

Equal Justice Foundation
2016 Colorado Judicial Performance Evaluations
EJF Evaluations Based On Attorney Judgements

Judge	Judicial Performance Evaluation	Attorney Votes Percent		Election-Percent Votes To Retain	EJF Evaluation
		Retain	DO NOT Retain		
COLORADO SUPREME COURT					
William Hood	Retain	81%	9%	71%	Marginal
COLORADO COURT OF APPEALS					
Karen M. Ashby	Retain	71%	22%	69%	Do Not Retain
Michael H. Berger	Retain	77%	14%	69%	Marginal
Steven L. Bernard	Retain	64%	32%	63%	Do Not Retain
Stephanie E. Dunn	Retain	85%	6%	71%	Marginal
David Furman	Retain	87%	0%	70%	Retain
Robert D. Hawthorne	Retain	84%	5%	71%	Marginal
Jerry N. Jones	Retain	74%	15%	60%	Do Not Retain
Anthony J. Navarro	Retain	65%	25%	66%	Do Not Retain
Gilbert M. Roman	Retain	82%	14%	71%	Marginal
Diana Terry	Retain	71%	22%	67%	Do Not Retain
FIRST JUDICIAL DISTRICT (Gilpin, Jefferson Counties)					
Dennis J. Hall	Retain	61%	N/A	62%	Do Not Retain
Phillip James McNulty	Retain	92%	5%	5%	Retain
Jeffrey Ralph Pilkington	Retain	62%	N/A	68%	Do Not Retain
Todd L. Vriesman	Retain	51%	N/A	66%	Do Not Retain
Jefferson County Bradley Allen Burback	Retain	80%	9%	71%	Marginal
Jefferson County Verna L. Carpenter	Retain	70%	N/A	68%	Do Not Retain
Jefferson County Tammy Greene	Retain	80%	5%	70%	Marginal
Jefferson County K. J. Moore	Retain	68%	14%	57%	Do Not Retain
No county court judges standing for retention in Gilpin County.					
Criteria: Retain >85% of attorneys, Marginal 75-85% of attorneys, Do Not Retain <75% of attorneys Totals may not equal 100% as some attorneys polled did not respond regarding a particular judge.					

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SECOND JUDICIAL DISTRICT (Denver County)					
Karen L. Brody	Retain	93%	6%	78%	Retain
Edward David Bronfin	Retain	76%	24%	67%	Marginal
Ross B. H. Buchanan	Retain	89%	4%	74%	Retain
Laurie A. Clark (Juvenile court)	Retain	74%	24%	75%	Do Not Retain
Kandace C. Gerdes	Retain	63%	37%	71%	Do Not Retain
Michael A. Martinez	Retain	94%	0%	77%	Retain
Andy McCallin	Retain	96%	4%	77%	Retain
William D. Robbins	Retain	77%	19%	72%	Marginal
Donna J. Schmalberger (Juvenile court)	Retain	87%	0%	75%	Retain
Brian Whitney	Retain	95%	0%	70%	Retain
D. Brett Woods	Retain	78%	11%	74%	Marginal
Denver County Doris E. Burd	Retain	93%	0%	78%	Retain
Denver County Beth A. Faragher	Retain	84%	0%	77%	Marginal
Denver County Gary M. Jackson	Retain	86%	5%	76%	Retain
Denver County John M. Marcucci	Retain	N/A	N/A	76%	No Opinion
Denver County Nicole M. Rodarte	Retain	90%	8%	78%	Retain
Denver County Andre L. Rudolph	Retain	N/A	N/A	72%	No Opinion
Denver County Theresa A. Spahn	Retain	100%	0%	77%	Retain
THIRD JUDICIAL DISTRICT (Huerfano, Las Animas Counties)					
Leslie J. Gerbracht	Retain	67%	20%	69%	Do Not Retain
No county court judges standing for retention in Huerfano and Las Animas Counties.					
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FOURTH JUDICIAL DISTRICT (El Paso, Teller Counties)					
Robin Lynn Chittum	Retain	91%	N/A	71%	Retain
David A. Gilbert	Retain	84%	11%	74%	Marginal
Deborah J. Grohs	Retain	80%	14%	65%	Marginal
Gilbert Anthony Martinez	Retain	76%	5%	70%	Marginal
G. David Miller	Retain	96%	N/A	75%	Retain
Marla Prudek	Retain	58%	N/A	71%	Do Not Retain
El Paso County Laura Norris Findorff	Retain	96%	0%	74%	Retain
El Paso County Karla J. Hansen	Retain	68%	18%	62%	Do Not Retain
El Paso County Daniel S. Wilson	Retain	72%	N/A	61%	Do Not Retain
No county court judges standing for retention in Teller County.					
FIFTH JUDICIAL DISTRICT (Clear Creek, Eagle, Lake, Summit Counties)					
Paul R. Dunkelman	Retain	100%	0%	75%	Retain
Wayne Patton	Retain	100%	0%	74%	Retain
Karen Ann Romeo	Retain	90%	10%	77%	Retain
Clear Creek County R. J. Olguin-Fresquez	Retain	94%	N/A	73%	Retain
Eagle County Katharine T. Sullivan	Retain	53%	38%	72%	Do Not Retain
Lake County Jonathan Shamis	Retain	85%	8%	72%	Marginal
Summit County Edward Jude Casias	Retain	94%	6%	83%	Retain
SIXTH JUDICIAL DISTRICT (Archuleta, La Plata, San Juan Counties)					
William L. Herringer	Retain	91%	0%	72%	Retain
Jeffrey Raymond Wilson	Retain	86%	14%	74%	Retain
San Juan County Anthony D. Edwards	Retain	N/A	N/A	86%	No Opinion
No county court judges standing for retention in Archuleta and La Plata Counties.					
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SEVENTH JUDICIAL DISTRICT (Delta, Gunnison, Hinsdale, Montrose, Ouray, San Miguel Counties)					
No district court judges standing for retention.					
Delta County Sandra K. Miller	Retain	96%	N/A	72%	Retain
Hinsdale County Alvin K. Lutz	Retain	100%	0%	86%	Retain
No county court judges standing for retention in Gunnison, Montrose, Ouray and San Miguel Counties.					
EIGHTH JUDICIAL DISTRICT (Jackson, Larimer Counties)					
Caroll Michelle Brinegar	Retain	84%	4%	73%	Marginal
Gregory M. Lammons	Retain	84%	8%	73%	Marginal
Larimer County Mary Joan Berenato	Retain	70%	24%	71%	Do Not Retain
Larimer County Kraig Ecton	Retain	62%	35%	71%	Do Not Retain
Larimer County Joshua B. Lehman	Retain	96%	0%	74%	Retain
No county court judges standing for retention in Jackson County.					
NINTH JUDICIAL DISTRICT (Garfield, Pitkin, Rio Blanco Counties)					
John Fowler Neiley	Retain	100%	0%	74%	Retain
Rio Blanco County Laurie Noble	Retain	100%	0%	78%	Retain
No county court judges standing for retention in Garfield and Pitkin Counties.					
TENTH JUDICIAL DISTRICT (Pueblo County)					
Thomas B. Flesher	Retain	94%	7%	69%	Retain
Jill S. Mattoon	Retain	72%	22%	65%	Do Not Retain
Larry Charles Schwartz	Retain	78%	12%	69%	Marginal
No county court judges standing for retention in Pueblo County.					
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ELEVENTH JUDICIAL DISTRICT (Chaffee, Custer, Fremont, Park Counties)					
Stephen A. Groome	Retain	83%	N/A	60%	Marginal
Patrick William Murphy	Retain	87%	13%	66%	Retain
Chaffee County William P. Alderton	Retain	100%	0%	73%	Retain
No county court judges standing for retention in Custer, Fremont and Park Counties.					
TWELFTH JUDICIAL DISTRICT (Alamosa, Conejos, Costilla, Mineral, Rio Grande, Saguache)					
Martin A. Gonzales	Retain	94%	6%	71%	Retain
Mineral County Ruth M. Acheson	Retain	80%	N/A	79%	Marginal
No county court judges standing for retention Alamosa, Conejos, Costilla, Rio Grande & Saguache Counties.					
THIRTEENTH JUDICIAL DISTRICT (Kit Carson, Logan, Morgan, Phillips, Sedgwick, Washington, Yuma Counties)					
No district court judges standing for retention.					
Logan County Ray Ann Brammer	Retain	75%	12%	71%	Marginal
Phillips County Kimbra Leigh Killin	Retain	N/A	N/A	86%	No Opinion
Sedgwick County Tera Neugebauer	Retain	N/A	N/A	72%	No Opinion
No county court judges standing for retention in Kit Carson, Morgan, Washington and Yuma Counties.					
FOURTEENTH JUDICIAL DISTRICT (Grand, Moffat, Routt Counties)					
Mary C. Hoak	Retain	81%	14%	72%	Marginal
No county court judges standing for retention in Grand, Moffat and Routt Counties.					
FIFTEENTH JUDICIAL DISTRICT (Baca, Cheyenne, Kiowa, Prowers Counties)					
Stanley A. Brinkley	Retain	56%	37%	74%	Do Not Retain
No county court judges standing for retention in Baca, Cheyenne, Kiowa and Prowers Counties.					
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SIXTEENTH JUDICIAL DISTRICT (Bent, Crowley, Otero Counties)					
Mark A. MacDonnell	Retain	78%	12%	72%	Marginal
Michael Andrew Schiferl	Do Not Retain	55%	40%	58%	Do Not Retain
Bent County Samuel Scott Vigil	Retain	71%	14%	69%	Do Not Retain
No county court judges standing for retention in Crowley and Otero Counties.					
SEVENTEENTH JUDICIAL DISTRICT (Adams, Broomfield Counties)					
Emily Elizabeth Anderson	Retain	94%	6%	68%	Retain
Katherine Delgado	Retain	100%	0%	70%	Retain
Thomas R. Ensor	Retain	70%	16%	65%	Do Not Retain
Michael Goodbee	Retain	100%	0%	67%	Retain
Patrick T. Murphy	Retain	84%	8%	67%	Marginal
Jill-Ellyn Straus (Only judge not retained)	Do Not Retain	41%	50%	48%	Do Not Retain
Adams County Leroy D. Kirby	Retain	86%	10%	68%	Retain
No county court judges standing for retention in Broomfield County.					
EIGHTEENTH JUDICIAL DISTRICT (Arapahoe, Douglas, Elbert, Lincoln Counties)					
Natalie T. Chase	Retain	64%	27%	68%	Do Not Retain
Jeffrey K. Holmes	Retain	92%	8%	72%	Retain
Frederick Thomas Martinez	Retain	55%	33%	65%	Do Not Retain
Carlos Armando Samour, Jr.	Retain	N/A	N/A	72%	No Opinion
David John Stevens	Retain	91%	2%	71%	Retain
Elizabeth Ann Weishaupl	Retain	77%	20%	70%	Marginal
Arapahoe County Anne M. Ollada	Retain	56%	37%	69%	Do Not Retain
No county court judges standing for retention in Douglas, Elbert and Lincoln Counties.					
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		Retain	DO NOT Retain		
NINETEENTH JUDICIAL DISTRICT (Weld County)					
Warren Troy Hause	Retain	92%	4%	67%	Retain
Julie C. Hoskins	Retain	89%	8%	67%	Retain
Shannon D. Lyons	Retain	66%	22%	65%	Do Not Retain
Thomas J. Quammens	Retain	72%	22%	66%	Do Not Retain
No county court judges standing for retention in Weld County.					
TWENTIETH JUDICIAL DISTRICT (Boulder County)					
Andrew Hartman	Retain	89%	5%	80%	Retain
Bruce Langer	Retain	81%	12%	79%	Marginal
No county court judges standing for retention in Boulder County.					
TWENTY-FIRST JUDICIAL DISTRICT (Mesa County)					
Richard T. Gurley	Retain	97%	N/A	73%	Retain
Valerie J. Robison	Retain	59%	29%	63%	Do Not Retain
Mesa County Craig P. Henderson	Retain	72%	20%	73%	Do Not Retain
Mesa County Gretchen B. Larson	Retain	84%	N/A	74%	Marginal
TWENTY-SECOND JUDICIAL DISTRICT (Dolores, Montezuma Counties)					
Douglas S. Walker	Retain	40%	50%	61%	Do Not Retain
Dolores County E. Dale Boyd	Retain	75%	25%	76%	Marginal
No county court judges standing for retention in Montezuma County.					
Criteria: Retain >85% of attorneys, Marginal 75-85% of attorneys, Do Not Retain <75% of attorneys Totals may not equal 100% as some attorneys polled did not respond regarding a particular judge.					

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Notes:

1. A list of and details about Colorado state judges standing for retention in 2016 is available at <http://www.coloradojudicialperformance.gov/retentionlist.cfm?year=2016>.
2. In 2016 108 Colorado state judges stood for retention. Of those the various state commissions on judicial performance recommended **Retain** for 106 of the 108 judges standing for retention in the November 8, 2016, election. District judges [Michael Schiferl](#) in the 16th Judicial District and [Jill-Ellyn Straus](#) in the 17th were the only two listed as **Do Not Retain**.
3. Repetitive complaints about Colorado judges suggest that many more judges than these two should be voted off the bench. Also, a simpler, easier to understand criteria and presentation than the state provides is desirable, which we have attempted to do with the above tables.
4. Our basic assumption is that the best judges of a judge are the attorneys who appear before them. They have similar levels of education, pass the same bar examination, and have far more contact with a judge than most citizens. Also, the judicial performance commissions in the various districts solicit and receive evaluations from both prosecution and defense attorneys, as well as civil and family law attorneys.
5. As a result we have chosen a method of evaluation and recommendation based primarily on attorney evaluations.

For our evaluation we use the number of votes cast by attorneys for each judge to Retain or Do Not Retain and the criteria: **Retain** >85% of attorneys voted to Retain, **Marginal** between 75-85% of attorneys voted for the judge, **Do Not Retain** <75% of attorneys vote to retain.

In some cases too few attorneys responded to provide a fair evaluation and in those cases we have indicated that by “**No Opinion.**”

Totals in the tables above may not equal 100% as some attorneys polled did not respond regarding a particular judge.

6. Using our simplified criteria in these tables the EJF recommends that of the 108 judges standing for retention that only 42 be **Retained**; that 32 should **definitely not be retained**; and under this criteria votes by attorneys found the performance of the remaining 34 **marginal**.
7. Another group, Clear The Bench Colorado, also does an independent evaluation of Colorado judges. Their work is available at <http://www.clearthebenchcolorado.org/>.
8. Histories of all Colorado judges, including previous evaluations, are available at <http://dvmen.org/dv-67.htm>.