

Equitable Scoring

Addressing scoring discrepancies
between judges with and without juries

JUDICIAL PERFORMANCE EVALUATION COMMISSION



The Problem:

Judges with few or no jurors are currently at a scoring disadvantage.

The Issue:

- Judges without juries score consistently lower than their peers.
- After investigating this phenomenon, it's clear that juries are effectively scoring judges using a different scale than all other survey respondents.

The Issue:

The proportion of surveys completed by jurors predicts an increase in a judge's total score.

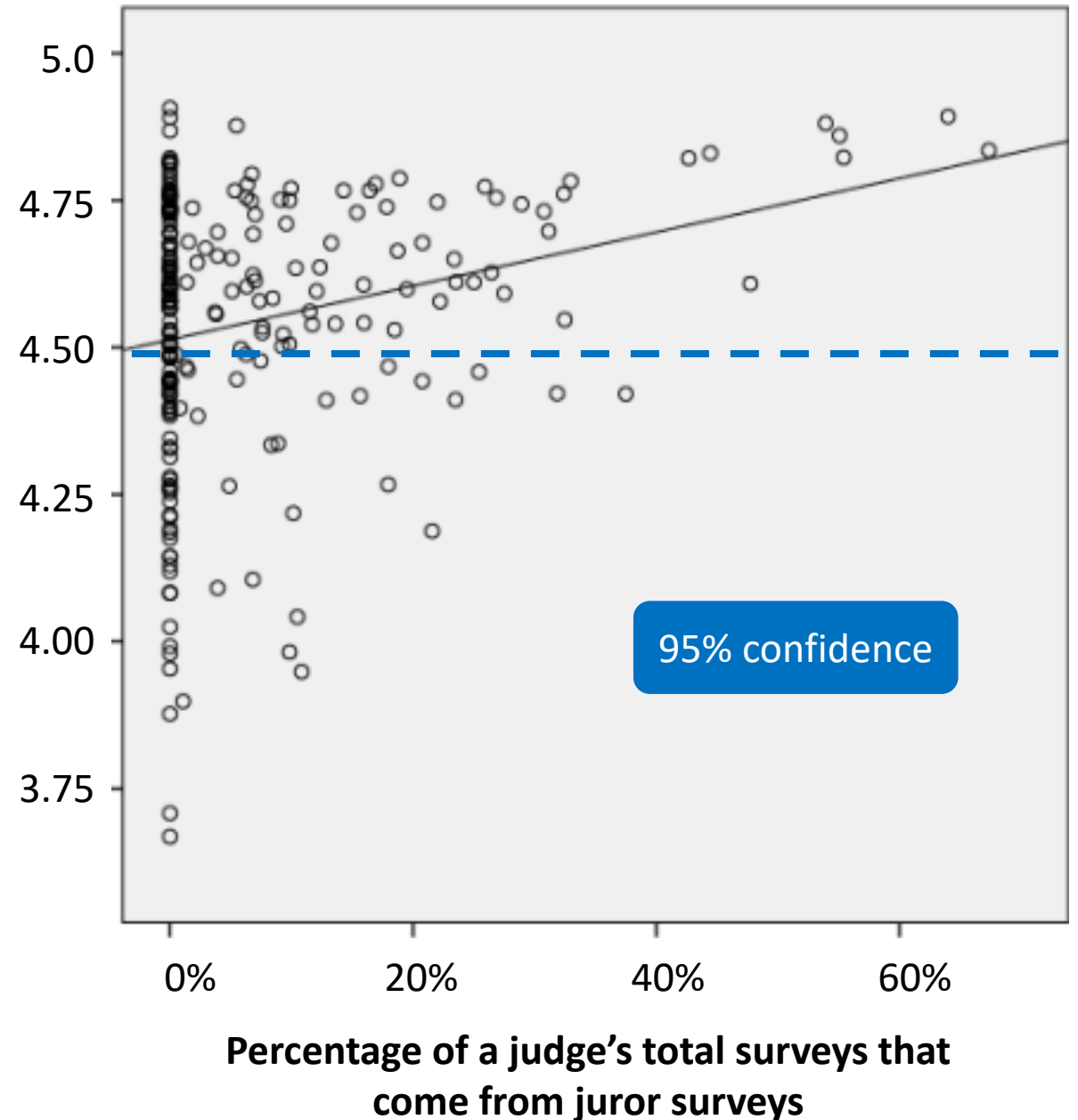
	Non-Juror Score	Percent of Jurors	Predicted Total Score
Judge A	3.4	5%	3.43
Judge B	3.4	80%	3.80

The Issue:

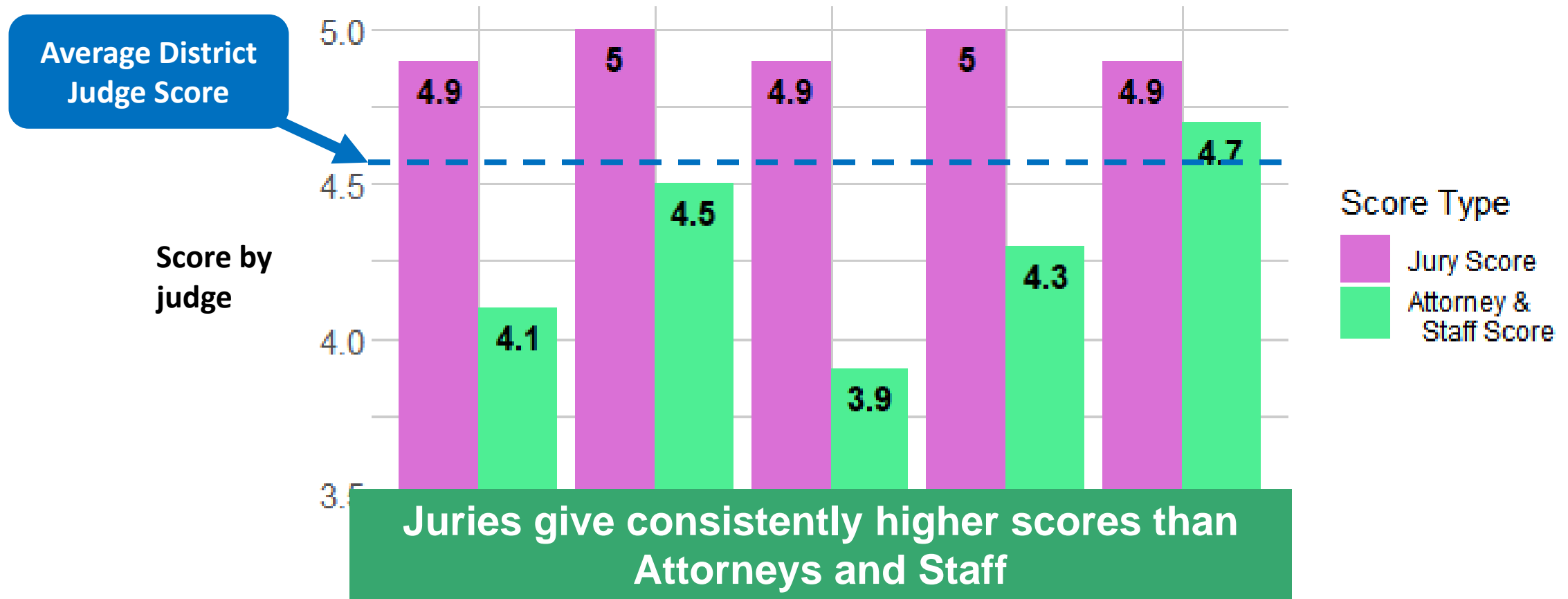
Statistically speaking, the more jurors a judge has the more they will have a scoring advantage over their peers.

Without the advantage of jury scores, we would expect a horizontal line

Score by judge



The issue:



Puzzle

Puzzle: How can we level the playing field (within and across levels of court) while also ensuring juror surveys are still valued?

Our Goal: To provide all judges with equitable scoring that is accessible to the public.

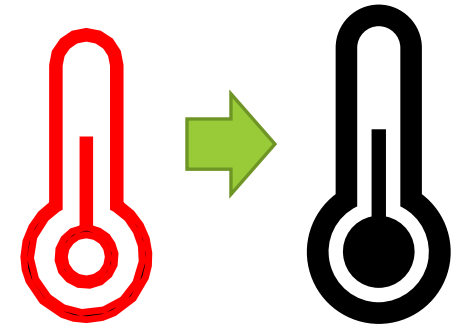
Criteria for solution:

- Easy to understand for both judges and voters
- Uses standard statistical techniques
- All respondent groups score on a standardized scale
- Jurys have a proportional impact on scoring
- Avoids distortion or overemphasis of some scores over others
- Creates an evaluation system with more equity across judges

Calibrating Juror Scores – A Mathematical Solution

To calibrate (v) Oxford Advanced American Dictionary

- To mark units of measurement on an instrument such as a thermometer so that it can be used for measuring something accurately
- To check the measurement on an instrument against a standard instrument, and adjust the first instrument to keep it accurate



Calibrating Juror Scores – A Mathematical Solution

Step 1) Use a common statistical technique called *normalization*

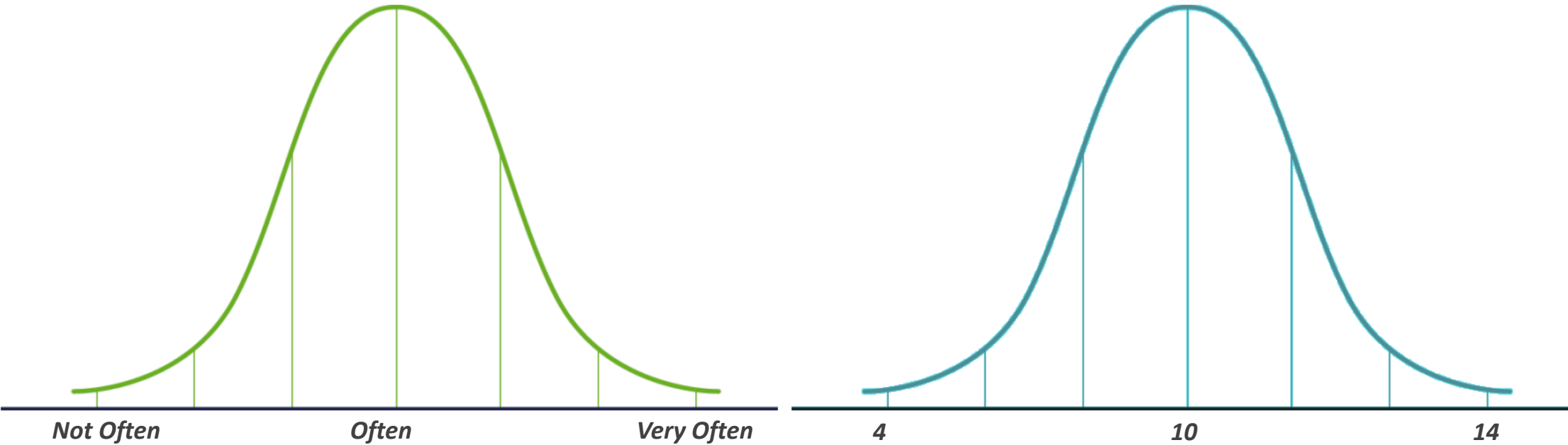
- *Normalization* takes a subset of data and calibrates it to match the same scale as the rest of the data.
- 1. Find the difference between the average jury score and the average staff/attorney score by peer group
- 2. Subtract the difference from each jury score

Step 2) Cap juror surveys at 30% of a judge's overall survey respondent pool.

- Capping avoids a negative impact on judges caused by the highest percentage of juror share.
- 1. Collect juror surveys throughout the survey period as usual
- 2. Randomly select from those surveys so that no more than 30% of responses come from jurors.

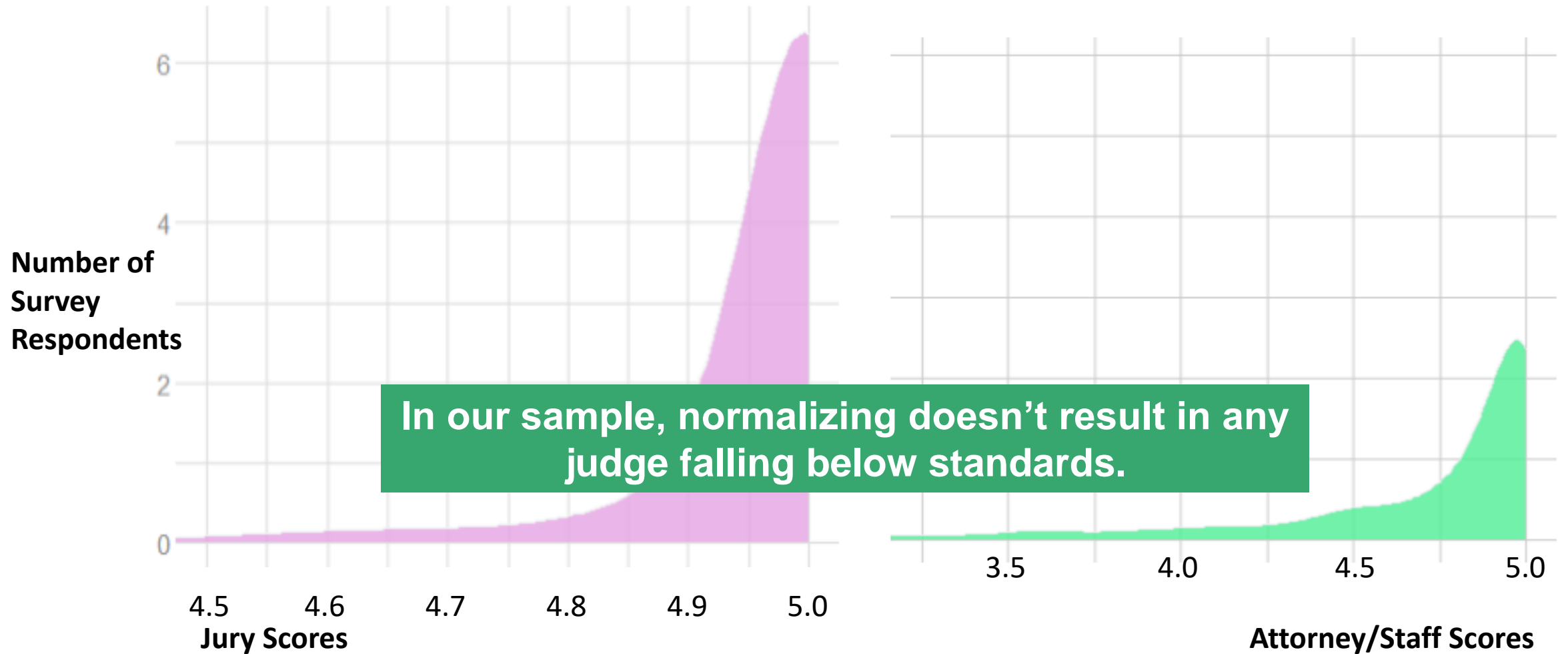
Normalizing on Averages

Do most Americans brush their teeth twice a day?



Normalizing Scores

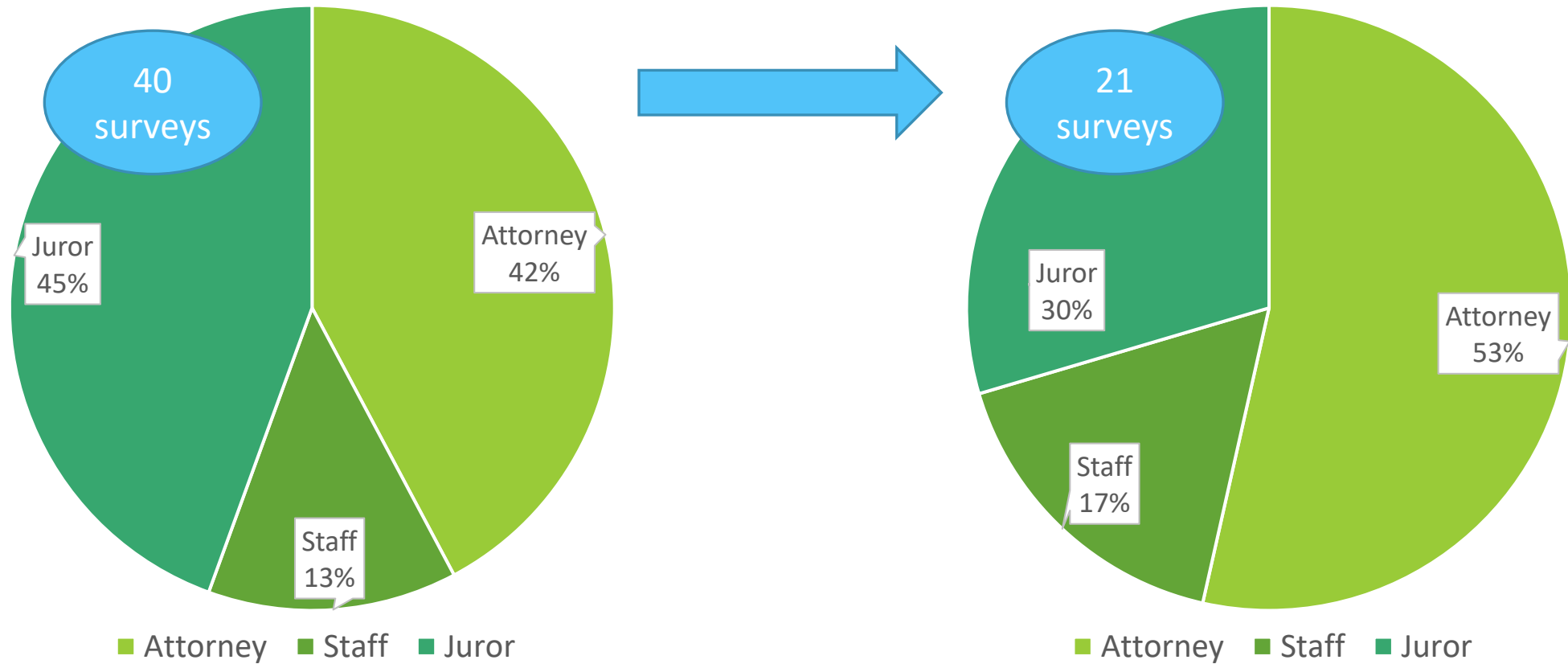
The judge worked to ensure that the participants understood the court proceedings.



Calibrating Jury Scores: Step 1



Calibrating Jury Scores: Step 2



Calibrating Scores:

- ✓ Easy to understand for both judges and voters
- ✓ Uses standard statistical techniques
- ✓ All respondent groups score on a standardized scale
- ✓ Juries have a proportional impact on scoring
- ✓ Avoids distortion or overemphasis of some scores over others
- ✓ Creates an evaluation system with more equity across judges

Step 3: Adding Survey Respondents Pilot

- A third step in our solution would be to add a respondent group to juvenile and appellate court judge surveys.
 - Juvenile: Survey parents and youth in delinquency matters
 - Appellate: Survey district and juvenile court judges
- This step would aim to address disparities between levels of court.
- This step would begin with a pilot to examine the impact and feasibility of this approach.