



The Honorable Laura S. Scott

About the report

In making its recommendation to voters about whether a judge should be retained, JPEC considers the judge's legal ability, integrity and judicial temperament, administrative skills, procedural fairness, public comment, and judicial discipline records as well as compliance with judicial education, fitness for office, and case-under-advisement time standards. If a judge meets minimum standards, there is a legal presumption that commissioners will vote to recommend the judge be retained. If a judge fails to meet minimum standards, there is a legal presumption that commissioners will vote not to recommend the judge for retention. Included below are the Survey and Courtroom Observation Reports. The Survey Report summarizes information collected from attorneys, court employees, jurors (district and some justice court judges only) and juvenile court professionals (juvenile court judges only). Surveys are anonymous and inclusion in the survey is based on court-appearance records. The Courtroom Observation Report summarizes information reported by at least four trained, volunteer court observers per judge.

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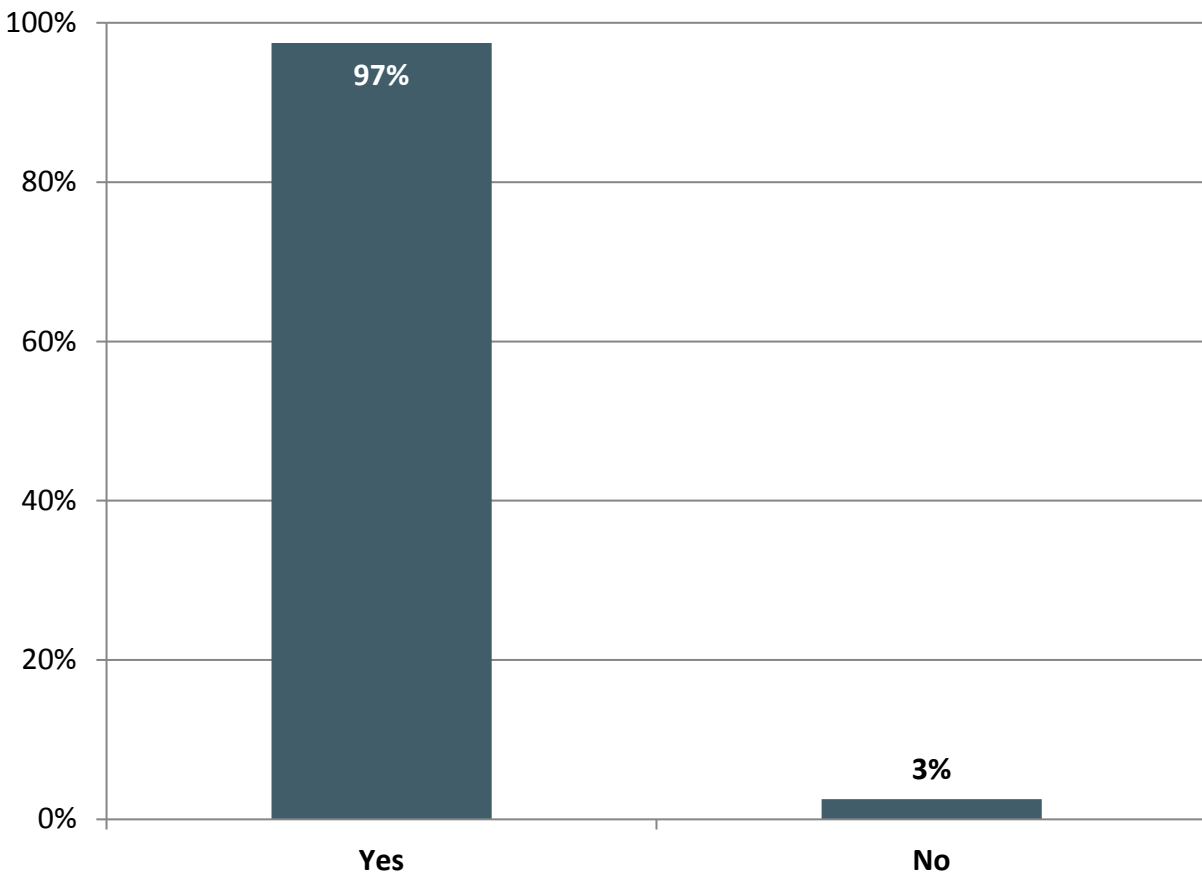
Survey Report

Survey Results

For Judge Laura S. Scott, 46% of qualified survey respondents submitted surveys. Of those who responded, 81 agreed they had worked with Judge Laura S. Scott enough to evaluate the judge's performance. This report reflects these 81 responses. For more information on the survey, please see Survey Information. For more information about the evaluation process, please see How to Read the Results.

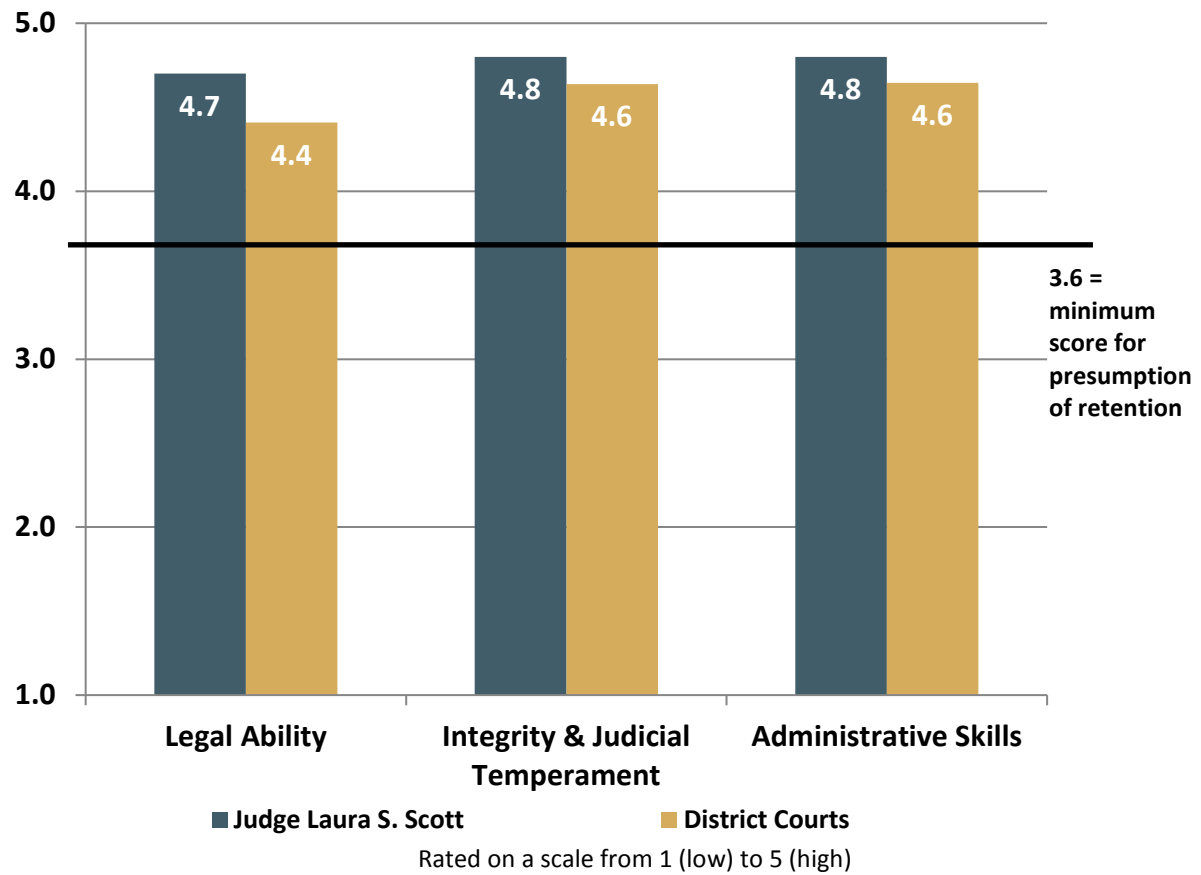
Retention Question

Survey Question: Would you recommend that Judge Laura S. Scott be retained?



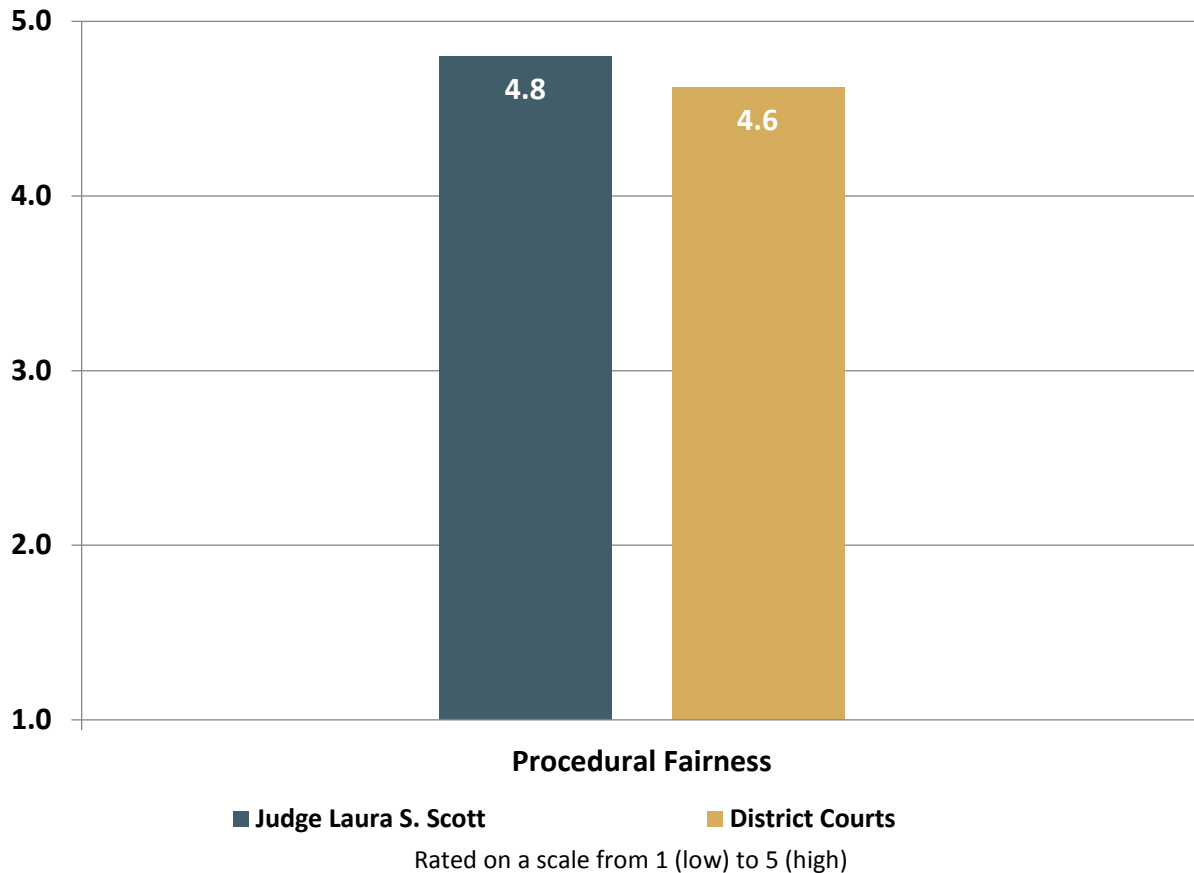
Survey Report

Statutory Category Scores



Survey Report

Procedural Fairness 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.

Table A. Overall Procedural Fairness Determination (for Retention Only)

Category	Judge Laura S. Scott
Procedural Fairness	Pass



Survey Report

Responses to Survey Questions

Category	Question	Judge Laura S. Scott	District Courts
Legal Ability	The judge followed the legal rules (e.g. civil procedure, criminal procedure, evidence, juvenile, appellate) that applied to the case at issue.	4.7	4.4
Legal Ability	The judge made adequate findings of fact and applied the law to those facts.	4.6	4.4
Legal Ability	The judge followed legal precedent or explained departures from precedent.	4.7	4.4
Legal Ability	The judge only considered evidence in the record.	4.7	4.5
Legal Ability	The judge based opinions/decisions on applicable legal principles and controlling law.	4.7	4.4
Legal Ability	The judge's opinions contained a readily understandable ruling.	4.7	4.5

Rated on a scale from 1 (low) to 5 (high)



Survey Report

Responses to Survey Questions (continued)

Category	Question	Judge Laura S. Scott	District Courts
Integrity & Judicial Temperament	The judge made sure that everyone's behavior in the courtroom was proper.	4.8	4.7
Integrity & Judicial Temperament	The judge paid attention to what went on in court.	4.9	4.7
Integrity & Judicial Temperament	The judge's personal life or beliefs did not impair his or her judicial performance.	4.7	4.5
Integrity & Judicial Temperament	The judge demonstrated respect for the time and expense of those attending court.	4.8	4.6
Integrity & Judicial Temperament	The judge worked to ensure that the participants understood the court proceedings.	4.8	4.7
Integrity & Judicial Temperament	The judge conducted proceedings without favoritism.	4.8	4.6
Integrity & Judicial Temperament	The judge considered arguments from all sides before ruling.	4.9	4.6
Integrity & Judicial Temperament	The judge demonstrated diligent work habits.	4.9	4.6
Integrity & Judicial Temperament	The judge maintained a professional demeanor in the courtroom.	4.9	4.7

Rated on a scale from 1 (low) to 5 (high)



Survey Report

Responses to Survey Questions (continued)

Category	Question	Judge Laura S. Scott	District Courts
Administrative Skills	The judge was prepared for court proceedings.	4.9	4.6
Administrative Skills	The judge's interactions with courtroom participants and staff were professional and constructive.	4.8	4.7
Administrative Skills	The judge managed the court calendar effectively.	4.9	4.5
Administrative Skills	The judge convened court without undue delay.	4.9	4.7
Administrative Skills	The judge ruled in a timely fashion.	4.8	4.6
Administrative Skills	The judge communicated clearly.	4.8	4.7
Category	Question	Judge Laura S. Scott	District Courts
Procedural Fairness	The judge treated all courtroom participants with equal respect.	4.9	4.6
Procedural Fairness	The judge performed his or her duties fairly and impartially.	4.8	4.6
Procedural Fairness	The judge promoted public trust and confidence in the courts through his or her conduct.	4.9	4.6
Procedural Fairness	The judge provided the court participants with a meaningful opportunity to be heard.	4.9	4.7

Rated on a scale from 1 (low) to 5 (high)



Survey Report

Adjective Question Summary

Survey respondents rated how well a list of adjectives describes the judge. A rating of 1 indicates the adjective *does not describe the judge at all*, and a rating of 5 indicates the adjective *describes the judge very well*. For the positive adjectives, a higher average score is better. For the negative adjectives, a lower average score is better.

Descriptor	Judge Laura S. Scott	District Courts	
Attentive	4.8	4.6	Positive Adjectives HIGHER average score is better
Capable	4.7	4.5	
Ethical	4.8	4.7	
Knowledgeable	4.6	4.4	
Impartial	4.5	4.3	
Open-minded	4.4	4.3	
Disrespectful	1.1	1.4	Negative Adjectives LOWER average score is better
Impatient	1.2	1.6	
Indecisive	1.4	1.6	
Unprepared	1.4	1.4	



Survey Information

This report presents the results from the 2017 survey process, conducted by Market Decisions, LLC. A detailed description of the survey methodology is available separately on the Utah Judicial Performance Evaluation website.

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), and
- 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 the 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 time 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 three or more non-trial appearances, and those with one to two 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).

Summary of Survey Methods

Surveys are conducted online, using web-based survey software. Each qualified respondent receives an initial email notification signed by the Chief Justice and JPEC Chairperson. Next, an email invitation, signed by JPEC's Executive Director and the Utah State Bar President, contains links to all the individual surveys each respondent is invited to complete. A reminder email is sent one week later to those who did not respond by completing and submitting a survey. This is followed by at least two 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, that survey is locked and cannot be accessed again.



The number of questions included in the survey varies, ranging from 9 (jurors) to 35 (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 average score in Procedural Fairness.

Evaluation Period

The retention evaluation period for judges standing for election in 2018 began on January 1, 2016 and ended on September 30, 2017.



Courtroom Observation Report

Evaluative Criteria

CRITERIA	DESCRIPTION
RESPECT	
Listening & focus	Listening refers to all indications of attention and engagement through active listening. Giving voice to those in court is included below under “Considered voice”.
Well-prepared & efficient	Efficiency refers to the judge’s behaviors. The court’s efficiency appears below under “Courtroom tone & atmosphere”.
Respect for other's time	This includes the starting time of sessions as well as all interactions with those in court that take into consideration the value of their time.
Courtesy, politeness, and general demeanor	This refers to respectful behaviors generally, as well as behaviors directed at specific individuals that indicate respect for a person’s value or status.
Body language	This refers to eye contact and facial expressions, general body language, and engaged behavior.
Voice quality	This refers to both mechanical qualities such as pitch and volume, and emotional qualities such as inexpressive, sarcastic or exasperated tone.
Courtroom tone & atmosphere	This refers more generally to the tone and atmosphere of the courtroom.
NEUTRALITY	
Consistent and equal treatment	This refers to listening to all sides, and treating individuals in similar situations similarly.
Demonstrates concern for individual needs	This refers to concern for individual differences and giving due regard to the individual’s specific situation. Expressing concern that individuals understand the proceedings is included below under “Ensures information understood”.
Unhurried and careful	This refers to allowing sufficient time for the judge and those in court to conduct themselves in a thorough manner.
VOICE	
Considered voice	This refers both to allowing those in court to express themselves and to the judge’s consideration of what was expressed in his/her statements or decision.
Formal voice	This refers to giving voice based on required procedure without apparent consideration by the judge of what was expressed.
COMMUNICATION	
Communicates clearly	This refers both to clarity of speech and to the use of language appropriate to the listener.
Ensures information understood	This refers to active attention by the judge in ensuring those in court understand all information relevant to them, and includes translation and comprehension for non native English speakers.
Provides adequate explanations	This refers to providing sufficient explanation of the basis of decisions and of legal procedure and terminology to ensure that those in court understand proceedings relevant to them.



FOUR OVERVIEW SECTIONS

Overall assessment	<p>The first statement in this section is an overall summary of the entire set of observer comments.</p> <p>The second statement indicates the number of observers indicating that they would feel comfortable appearing before the judge.</p>
Widely agreed-upon themes	<p>Behaviors reported by all (or almost all) observers and thus well established. Deficits mentioned here were widely reported and therefore merit attention.</p> <p>The subsequent statements are not intended to be a complete summary of the observers comments, but rather highlight the most frequently noted and forcefully expressed themes in the way that the observers expressed them, with the goal of evoking an overall sense of the entire set of observer comments.</p>
Minority observations	<p>Behaviors noted by two (or possibly three) observers that would be worth building on (if desirable) or otherwise thinking about avoiding.</p> <p>Not every behavior reported by a minority of observers is summarized here, only those that reflect a notable or somewhat discrepant perspective that was not widely agreed upon.</p>
Anomalous comments	<p>Comments of one (or in rare cases two) observers that reflect a markedly different or decidedly contradictory perspective from all other observers are included here. They are intended to stimulate reflection, such as: why were these observers affected by this behavior, or does this particular situation tend to lead to this uncharacteristic behavior?</p> <p>Not every anomalous comment in the report is included in this summary section. While all have been included in the report, some are not included in this summary section because they are too minor, or appear to reflect something about the observer rather than the judge.</p>

Italicized text

Throughout the report, italicized text refers to actual words or phrases used by the observers.

Terminology

In all three overview sections, paragraphs are introduced with the following terminology.

If the number of observers is specified, e.g. “All observers reported...” or “Three observers reported...”, then every statement in the paragraph was mentioned or implied or alluded to by that number of observers.

If the word “variously” is added, e.g. “All observers variously reported...” or “Three observers variously reported...”, then not every statement in the paragraph was directly mentioned or implied or alluded to by every one of those observers, but rather the sense of all the statements in the paragraph taken together was.

To avoid repetition, the word “variously” is not used to open every paragraph in every detail box of the report, even though it generally applies.



Content Analysis

Overview

OVERALL ASSESSMENT	<ul style="list-style-type: none"> All observers were strongly positive about Judge Scott. All observers reported confidence that if appearing before Judge Scott they would be treated fairly.
WIDELY AGREED-UPON THEMES	<ul style="list-style-type: none"> All observers variously reported that Judge Scott listened attentively with focus and comprehension. She showed her mastery of each case and of participants' prior appearances, and she effectively used her thorough and comprehensive knowledge of the cited case law. She began court promptly and helped speed things along to help save participants' time, but she was never hurried. She was friendly when greeting participants and took pains to pronounce their names correctly. Her calm, patient, courteous, and professional demeanor instilled confidence, and her respectful behaviors in all situations was beyond reproach. She maintained an interested and open expression, made eye contact, and spoke sufficiently loudly. She allowed all relevant parties to fully express themselves, and when defendants could not express their thoughts she asked them questions to assist them tell their concerns. Her clear and unambiguous explanations that anyone would understand were impressive. She explained her reasoning, what rights were given up, why she granted or overruled objections, and she walked participants through their next steps. She patiently slowed the proceedings for translators to ensure that all parties understood everything.
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

<i>RESPECT</i>	
Listening & focus	Three observers reported that Judge Scott <i>entirely focused on each speaker, listening very attentively. Nothing gets past her – she is not just listening, but clearly comprehending.</i>
Well-prepared & efficient	Two observers reported that Judge Scott <i>showed mastery of the cases with little reference needed to her notes, commenting on participants' past appearances and in one case remembering a grandfather's anxiety as the reason for his being excused from this hearing. She summarized her understanding of the case and asked both sides if her summary was correct. She effectively used her thorough and comprehensive knowledge of the case law cited by the attorneys, helping to clarify the attorney's arguments and hone each side's arguments toward the aspects of law at issue. She handled multiple cases smoothly, working through 36 cases in under 90 minutes.</i>
Respect for others' time	Three observers reported that Judge Scott <i>began promptly at 8:30. She accommodated attorneys' requests for continuances in a reasonable manner, and she helped speed things along for participants by managing to get printouts on the spur of the moment. She stopped a woman from leaving the court in order to give her the pertinent paperwork and save her an additional visit.</i>



Courtesy, politeness, and general demeanor	All observers reported that Judge Scott was <i>friendly and smiling</i> as she greeted participants by <i>name and title</i> , and she <i>took pains to pronounce names correctly or spelled them out to avoid confusion</i> . She <i>frequently commented on past appearances</i> , remarking, “ <i>Nice to see you again,</i> ” and frequently <i>thanked participants for their patience</i> . She <i>instilled great confidence</i> with her <i>calm, unfailingly patient, courteous, professional and focused</i> demeanor, and her <i>respect for participants was beyond reproach</i> . When a <i>police prosecution witness</i> could not <i>remember the situation he was investigating and what he had found</i> , Judge Scott made <i>no comment as to his poor performance</i> . When anyone tried to <i>interrupt her speaking she courteously and respectfully asked them to wait for her to finish what she was saying before responding</i> . She was <i>patient during a long and repetitious questioning</i> of a witness before <i>respectfully stating that he should not continue his line of questioning and move on to other matters</i> . In guardianship cases she <i>engaged directly with children, asking them about school and holidays</i> .
Body language	Two observers reported that Judge Scott <i>maintained an interested and open facial expression and a wonderful warm smile</i> . She <i>looked into the eyes of those to whom she was speaking or who were speaking to her</i> .
Voice quality	One observer reported that Judge Scott spoke <i>sufficiently loudly so that all relevant parties could hear and understand what was taking place</i> .
Courtroom tone & atmosphere	Two observers reported that <i>all aspects of the court were calmly professional with a very good atmosphere</i> .
<i>NEUTRALITY</i>	
Demonstrates concern for individual needs	One observer reported that Judge Scott <i>helped participants look ahead</i> , for example when <i>suggesting an amended petition be filed so the record would be clear in the case of future litigation</i> .
Unhurried and careful	Three observers reported that Judge Scott <i>never appeared hurried</i> . She <i>double checked to ensure no one had shown up by mistake</i> , and she <i>asked questions and checked paperwork for the proper wording of a guardianship agreement to ensure that the child would be covered by the guardian’s work benefits</i> .
<i>VOICE</i>	
Considered voice	Three observers reported that Judge Scott <i>allowed every relevant party to express themselves and fully present their argument, their points of view, the reasons for their actions, and how the judge’s decisions would affect them and their families</i> . When defendants <i>couldn’t express their thoughts she asked specific questions to assist them in telling her of their concerns</i> . She <i>did not make rash decisions but permitted both sides to fully support their positions</i> .
<i>COMMUNICATION</i>	
Communicates clearly	One observer reported that Judge Scott was <i>careful to address the explanation of how she derived her conclusions in a manner that anyone involved would understand</i> .
Ensures information understood	Two observers reported that Judge Scott <i>patiently slowed the proceedings so that the translator could work effectively</i> and ensure that <i>everything was clear and understood by all parties</i> .
Provides adequate explanations	All observers reported that Judge Scott was <i>impressive in her clear and unambiguous explanation of the reasoning for her rulings</i> . She was <i>clear and detailed</i> when explaining to defendants who were pleading guilty <i>what rights they were giving up and their possible sentences</i> . She <i>took time to explain what was happening and why to those supporting someone in court</i> , and she <i>explained why she overruled or granted objections</i> . She <i>walked participants through their next steps</i> , and when <i>mediation was the next step required by law she made sure each family member had a mediation information packet</i> .



How to Read the Results

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 "District Courts" 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 the Legal Ability 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.

Respondents are asked whether or not they think the judge should be recommended for retention only during the retention cycle.



3RD JUDICIAL DISTRICT COURT

Visit JUDGES.UTAH.GOV for more information about this judge



Honorable Laura S. Scott

- Serving **Salt Lake, Summit & Tooele** Counties
- Commission Recommendation: **RETAIN**
- Commission Vote Count: 12-0 (for retention)
- Performance Standards: Passed 8 of 8

Appointed in 2014, Judge Laura S. Scott scores statistically above the average of her district court peers on all scored minimum performance standards. Ninety-seven percent of survey respondents recommend Judge Scott for retention. Respondents and courtroom observers praise the judge’s thorough case preparation and her unambiguous explanations of her concise and well-reasoned rulings. A number of respondents appreciate Judge Scott’s excellent temperament and courtroom demeanor, adding that she is diligent, always respectful, and listens attentively. Indeed, an observer notes that “nothing gets past her.” The evaluation suggests Judge Scott expertly balances strong courtroom management with procedural fairness, ensuring that participants are given meaningful opportunities to receive their ‘day in court.’ When rating judicial attributes, respondents identify Judge Scott as particularly attentive and capable. They also characterize her as notably respectful, patient, and decisive. This judge meets discipline standards set by statute and has been certified by the Judicial Council as meeting all time standards, education requirements, and mental and physical competence standards.

Judge Laura S. Scott was appointed by Governor Gary Herbert in 2014. She handles a civil calendar and felony drug court. Judge Scott serves on numerous committees, including the Board of District Court Judges, Rules of Civil Procedure Advisory Committee, and Ethics Advisory Committee. She teaches pre-trial practice at the S.J. Quinney College of Law. Judge Scott earned a bachelor’s degree from the University of Utah and graduated cum laude from the Sandra Day O’Connor College of Law at Arizona State University in 1993. She served as Assistant General Counsel for the University of Utah until 1997 and then joined Parsons Behle & Latimer, where she maintained a civil litigation practice and served on the board of directors. In 2014, Judge Scott received the Utah State Bar’s Professionalism Award.

