

Honorable Reuben J. Renstrom – Justice Court Judge

Serving Harrisville and Riverdale Municipal Justice Courts, Weber County; and Woods Cross Municipal Justice Court, Davis County



Commission Recommendation: **RETAIN**

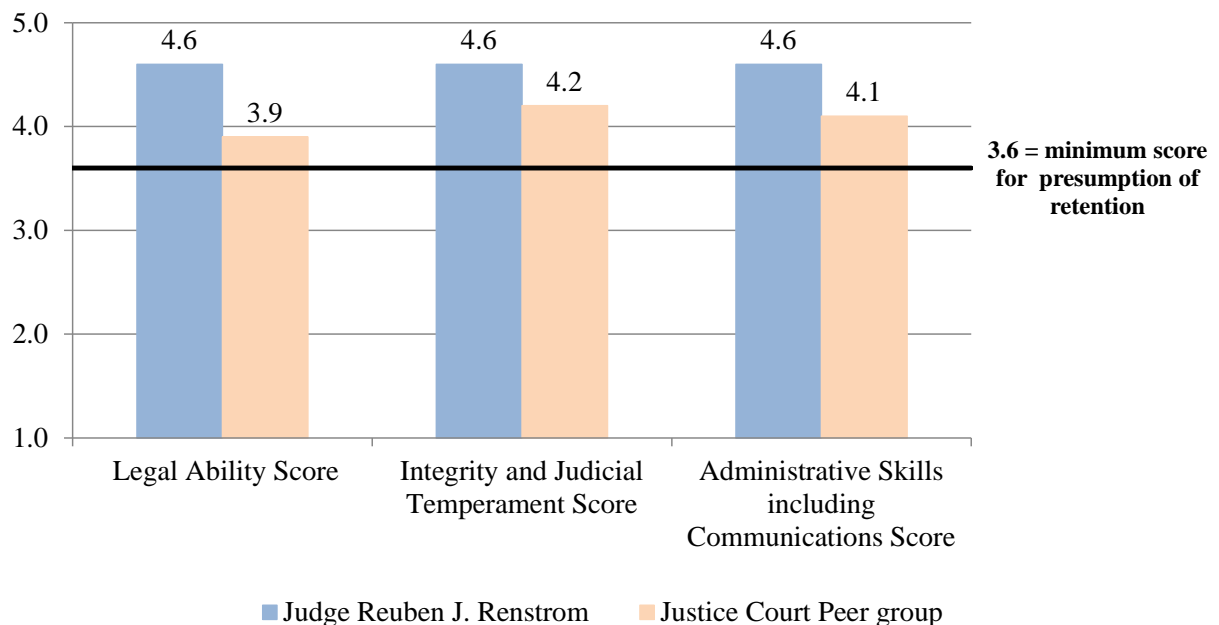
(vote count: 12-0 for retention)

Appointed in 2006, Judge Reuben Renstrom scored higher than the average of his justice court peers in all survey categories. Survey respondents described him as consistently respectful and professional. They praised him for his knowledge of the law, even-tempered demeanor, and fair and judicious decisions. Courtroom observers characterized Judge Renstrom as impartial, prepared, and an efficient courtroom manager. They were unanimous in their enthusiasm for the respect and concern he showed for everyone in his courtroom and for his clear and transparent explanations. Of survey respondents who answered the retention question, 95% recommended that Judge Renstrom be retained.

The commission reviewed surveys and courtroom observation reports in addition to verifying that Judge Renstrom has met all time standards, judicial education requirements, and discipline standards established by the judicial branch.

Judge Reuben J. Renstrom, appointed to the South Ogden Justice Court in February 2006, has since been appointed to four additional courts in Davis and Weber counties. After receiving a bachelor's degree from Weber State University, he earned a law degree from the University of Kansas. He maintained a general litigation practice prior to becoming a judge and has served as an adjunct professor in the Criminal Justice Department at Weber State University. Judge Renstrom served on the Utah Supreme Court Advisory Committee on the Rules of Civil Procedure, the Technology Committee, and as education director for the Justice Courts in the Second Judicial District. His peers elected him to the Board of Justice Court Judges in 2011, where he currently serves as chair.

This judge has met all minimum performance standards established by law.



The Honorable Reuben J. Renstrom

Judicial Performance Evaluation Commission Report

Retention 2014

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I. Survey Report

Survey Results

A. How to Read the Results

For Judge Reuben J. Renstrom, 67% of qualified survey respondents submitted surveys. Of those who responded, 43 agreed they had worked with Judge Reuben J. Renstrom enough to evaluate his performance. This report reflects the 43 responses. The survey results are divided into five sections:

- Statutory category scores
- Procedural fairness survey score
- Responses to individual survey questions
- Summary of adjectives
- Retention question

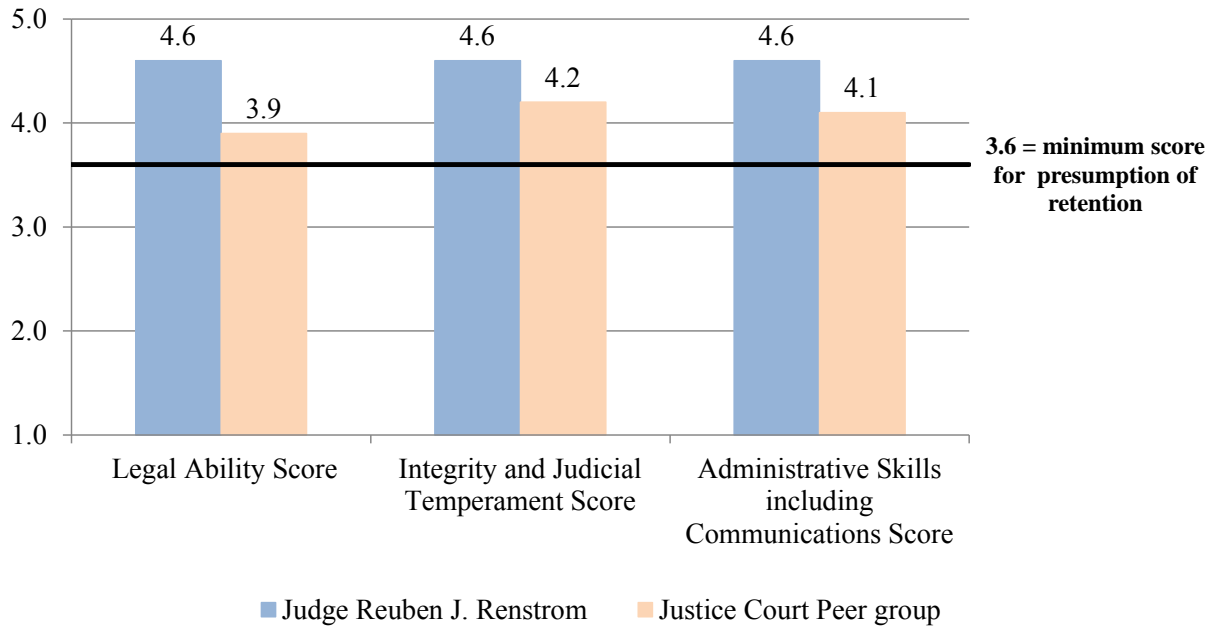
The results are shown in both graphs and tables. Each judge's scores are shown along with a comparison to other judges who serve at the same court level. The comparison group is called "Justice Court" on the charts.

The statutory category scores and the procedural fairness survey score represent average scores on a scale of 1 (inadequate) to 5 (outstanding). Responses from all survey respondent groups contribute to the average score shown for each category, with the exception of Legal Ability. Only attorneys answer these questions.

What does it take to "pass"? The judge must score a minimum of 3.6 on Legal Ability, Integrity & Judicial Temperament, and Administrative Skills to earn a presumption of retention from the Commission. That is, if a judge scores an average of 3.6 in each of these categories, the commission will vote to recommend retention unless it can articulate a substantial reason for overcoming the presumption in favor of retention. Similarly, if a judge fails to get a 3.6 in a category, the commission will vote against retention unless it can articulate a substantial reason for overcoming the presumption against retention.

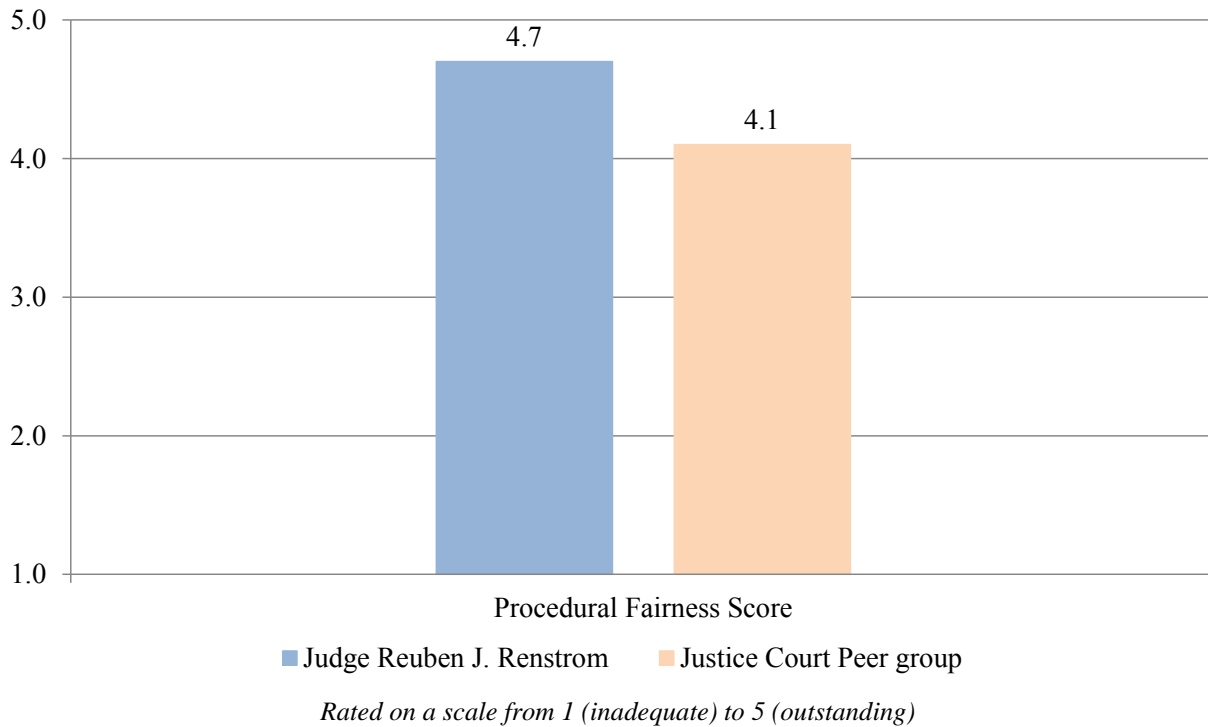
For procedural fairness, the judge must demonstrate that it is more likely than not, based on courtroom observations and relevant survey responses, that the judge's conduct in court promotes procedural fairness for court participants. Judges will receive either a Pass or Fail in procedural fairness, and this determination will be made by the commission only during the retention cycle.

B. Statutory Category Scores



Rated on a scale from 1 (inadequate) to 5 (outstanding)

C. Procedural Fairness Survey Score



For procedural fairness, the judge must demonstrate by a preponderance of the evidence that the judge’s conduct in court promotes procedural fairness for court participants. This determination is based on courtroom observations and relevant survey responses.

Overall Procedural Fairness Determination

Category	Judge Reuben J. Renstrom
Procedural Fairness	PASS

D. Responses to Individual Survey Questions

Category	Question	Judge Reuben J. Renstrom	Justice Court
Legal Ability	The judge follows the applicable legal rules (e.g. civil procedure, criminal procedure, evidence, juvenile, appellate) that apply to the case at issue.	4.5	3.9
Legal Ability	The judge makes appropriate findings of fact and applies the law to those facts.	4.5	3.9
Legal Ability	The judge follows legal precedent or clearly explains departures from precedent.	4.5	3.9
Legal Ability	The judge only considers evidence in the record.	4.6	3.9
Legal Ability	The judge's written opinions/decisions offer meaningful legal analysis.	4.5	3.8
Integrity & Judicial Temperament	The judge makes sure that everyone's behavior in the courtroom is proper.	4.7	4.3
Integrity & Judicial Temperament	The judge appears to pay attention to what goes on in court.	4.7	4.3
Integrity & Judicial Temperament	The judge's personal life or beliefs do not impair his or her judicial performance.	4.6	4.1
Integrity & Judicial Temperament	The judge demonstrates respect for the time and expense of those attending court.	4.5	4.0
Integrity & Judicial Temperament	The judge promotes access to the justice system for people who speak a language other than English, or for people who have a physical or mental limitation.	4.7	4.5

Rated on a scale from 1 (inadequate) to 5 (outstanding)

Category	Question	Judge Reuben J. Renstrom	Justice Court
Administrative Skills	The judge is prepared for court proceedings.	4.7	4.2
Administrative Skills	The judge's interactions with courtroom participants and staff are professional and constructive.	4.7	4.1
Administrative Skills	The judge is an effective manager.	4.6	4.0
Administrative Skills	The judge convenes court without undue delay.	4.3	4.0
Administrative Skills	The judge rules in a timely fashion.	4.7	4.2
Administrative Skills	The judge maintains diligent work habits.	4.7	4.2
Administrative Skills	The judge's oral communications are clear.	4.7	4.2
Administrative Skills	The judge's written opinions/decisions are clear and logical.	4.7	4.1
Procedural Fairness	The judge treats all courtroom participants with equal respect.	4.7	4.1
Procedural Fairness	The judge is fair and impartial.	4.7	4.1
Procedural Fairness	The judge promotes public trust and confidence in the courts through his or her conduct.	4.7	4.0
Procedural Fairness	The judge provides the parties with a meaningful opportunity to be heard.	4.6	4.2

Rated on a scale from 1 (inadequate) to 5 (outstanding)

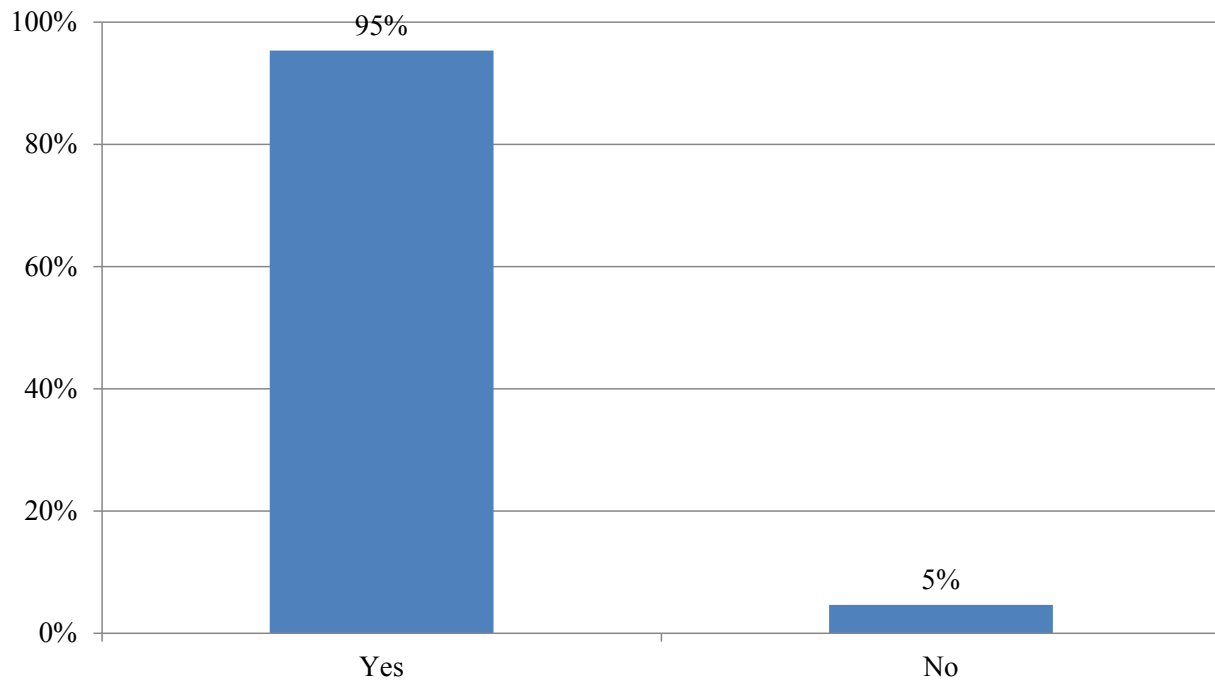
E. Adjective Question Summary

	Number of Times Mentioned*
Attentive	20
Calm	7
Confident	20
Considerate	18
Consistent	21
Intelligent	18
Knowledgeable	35
Patient	13
Polite	21
Receptive	9
Arrogant	1
Cantankerous	1
Defensive	1
Dismissive	1
Disrespectful	1
Flippant	0
Impatient	5
Indecisive	0
Rude	1
Total Positive Adjectives	182
Total Negative Adjectives	11
Percent of Positive Adjectives	94%

Respondents were asked to select adjectives from a list that best described the judge. The number shown is the total number of times an adjective was selected by respondents. The percent of positive adjectives shows the percent of *all* selected adjectives that were positive.

F. Retention Question

Would you recommend that Judge Reuben J. Renstrom be retained?



G. Attorney Demographics

What are your primary areas of practice?

Collections	-
Domestic	46%
Criminal	85%
Civil	23%
Other	8%

How many trials or hearings have you had with this judge over the past year?

5 or fewer	23%
6 - 10	46%
11 - 15	8%
16 - 20	-
More than 20	23%

Survey Background and Methods

This report presents the results from the 2013 survey process, conducted by Market Decisions, LLC. A detailed description of the survey methodology is available separately on the Utah Judicial Performance Evaluation website.

A. Survey Overview

1. Description of Sample

The following groups are invited to participate in the survey process:

- Attorneys with appearances before the judge
- Court staff who work with the judge
- Juvenile court professionals who work in the judge's courtroom on a regular and continuing basis to provide substantive input to the judge (juvenile court judges only)
- Jurors who participate in jury deliberation (district and justice court judges only)

With the exception of the attorney survey, the survey contractor attempts to survey all court staff and juvenile court professionals who work with judge and all jurors who reach the point of jury deliberation. The lists of court staff and juvenile court professionals are provided by the courts and by the Division of Child and Family Services and Juvenile Justice Services. A list of jurors is created after each trial. All lists are forwarded to the surveyor, Market Decisions, LLC.

For the attorney survey, a representative sample of attorneys is drawn to evaluate each judge based on appearances over a designated two-year period. The sample is weighted to select those with the greatest experience before the judge, assuming that these people will have a better knowledge base about the judge than those with less experience. Attorneys are first stratified into three groups; those with one or more trial appearances, those with 3 or more non-trial appearances, and those with 1-2 non-trial appearances. Attorneys within each sample are then randomized prior to selection. Selection begins with attorneys who have trial experience, then those with a greater number of non-trial appearances (if needed), and finally those with fewer non-trial appearances (if needed).

2. Summary of Survey Methods

Surveys are conducted online, using web-based survey software. Each respondent receives an initial email invitation requesting participation in the survey. A separate email is sent for each judge that a respondent is asked to evaluate. A reminder email is sent one week later to those who did not respond by completing and submitting a survey. This is followed by three additional reminder emails sent to respondents over the next three weeks. If a respondent completes only part of the survey, he or she is able to finish the survey at a later time. Once a respondent has completed the survey for a specific judge, the survey is locked and cannot be accessed again.

The number of questions included in the survey varies, ranging from 9 (jurors) to 24 (attorneys with an appearance before an appellate court judge). Each question is evaluated on a sliding scale ranging from 1 (inadequate) to 5 (outstanding).

Responses to individual questions are used to calculate averaged scores in three statutory categories: Legal Ability, Integrity & Judicial Temperament, and Administrative Skills. Judges also receive an averaged score in Procedural Fairness.

B. Evaluation Period

The retention evaluation period for judges standing for election in 2014 began on June 1, 2012 and ended on June 30, 2013.

II. Courtroom Observation Report

REPORT OF COURTROOM OBSERVATIONS FOR JUDGE REUBEN RENSTROM

Four observers wrote 104 codable units that were relevant to 15 of the 17 criteria. Three observers reported that the judge was not aware that JPEC observers were present, and one did not know if the judge was aware.

Overview

WIDELY AGREED-UPON THEMES	<ul style="list-style-type: none"> All observers were enthusiastically positive about Judge Renstrom. All observers variously reported that Judge Renstrom listened carefully and was prepared, efficient, and orderly. While he did not explain late starts or recess delays, he showed great concern for others' time, apologizing for inconveniences and accommodating all schedules. He was polite, courteous, and patient, and his demeanor was congenial, approachable, kind, and at ease. He was also professional and dignified, maintained eye contact, and spoke in a consistently even and pleasant voice. He was a model for neutral behavior, treating all parties in a consistent manner. He was unhurried, and consistently gave sufficient time for each participant to tell their story, which they did in the congenial atmosphere of this court. He asked for clarifications and recommendations and addressed all suggestions. Judge Renstrom went to great lengths to be transparent in explaining with clarity the rationale behind his decisions. He was intent on ensuring he was understood and that defendants understood their rights, and he always asked for questions. When translators were present or he had doubts about comprehension, he spoke in short phrases and rephrased what he said. All observers particularly emphasized Judge Renstrom's great respect for others and his concern to do the right thing for each individual. He greeted and addressed all parties in a highly respectful manner and expected respect for the court in return. He was careful in pronouncing participants names correctly, apologized readily whenever appropriate, and thanked all participants at the beginning and end of each case. He showed his concern by always asking about individual needs, was flexible in adjusting his sentencing according to circumstances, and ensured his sentences were always "do-able." All observers reported that they would feel comfortable appearing before Judge Renstrom.
MINORITY OBSERVATIONS	<ul style="list-style-type: none"> None
ANOMALOUS COMMENTS	<ul style="list-style-type: none"> None

Summary and *exemplar language* of four observers' comments

RESPECTFUL BEHAVIORS

Listening & focus	Two observers reported that Judge Renstrom <i>listened carefully and intently</i> .
Well-prepared & efficient	Two observers reported that Judge Renstrom was <i>prepared and expedient, yet allowed each participant plenty of time</i> . The courtroom was <i>very efficient and orderly</i> .
Respect for others' time	While court started <i>half an hour late</i> and there were <i>delays for recesses with no explanations</i> , three observers reported Judge Renstrom's concern for others' time. He was <i>very apologetic</i> to a man who had to wait <i>for sentencing</i> because the judge had to attend a video conference, saying, <i>"Mr. X, I am sorry we had to defer you. Let's handle this fine now, and hopefully it will be just a bad memory at that point."</i>

Respect for others' time continued	He made frequent accommodations for participants' schedules, saying for example, " <i>What time do you get off work on Friday?</i> " or, " <i>If [the prosecutor is] running late, I'll let you know so you can leave in time to get to work,</i> " or, " <i>Did you need more time? Please talk to me if you can't manage it.</i> " In one case he asked an individual to <i>sit down and review recommendations</i> of an assessment to give <i>ample time for him to prepare his response</i> without taking the time of others.
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Respectful behavior generally	All observers particularly reported Judge Renstrom's great respect for all participants. His <i>first words on entering were, "Thank you."</i> He addressed each person as " <i>Sir</i> " or " <i>Ma'am</i> " regardless of age or appearance and greeted them with a <i>friendly but professional, "Good afternoon."</i> He apologized if he interrupted a speaker and <i>apologized to a Middle Eastern man, "I'm sorry about the pronunciation of your name, I'm trying,"</i> and he always <i>pronounced Latino names with a Spanish accent. Even when firm he was respectful,</i> speaking with the same <i>even voice tone and calm facial expression,</i> while making it clear that he also <i>expected punctuality and respect for the court</i> from others.
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When speaking via video he was *careful to explain pauses, saying, "Give me one moment, I'm just reviewing the file."* He *thanked an attorney who had instructed his client about his rights,* saying, "*Thank you for that aid to the court,*" and he thanked all participants *when their case was finished.* One observer appreciated the *powerful and meaningful* manner in which he *complimented a young man* when working out the details of a payment plan, saying "*You're a fine young man, you present yourself well... This is not your dad's obligation, it's yours.*"

One observer, while reporting the great respect showed by Judge Renstrom, also noted a *minor detail* in which the judge reviewed information for longer than 30 seconds without speaking, and the observer mentioned that he *perhaps could have let the defendant know that he was reviewing information and would be with them soon rather than calling them up and not saying anything.*

RESPECTFUL TONE

Courtesy, politeness and patience	Two observers reported that Judge Renstrom was <i>patient and polite,</i> even when <i>admonishing,</i> saying, " <i>Slow down, you don't know how to maneuver at that speed.</i> " His <i>courteous greetings</i> were returned with <i>similar courtesy and exchange of pleasantries.</i>
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Courtroom tone & atmosphere	All observers reported that Judge Renstrom was <i>calm, congenial, friendly, approachable,</i> and <i>kind</i> throughout the sessions. He was <i>accommodating where appropriate, professional and appropriately compassionate,</i> and <i>dignified without seeming superior or patronizing.</i> Judge Renstrom was <i>at ease</i> in the courtroom, and his <i>occasional levity went over well.</i> However he was also <i>firm when necessary,</i> telling one defendant who requested that bail money be reapplied to his fine, " <i>I'm not in favor of returning bail money and then setting up payments,</i> " and to another without a drivers license, " <i>You are on final notice: no license, no driving. I will put you in jail if this happens again.</i> "
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Observers appreciated the *relaxed, calm, orderly and quiet atmosphere* of the courtroom, in which all members of court were *congenial* to one another.

Body language	Three observers reported that Judge Renstrom maintained <i>direct eye contact</i> with each participant. His appearance was <i>professional,</i> and he was <i>well spoken.</i>
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Voice quality	Three observers reported that Judge Renstrom's voice was <i>consistently even-toned</i> and <i>pleasant,</i> and he maintained a <i>neutral facial expression.</i> He <i>adjusted his tone</i> according to the <i>specifics of the case,</i> in one case showing <i>compassion for a single mother struggling to pay fines.</i> In video cases he ensured that the <i>microphone was positioned so that all could hear the proceedings.</i>
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NEUTRALITY

Consistent and equal treatment	Two observers reported that Judge Renstrom was a <i>model for neutral behavior,</i> with a <i>consistent facial expression and tone of voice.</i> He <i>explained rights and applied sentences</i> in a <i>consistent way,</i> and he gave <i>equal value to what was said</i> by each party, even when defendants were <i>not particularly well dressed or were young and inexperienced.</i> Whenever one party made a statement, he gave the other party a chance to <i>rebut or add clarifying information.</i>
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Acts with concern for individual needs	<p>Three observers reported that Judge Renstrom <i>was very concerned about doing what was right for each individual</i>. He asked about individual <i>needs, problems or concerns</i>, and was <i>flexible in adjusting</i> his sentencing to each circumstance <i>in order to make sentences “do-able,”</i> saying, <i>“I’m trying to accommodate you,”</i> or, <i>“Just come and talk to me – I can understand that when you move you may need extra money.”</i> He <i>encouraged</i> defendants to see him again <i>if there were any difficulties with fulfilling an obligation</i>. He was <i>quick to advise people that they may qualify for plea in abeyance status</i> and <i>gave them the opportunity to fill out applications</i>.</p> <p>In one case he explained to a young man, <i>“Part of my job is to rehabilitate you. I don’t want to make you nervous...but I want to get it right. Do you understand why I am treating your case differently?”</i> He <i>waited for a response</i> before directing the man to the rehabilitation counselor. In another case he <i>listened attentively to a defense attorney</i> explaining why his client could not do her community service hours, then spoke with the prosecutor as to <i>why there were so many hours</i>, and they both agreed <i>she should not go to jail and that the hours should be reduced</i>.</p>
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Unhurried and careful	Two observers reported that Judge Renstrom was <i>unhurried and gave plenty of wait time for each defendant to speak</i> .
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VOICE

Considered voice	<p>Three observers reported that Judge Renstrom <i>consistently</i> asked defendants to tell him <i>“What would you like me to know”</i> before sentencing, and he gave each person the <i>unhurried opportunity to tell their “story,”</i> after which he <i>asked for clarification if needed</i>. Because the atmosphere was <i>congenial and on the lighter side</i>, each person was <i>comfortable in expressing themselves openly</i>. He <i>asked for recommendations</i> from case specialists to <i>help determine sentencing or other courses of action</i>, <i>addressed every suggestion</i>, and then <i>gave the defendant the opportunity to respond</i> to the recommendations. He <i>asked Prime for Life representatives how defendants were doing in the classes personally rather than just going by the reports they had given him</i>.</p>
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COMMUNICATION

Communicates clearly	Two observers reported that Judge Renstrom <i>spoke with clarity</i> in his <i>rulings and explanations of procedures, rights, and responsibilities</i> .
Ensures information understood	Two observers reported that Judge Renstrom <i>always asked</i> if participants understood him and <i>if they had any questions</i> . He was <i>intent on ensuring defendants understood their rights</i> , asking, <i>“Did you review the green rights form, and do you have any questions?”</i> He was careful to ask if a translator was needed <i>if he had doubts about a person’s comprehension</i> , and he then <i>spoke in short phrases with pauses so that the interpreter would have sufficient time</i> . When a defendant refused translator help, <i>he rephrased what he had said until he was sure the man understood</i> .
Provides adequate explanations	Three observers reported that Judge Renstrom <i>went to great lengths to be transparent</i> about the reasons for his rulings, explaining <i>in detail what the law allowed him to do by way of jail time, enhancements and fines</i> . He <i>briefly explained his philosophy in underage drinking cases and talked about alcohol being a gateway drug</i> . He gave <i>explicit and detailed directions</i> regarding defendants’ obligations.
