



Hybrid Meeting Instructions for the September 13, 2021, Judicial Review Board Meeting:

This meeting will be conducted in a hybrid format. This means that you can view the meeting in-person or remotely via Zoom.

To view the meeting in-person simply come to the City Council Chambers Conference Room located on the first floor of City Center South (1001 11th Avenue).

To view this meeting remotely via Zoom contact Jerry Harvey (jerry.harvey@greeleygov.com ; 970-350-9746) to receive the meeting log-in information and password.

Please contact Jerry Harvey with any questions you might have via email at jerry.harvey@greeleygov.com or by phone at 970-350-9746. Thank you!

Judicial Review Board

Board Meeting

September 13, 2021 5:15 p.m.

City Council Chambers Conference Room

City Center South, 1001 11th Avenue

(See the instructions on the previous page to view the meeting remotely via Zoom.)

AGENDA

1. ROLL CALL
2. WELCOME NEW MEMBER ANGIE MCDOWELL
3. CONSIDER APPROVAL OF THE MEETING REPORT OF JANUARY 21, 2021
4. DISCUSS PERFORMANCE REVIEW PROCESS
 - a. Courtroom observations
 - b. Defendant survey
 - c. Staff survey
 - d. Attorney survey
 - i. Prosecutors
 - ii. Defense Attorneys
 - e. Self-evaluation
 - f. Statistics
 - g. Tentative Timeline –
 - i. Performance Review scheduled for late February
 - ii. Report due to City Council and Judge Gonzales by early February
5. OTHER BUSINESS
6. SCHEDULING OF MEETINGS
7. ADJOURNMENT

City of Greeley, Colorado
JUDICIAL REVIEW BOARD REPORT
January 21, 2021

The meeting was called to order at 5:15 p.m. and conducted remotely via Zoom Meetings.

1. ROLL CALL

Board Members present included Jay Hill, Leslie Milne, Nicholas Nakamura, Walter Sehl, and Gerald Shadwick. Assistant City Clerk Jerry Harvey was also present.

2. CONSIDER APPROVAL OF THE MEETING REPORT OF SEPTEMBER 24, 2020

Mr. Shadwick moved, seconded by Mr. Nakamura, to approve the report. The motion carried: 5-0

3. DISCUSS DRAFT OF JUDICIAL REPORT AND EDITS

Board Members reviewed and discussed the draft of the Judicial Review Report and provided their comments and edits. Board Members noted that the report is approved and ready to be submitted pending the requested minor edits.

With regard to the timeline, the judicial performance review is scheduled for February 16, 2021. The report is to be transmitted to Human Resources, City Council, and Judge Gonzales before that date.

4. OTHER BUSINESS

There was no other business to come before the Board.

5. SCHEDULING OF MEETINGS

Any additional meetings will be scheduled as needed, and email communication will be utilized to transmit and edit the performance report. Email communication will also be utilized to coordinate with the Board between meetings.

6. ADJOURNMENT

The meeting was adjourned at 6:02 p.m.

Jerry Harvey, Assistant City Clerk

City of Greeley, Colorado
Judicial Review Board
2021 Summary of Judicial Performance Review Process

The Judicial Review Board's (JRB) responsibility is to gather performance information annually and report the information to City Council in preparation for Council's evaluation meeting with the Presiding Judge. The following tools are utilized to gather the information:

- (1) Courtroom observations. The JRB members will make on-site visits to the courtroom to observe the Judge and the Court's operation and provide a summary of ratings and comments.
- (2) Surveys. The JRB surveys individuals who have appeared before or have professional contacts with the Municipal Judge. The groups most frequently surveyed include: Attorneys, both defense and prosecution; litigants; court personnel such as court clerks and assistants, and law enforcement personnel including court bailiffs. In 2021, surveys will be distributed to defendants who appeared before the Judge, to all prosecuting and defense attorneys who appeared before the Judge, and Municipal Court staff including the bailiff.
- (3) Self-evaluation. The JRB will request that the Municipal Judge complete a self-evaluation form that may include, but is not limited to, a self assessment of the Judge's strengths and weaknesses, goals for development and reputation in the legal community with regard to legal ability, integrity, communication skills, judicial temperament, administrative skills, settlement activities, judicial philosophy, community reputation, overall performance, and community service.
- (4) Statistics. The JRB will review statistical information provided by the Municipal Judge regarding caseload and performance indicators and furnish comments regarding results and trends.



City of Greeley, Colorado
Judicial Review Board
c/o Clerk to Council
1000 10th Street
Greeley, CO 80631

2021 Courtroom Observations

*JRB members are encouraged to contact Roxanna Caldwell, Court Administrator at 350-9242 or Roxanna.caldwell@greeleygov.com to confirm what's on the docket for any given day. Certainly members can still observe unannounced and anonymously, but checking the day's docket will be helpful in making your plans because the court session may end early on a light docket day, or a trial might be cancelled. Observing during the earlier portion of these pre-set times is the safest chance that there will be courtroom activity.

Please circle the number that most closely describes your opinion.

5=Outstanding 4=Excellent 3=Acceptable 2=Needs Improvement 1=Unacceptable N/A=Not applicable/can't rate

1. **Professional Demeanor:** How would you rate Judge Mark Gonzales on the manner in which he conducts himself and controls the court sessions (Is the court session under control, how does he interact with all parties, does he foster an environment of mutual respect)?

N/A (Proficient; respectful environment) 5 4 3 2 1 (Uncontrolled; disrespectful environment)

Comments:

2. **Impartiality:** How would you rate Judge Mark Gonzales on treating those involved in the case equally?

- | | |
|--|---|
| a) Regardless of race/ethnicity. | N/A (Equal treatment) 5 4 3 2 1 (Shows favoritism) |
| b) Regardless of gender identity. | N/A (Equal treatment) 5 4 3 2 1 (Shows favoritism) |
| c) Regardless of age. | N/A (Equal treatment) 5 4 3 2 1 (Shows favoritism) |
| d) Regardless of social/economic status. | N/A (Equal Treatment) 5 4 3 2 1 (Shows favoritism) |
| e) Both the prosecution and defense. | N/A (Equal Treatment) 5 4 3 2 1 (Shows favoritism) |

Comments:

3. **Communication skills:** How would you rate Judge Mark Gonzales on speaking in a way that is clearly understood by defendants:

N/A (Clear; understandable) 5 4 3 2 1 (Unclear, not understood)

Comments:

4. **Decision Making:** How would you rate Judge Mark Gonzales on considering all information presented when making a decision and making decisions without regard to public criticism:

	N/A
(Informed decisions; regardless of public approval)	5
	4
	3
	2
	1 (Uninformed decisions; considers criticism)

Comments:

5. **Courtroom Management & Preparedness:** How would you rate Judge Mark Gonzales on his management of court arraignments and trials – is he prepared and are the sessions organized and handled in a timely, professional manner and in a way that makes the best use of court time while honoring customers' time?

N/A	(Prepared, organized & timely)	5	4	3	2	1	(Not prepared, disorganized & untimely)
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Comments:

6. **Consistency:** How would you rate Judge Mark Gonzales on his consistency in the application of penalties? Does he explain why penalties may be different for different defendants charged with the same offense?

N/A	(Consistent)	5	4	3	2	1	(Inconsistent)
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Comments:

7. Other comments regarding the Judge's strengths and weaknesses:

Comments:



City of Greeley, Colorado
Judicial Review Board
c/o Clerk to Council
1000 10th Street
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2021 Judicial Performance Questionnaire

Please rate Judge Mark Gonzales on the areas listed below using this scale:

5=Outstanding 4=Excellent 3=Acceptable 2=Needs Improvement 1=Unacceptable N/A=Not Applicable/Can't Rate

1. **Courtesy:** How would you rate Judge Mark Gonzales on:

- | | | | | | | |
|--|---|---|---|---|---|-----|
| a) Being courteous toward everyone in the courtroom. | 5 | 4 | 3 | 2 | 1 | N/A |
| b) Being courteous toward persons representing themselves. | 5 | 4 | 3 | 2 | 1 | N/A |

2. **Impartiality:** How would you rate Judge Mark Gonzales on treating those involved in the case equally:

- | | | | | | | |
|--|---|---|---|---|---|-----|
| a) Regardless of race/ethnicity. | 5 | 4 | 3 | 2 | 1 | N/A |
| b) Regardless of gender identity. | 5 | 4 | 3 | 2 | 1 | N/A |
| c) Regardless of age. | 5 | 4 | 3 | 2 | 1 | N/A |
| d) Regardless of social/economic status. | 5 | 4 | 3 | 2 | 1 | N/A |

3. **Communication skills:** How would you rate Judge Mark Gonzales on speaking in a way that is clearly understood while explaining court procedures?

5 4 3 2 1 N/A

4. **Application of the Law:** How would you rate Judge Mark Gonzales on:

- | | | | | | | |
|--|---|---|---|---|---|-----|
| a) Considering all information presented when making a decision. | 5 | 4 | 3 | 2 | 1 | N/A |
| b) Making decisions without regard to criticism. | 5 | 4 | 3 | 2 | 1 | N/A |

Your Background:

5. To what gender do you most identify? ☐ Male ☐ Female ☐ Transgender/Female ☐ Transgender/Male
☐ Gender Variant/Non-Conforming ☐ Prefer Not to Answer

6. What is your age? _____

7. What is your race or ethnicity?

- ☐ American Indian - origin in North America, to include Alaska
☐ Asian - origins in Far East, Southeast Asia, India or South Pacific Islands
☐ Black or African American - origin in Africa
☐ Hispanic - origins in Mexico, Puerto Rico, Cuba, Central or South America
☐ White - origins in Europe, North Africa or Middle East

We welcome any comments or questions concerning your court experience. Thank you. _____

Para Español vea el Reverso



Ciudad de Greeley, Colorado
Comité Examinador Judicial
c/o del Oficinista al Consejo
1000 10th Street
Greeley, CO 80631

2021 Questionario de Evaluación Judicial

Por favor, califique a el Juez Mark Gonzales en las zonas que figuran a continuación utilizando la siguiente escala:

5=Revelante 4=Excelente 3=Aceptable 2=Necesita Mejorar 1=Inaceptable N/A= No me aplica/No puedo evaluar

1. **Cortesía:** Como podría usted evaluar al Juez Mark Gonzales en:

- | | | | | | | |
|--|---|---|---|---|---|-----|
| a) Siendo cortez con todos en el salon de corte. | 5 | 4 | 3 | 2 | 1 | N/A |
| b) Siendo cortez con las personas que se representan asi mismas. | 5 | 4 | 3 | 2 | 1 | N/A |

2. **Imparcialidad:** Como podría evaluar al Juez Mark Gonzales en tratar a los que estan envueltos en el caso con igualdad:

- | | | | | | | |
|---|---|---|---|---|---|-----|
| a) De acuerdo a su raza/etnico. | 5 | 4 | 3 | 2 | 1 | N/A |
| b) De acuerdo a su identidad de género. | 5 | 4 | 3 | 2 | 1 | N/A |
| c) De acuerdo a su edad. | 5 | 4 | 3 | 2 | 1 | N/A |
| d) De acuerdo a su posicion social/economica. | 5 | 4 | 3 | 2 | 1 | N/A |

3. **Habilidades de Comunicación:** Como podría evaluar al Juez Mark Gonzales hablando en una manera clara y entendible mientras explica los procedimientos de la corte:

5 4 3 2 1 N/A

4. **Aplicacion de la ley:** Como podría evaluar al Juez Mark Gonzales en:

- | | | | | | | |
|---|---|---|---|---|---|-----|
| a) Considerando toda la información presentada al hacer una decision. | 5 | 4 | 3 | 2 | 1 | N/A |
| b) Tomar decisiones sin tener en cuenta las críticas. | 5 | 4 | 3 | 2 | 1 | N/A |

Antecedentes:

5. ¿Con qué género te identificas más? ☐ Masculino ☐ Femenino ☐ Transgénero/Femenino
☐ Transgénero/Masculino ☐ Variante de género /No Conforme
☐ Prefiero no responder

6. ¿Cual es su edad? _____

7. ¿Cual es su raza o grupo etnico?

- ☐ Indio Americano - origen en Norteamerica, incluyendo Alaska
☐ Asiático - orígenes en el Este Lejano, Asia Suroriental, La India o Islas del Pacifico sur
☐ Negro o Afroamericano- origen en Africa
☐ Hispano- orígenes en Mexico, Puerto Rico, Cuba, Centro o del Sur America
☐ Blanco- orígenes in Europa, Africa del Norte o este Medio

Recibimos cualquier comentario o pregunta referente a su experiencia en la audiencia. Gracias. _____

For English, see reverse.

Judicial Performance Survey – Court Staff

Q1 Professional Demeanor: How would you rate Judge Gonzales on the manner in which he conducts himself and controls the court sessions (Is the court session under control; how does he interact with all parties; does he foster an environment of mutual respect?): (Scale of 1-5)

Q2 Impartiality: How would you rate Judge Gonzales on treating those involved in the case equally:

- a) Regardless of race/ethnicity (Scale of 1-5)
- b) Regardless of gender identity (Scale of 1-5)
- c) Regardless of age (Scale of 1-5)
- d) Regardless of social/economic status (Scale of 1-5)
- e) Both the prosecution and defense (Scale of 1-5)

Q3 Communication Skills: How would you rate Judge Gonzales on speaking in a way that is clearly understood by defendants: (Scale of 1-5)

Q4 Decision Making: How would you rate Judge Gonzales on considering all information presented when making a decision and making decisions without regard to criticism: (Scale of 1-5)

Q5 Courtroom Management & Preparedness: How would you rate Judge Gonzales on his management of court arraignments and trials – is he prepared and are the sessions organized and handled in a timely, professional manner and in a way that makes the best use of court time while honoring participants' time?: (Scale of 1-5)

Q6 Consistency: How would you rate Judge Gonzales on his consistency in the application of penalties? Does he explain why penalties may be different for different defendants charged with the same offense?: (Scale of 1-5)

Q7 We welcome any more comments regarding Judge Gonzales' strengths and weaknesses: (Open ended)

Note: There is also a space for comment on each of Q1-Q6.

Judicial Performance Survey – Prosecuting Attorney

Q1 Courtesy: How would you rate Judge Gonzales on:

- a) Being courteous toward everyone in the courtroom (Scale of 1-5)
- b) Being courteous toward persons representing themselves (Scale of 1-5)

Q2 Impartiality: How would you rate Judge Gonzales on treating those involved in the case equally:

- a) Regardless of race/ethnicity (Scale of 1-5)
- b) Regardless of gender identity (Scale of 1-5)
- c) Regardless of age (Scale of 1-5)
- d) Regardless of social/economic status (Scale of 1-5)
- e) Both the prosecution and defense (Scale of 1-5)

Q3 Communication Skills: How would you rate Judge Gonzales on speaking in a way that is clearly understood:

- a) By defendants (Scale of 1-5)
- b) By court personnel (Scale of 1-5)

Q4 Application of the Law: How would you rate Judge Gonzales on:

- a) Considering all information presented when making a decision (Scale of 1-5)
- b) Making decisions without regard to criticism (Scale of 1-5)

Q5 Courtroom Management & Preparedness: How would you rate Judge Gonzales on his management of court arraignments and trials – is he prepared and are the sessions organized and handled in a timely, professional manner and in a way that makes the best use of court time while honoring participants' time?: (Scale of 1-5)

Q6 We welcome any more comments regarding Judge Gonzales' strengths and weaknesses: (open ended)

Note: There is also a space for comment on each of Q1-Q5.

Judicial Performance Survey – Defense Attorney

Q1 Courtesy: How would you rate Judge Gonzales on:

- a) Being courteous toward everyone in the courtroom (Scale of 1-5)
- b) Being courteous toward persons representing themselves (Scale of 1-5)

Q2 Impartiality: How would you rate Judge Gonzales on treating those involved in the case equally:

- a) Regardless of race/ethnicity (Scale of 1-5)
- b) Regardless of gender identity (Scale of 1-5)
- c) Regardless of age (Scale of 1-5)
- d) Regardless of social/economic status (Scale of 1-5)
- e) Both the prosecution and defense (Scale of 1-5)

Q3 Communication Skills: How would you rate Judge Gonzales on speaking in a way that is clearly understood:

- a) By defendants (Scale of 1-5)
- b) By court personnel (Scale of 1-5)

Q4 Application of the Law: How would you rate Judge Gonzales on:

- a) Considering all information presented when making a decision (Scale of 1-5)
- b) Making decisions without regard to criticism (Scale of 1-5)

Q5 Courtroom Management & Preparedness: How would you rate Judge Gonzales on his management of court arraignments and trials – is he prepared and are the sessions organized and handled in a timely, professional manner and in a way that makes the best use of court time while honoring participants' time?: (Scale of 1-5)

Q6 We welcome any more comments regarding Judge Gonzales' strengths and weaknesses: (open ended)

Note: There is also a space for comment on each of Q1-Q5.



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2021 Self Evaluation (Mark Gonzales)

One function of the Greeley Judicial Review Board is to gather information for City Council to use in its annual performance evaluation of the Municipal Judge. This form is intended to be one information-gathering tool and is to be used to facilitate **self-assessment** and **plans for professional development**.

Please indicate below how you think others have rated you in these areas, and rate yourself in the same areas.

Please circle the number that most closely describes your opinion.

5=Outstanding 4=Excellent 3=Acceptable 2=Needs Improvement 1=Unacceptable

1. Courtesy:

Others would rate me:	Performance Element:	I rate myself:
5 4 3 2 1	Being courteous toward everyone in the courtroom.	5 4 3 2 1
5 4 3 2 1	Being courteous toward defendants.	5 4 3 2 1

Comments:

2. Impartiality: Treating those involved in the case equally:

Others would rate me:	Performance Element:	I rate myself:
5 4 3 2 1	Regardless of race/ethnicity.	5 4 3 2 1
5 4 3 2 1	Regardless of gender identity.	5 4 3 2 1
5 4 3 2 1	Regardless of age.	5 4 3 2 1
5 4 3 2 1	Regardless of social/economic status.	5 4 3 2 1
5 4 3 2 1	Both the prosecution and defense.	5 4 3 2 1

Comments:

3. Communication skills:

Others would rate me:	Performance Element:	I rate myself:
5 4 3 2 1	Speaking in a way that is clearly understood and explaining court procedures thoroughly to defendants, staff and attorneys.	5 4 3 2 1

Comments:

4. **Application of the Law:**

Others would rate me:	Performance Element:	I rate myself:
5 4 3 2 1	Considering all information presented when making a decision.	5 4 3 2 1
5 4 3 2 1	Making decisions without regard to public criticism.	5 4 3 2 1

Comments:

5. **Courtroom Management & Preparedness:**

Others would rate me:	Performance Element:	I rate myself:
5 4 3 2 1	Management of court arraignments and trials – being prepared, organized sessions, handled in a timely, professional manner and in a way that makes the best use of court time while honoring participants' time.	5 4 3 2 1

Comments:

6. **Staff treatment:**

Others would rate me:	Performance Element:	I rate myself:
5 4 3 2 1	Treating court staff with dignity and respect?	5 4 3 2 1

Comments:

7. **Accomplishments:**

Please discuss the key achievements in 2021 and list any process changes implemented:

8. **Strengths and Challenges:**

Please comment on your strengths and challenges.

9. **Goals for Next Year:**

Please list specific goals for 2022.

10. **Other Comments:**

Please add any other comments desired for Council's consideration.