate steps to encourage settlement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 6: Background and Demographic Information

- a. Which of the following best describes your client in this appeal(s)?
- INJURED WORKER
 - EMPLOYER
 - LABOR AND INDUSTRIES
 - OTHER _____

b. Which of the following best describes your work setting?

- ATTORNEY GENERAL'S OFFICE
- IN-HOUSE CORPORATE COUNSEL
- PRIVATE PRACTICE
- OTHER (PLEASE SPECIFY) _____

c. Which of the following best describes your position in appearing before the judge?

- ATTORNEY
- PARALEGAL
- LAY REPRESENTATIVE
- OTHER (PLEASE SPECIFY) _____

d. How would you rate the level of success you have had before this judge during the previous two years?

- VERY UNSUCCESSFUL
- SOMEWHAT UNSUCCESSFUL
- NEITHER SUCCESSFUL NOR UNSUCCESSFUL
- SOMEWHAT SUCCESSFUL
- VERY SUCCESSFUL

Comments

Please provide any additional comments or details related to either the items raised in this questionnaire or the judge's performance in the space below. Additionally, feel free to describe the strengths and weaknesses of the judge. (You may write on the back of this page or add additional pages if needed.)

Thank you very much for your time and effort.

Litigant Evaluation of Hearings Judge _____

This survey asks questions about different aspects of your **personal experience** with Judge _____ at the **Washington Board of Industrial Insurance Appeals**. The questionnaire will take about 5-10 minutes to complete. The survey allows you to express your opinions and provide information about your experiences anonymously, and allows you to make comments and observations in your own words which will be held in confidence.

Please rate the judge’s performance, based on your own personal experience, using the following scale:

A Excellent B Very Good C Acceptable D Poor F Unacceptable

Please answer **Don’t Know/Does not Apply (“DK/DNA”)** for any items in which you lack sufficient information from your own observation to fairly and accurately rate the judge’s performance or items which do not apply to your interactions with the judge.

	A	B	C	D	F	DK/DNA
<u>Section 1: Integrity and Impartiality</u>						
a. Avoided impropriety and the appearance of impropriety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Maintained a neutral presence.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Permitted all parties to be heard and present their case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Conducted proceedings in a manner that promotes public confidence in the integrity and impartiality of the industrial insurance appeals system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Acted without favor or disfavor toward anyone based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Acted without favor or disfavor toward anyone, based on their status as an employer, a worker, the state, or any other interest.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Section 2: Communication</u>						
a. Used clear and logical oral communication during proceeding.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Acted decisively throughout proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Prepared clear and logical written decisions and orders.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Returned messages and correspondence in a reasonably prompt manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A B C D F DK/DNA

Section 3: Professionalism and Temperament

- | | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Treated people with courtesy and respect. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Was attentive to proceedings. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Acted with patience and self-control. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Promoted a sense of fairness. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Section 4: Administrative Capacity

- | | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Displayed common sense. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Started proceedings on time. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Was prepared for hearings and conferences. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Maintained control over the proceedings. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Appropriately enforced rules and orders. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Appropriately enforced deadlines. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Prepared orders in a timely manner. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Managed the proceedings efficiently. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

How satisfied are you with the outcome of the hearing?

- VERY SATISFIED
- SOMEWHAT SATISFIED
- NEITHER SATISFIED NOR DISSATISFIED
- SOMEWHAT DISSATISFIED
- VERY DISSATISFIED

Section 5: Background and Demographic Information

a. Which of the following best describes your position in this appeal?

- INJURED PARTY
- BUSINESS/INDUSTRY
- GOVERNMENTAL AGENCY
- OTHER _____

Comments

Please provide any additional comments, clarifications, or details related to either the items raised in this questionnaire or the judge's performance on the bench in the space below. Additionally, feel free to describe the strengths and weaknesses of the judge. (You may write on the back of this page or add additional pages if needed).

Thank you very much for your time and effort.

To return evaluation, please place it in the enclosed postage- paid envelope and place it in the US mail.

Litigant Evaluation of Mediation Judge _____

This survey asks questions about different aspects of your **personal experience** with Judge _____ at the **Washington Board of Industrial Insurance Appeals**. The questionnaire will take about 5-10 minutes to complete. The survey allows you to express your opinions and provide information about your experiences anonymously, and allows you to make comments and observations in your own words which will be held in confidence.

Please rate the judge’s performance, based on your own personal experience, using the following scale:

- A Excellent B Very Good C Acceptable D Poor F Unacceptable**

Please answer **Don’t Know/Does not Apply (“DK/DNA”)** for any items in which you lack sufficient information from your own observation to fairly and accurately rate the judge’s performance or items which do not apply to your interactions with the judge.

	A	B	C	D	F	DK/DNA
<u>Section 1: Integrity and Impartiality</u>						
a. Avoided impropriety and the appearance of impropriety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Maintained a neutral presence.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Permitted all parties to be heard and present their case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Conducted mediation in a manner that promotes public confidence in the integrity and impartiality of the industrial insurance appeals system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Acted without favor or disfavor toward anyone based upon race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Acted without favor or disfavor toward anyone, based on their status as an employer, a worker, the state, or any other interest.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Section 2: Communication</u>						
a. Used clear and logical oral communication during proceeding.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Adequately facilitated communication between the parties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The agreement (if one was obtained) was written clearly and accurately.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	A	B	C	D	F	DK/DNA
d. Returned messages and correspondence in a reasonably prompt manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Had sufficient communication with you prior to mediation conferences.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 3: Professionalism and Temperament

a. Treated people with courtesy and respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Was attentive to proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Acted with patience and self-control.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Promoted a sense of fairness.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 4: Administrative Capacity

a. Displayed common sense.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Started conferences on time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Was prepared for conferences.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Maintained control over the proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Helped parties identify the issues in the dispute.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Helped participants understand each other’s positions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Prepared written orders in a timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Took reasonable and appropriate steps to encourage settlement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 5: Process and Outcome Assessment

a. In your opinion, the mediation process was (check one):

- VERY HELPFUL
- SOMEWHAT HELPFUL
- NOT AT ALL HELPFUL

b. Your mediation ended with an agreement on (check one):

- ALL OF THE ISSUES
- SOME OF THE ISSUES
- NONE OF THE ISSUES

c. How satisfied are you with the outcome of the mediation?

- VERY SATISFIED
- SOMEWHAT SATISFIED
- NEITHER SATISFIED NOR DISSATISFIED
- SOMEWHAT DISSATISFIED
- VERY DISSATISFIED

Section 6: Background and Demographic Information

a. Which of the following best describes your position in this appeal?

- INJURED PARTY
- BUSINESS/INDUSTRY
- GOVERNMENTAL AGENCY
- OTHER _____

Comments

Please provide any additional comments, clarifications, or details related to either the items raised in this questionnaire or the judge's performance on the bench in the space below. Additionally, feel free to describe the strengths and weaknesses of the judge. (You may write on the back of this page or add additional pages if needed).

Thank you very much for your time and effort.

To return evaluation, please place it in the enclosed postage-paid envelope and place it in the US mail.