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Illustrative Questionnaire Concerning the
Practicing Bar's Views of the Court's Equality and Fairness

Introduction

The purpose of this questionnaire is to solicit your views concerning the Court's treatment of attorneys, litigants, and other participants in criminal and civil cases. The Court wants to gauge the extent to which it is meeting the basic goals of fairness and equality in both how it reaches decisions and how those decisions affect the participants and the larger community. We seek your assistance in studying this issue of court performance, and we request that you take a few minutes to complete this short form.

Your assessment of Court procedures and practices should be based on the cases you have brought before the court during the past three years. Please be assured that the identity of all respondents will be confidential.

Please return the completed questionnaire by [DATE]. For your convenience, a pre-addressed and stamped envelope is enclosed. Thank you for your cooperation.

Part I. Experience With the Bench

In order to better understand your views on the equality and fairness of the Court, your experience with the judges at the court is of particular interest.

1. Over the past three years, what is the average number of cases per year in which you appeared before a judge of the court?
_____ Cases Per Year (average)

2. How many different judges of the court have you appeared before during the past three years?
_____ Judges

3. Over the past three years, what was the average number of hours per week you spent in this court?
_____ Hours Per Week (average)

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Part II. Views of the Court

We would like your assessments of court policies, procedures, and practices. Please indicate what you think are overall patterns in how the court treats people who appear before it, including attorneys, parties, witnesses, victims, and jurors. For these and all other questions in this section, the term ‘court’ refers to all judges in the court. Hence, we are interested in your experiences with and views of the bench, as a whole.

	Agree Strongly	Agree	Agree in Part/ Disagree in Part	Disagree	Disagree Strongly
4. Based on your cases before the bench in the past three years, court rulings are affected by:					
a. Gender of the attorneys involved.	1	2	3	4	5
b. Race of the attorneys involved.	1	2	3	4	5
5. Based on your cases before the bench in the past three years, the Court shows favoritism toward:					
a. Prosecutors in criminal cases.	1	2	3	4	5
b. Defense attorneys in criminal cases.	1	2	3	4	5
c. Plaintiffs in civil tort cases.	1	2	3	4	5
d. Defendants in civil tort cases.	1	2	3	4	5
e. Individuals of a particular racial/ethnic group who are parties to a case.	1	2	3	4	5
f. Male parties in domestic relations cases.	1	2	3	4	5
g. Female parties in domestic relations cases.	1	2	3	4	5

Note: If you agreed (responses “1”, “2”, or “3”) with statement “e” above, please identify which racial/ethnic group was favored and for what type of case (e.g., civil, criminal, domestic relations)

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	Agree Strongly	Agree	Agree in Part/ Disagree in Part	Disagree	Disagree Strongly
6. Based on your cases before the bench in the past three years, the Court shows antagonism toward:					
a. Prosecutors in criminal cases.	1	2	3	4	5
b. Defense attorneys in criminal cases.	1	2	3	4	5
c. Plaintiffs in civil tort cases.	1	2	3	4	5
d. Defendants in civil tort cases.	1	2	3	4	5
e. Individuals of a particular racial/ethnic group who are parties to a case.	1	2	3	4	5
f. Male parties in domestic relations cases.	1	2	3	4	5
g. Female parties in domestic relations cases.	1	2	3	4	5

Note: If you agreed (responses "1", "2", or "3") with statement "e" above, please identify which racial/ethnic group was favored and for what type of case (e.g., civil, criminal, domestic relations)

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	Agree Strongly	Agree	Agree in Part/ Disagree in Part	Disagree	Disagree Strongly
7. Based on your cases before the bench in the past three years, the Court:					
a. Did not reduce bail for defendants of one racial/ethnic group and did for defendants of other racial/ethnic groups even when both groups' respective criminal histories and social backgrounds were similar.	1	2	3	4	5
b. Did not reduce bail for female defendants and did for male defendants even when their respective criminal histories and social backgrounds were similar.	1	2	3	4	5
c. Did not reduce bail for male defendants and did for female defendants even when their respective criminal histories and social backgrounds were similar.	1	2	3	4	5
d. Sentenced defendants of one racial/ethnic group more severely than defendants of other racial/ethnic groups even when both groups respective criminal records and current offense(s) were similar.	1	2	3	4	5
e. Sentenced female defendants more severely than male defendants even when their respective criminal records and current offense(s) were similar.	1	2	3	4	5
f. Sentenced male defendants more severely than female defendants even when their respective criminal records and current offense(s) were similar.	1	2	3	4	5

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8. In addition to the examples mentioned above in Items 4-7, are there any other situations in which a particular type of participant tends to be shown favoritism or antagonism by the court?

Part III. Overall Reactions

Please consider your views of the equality and fairness of the court for all cases you have brought before the bench in the past three years.

9. Based on you interaction with the bench in the last three years, to what extent are you satisfied with how you have been treated by the court? (Circle number)

Very Satisfied					Very Dissatisfied
1	2	3	4		5

10. Based on your observation of the bench in the last three years, to what extent do you believe that individuals have been treated fairly by the court? (Circle number)

Very Satisfied					Very Dissatisfied
1	2	3	4		5

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Part IV. Background

Please provide some background information. This information will help us describe respondents' characteristics and provide a context for interpreting the results.

11. What is your basic practice? (Circle number)

1. General Practice
2. Prosecutor/Attorney General
3. Public Defender
4. Corporate Counsel (Public/Private)
5. Other (Please Specify: _____)

12. Which of the following categories best describes your practice? (Circle number)

1. Criminal
2. Family Law
3. Civil Law
4. Personal Injury
5. Juvenile
6. Civil Commitment
7. Other (Please specify: _____)

13. How many years have you practiced law?

_____ Years

14. How many years have you practiced law in this County?

_____ Years

15. What is your gender: (Circle number)

1. Male 2. Female

16. What is your racial/ethnic background? (Circle number)

1. African American
2. Asian American/Pacific Islander
3. Caucasian American
4. Hispanic American
5. Native American
6. Other (Please specify: _____)

