

## Honorable Stevan W. Ridge – Justice Court Judge

Serving Utah County Justice Court



### Commission Recommendation: **RETAIN**

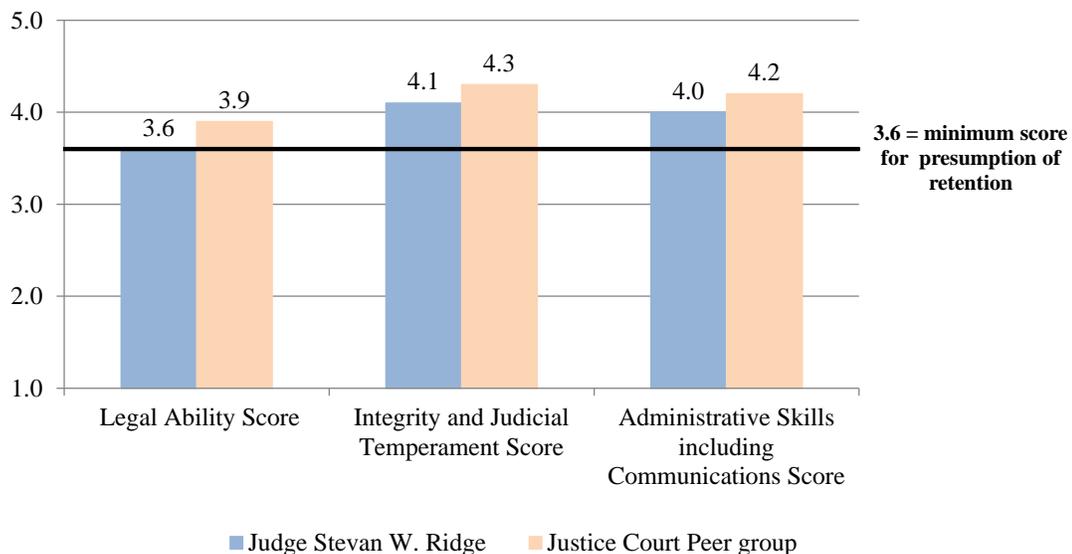
(vote count: 12-0 for retention)

Appointed to the bench in 2002, Judge Stevan Ridge scores consistent with the average of his justice court peers in all survey categories. Survey respondents characterize Judge Ridge as confident and consistent, but also impatient and dismissive. Courtroom observers view him as a clear communicator, attentive and interested in each defendant. Some also remark, however, that his demeanor feels impersonal. Most courtroom observers believe that if they were to appear before Judge Ridge, he would treat them fairly. As required by statute, the Judicial Performance Evaluation Commission notes that in 2010 the Utah Supreme Court publically reprimanded Judge Ridge for a sentencing practice he misunderstood and has since discontinued, that treated defendants differently if they announced an intent to appeal. Of survey respondents answering the retention question, 78% recommend that Judge Ridge be retained.

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

Judge Stevan W. Ridge was appointed to the Heber City Justice Court in 2002. In 2008, he was appointed Judge of the Utah County Justice Court. Judge Ridge was educated at Utah State University and Weber State University. He is a graduate of P.O.S.T. and the Utah Corrections Academy. Prior to his appointment to the bench, he served in law enforcement for 23 years. Judge Ridge served one term as a Midway City Councilman and one term as the Mayor of Midway City. Judge Ridge is a graduate of the Legal Institute for Justice Court Judges and served two terms as education director for the 4<sup>th</sup> District Justice Court Judges.

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



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# **The Honorable Stevan W. Ridge**

**Judicial Performance Evaluation Commission Report**

**Retention 2016**

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### II. Courtroom Observation Report

# I. Survey Report

## Survey Results

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### A. How to Read the Results

For Judge Stevan W. Ridge, 35% of qualified survey respondents submitted surveys. Of those who responded, 33 agreed they had worked with Judge Stevan W. Ridge enough to evaluate his performance. This report reflects these 33 responses. The survey results are divided into five sections:

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

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 the Legal Ability questions.

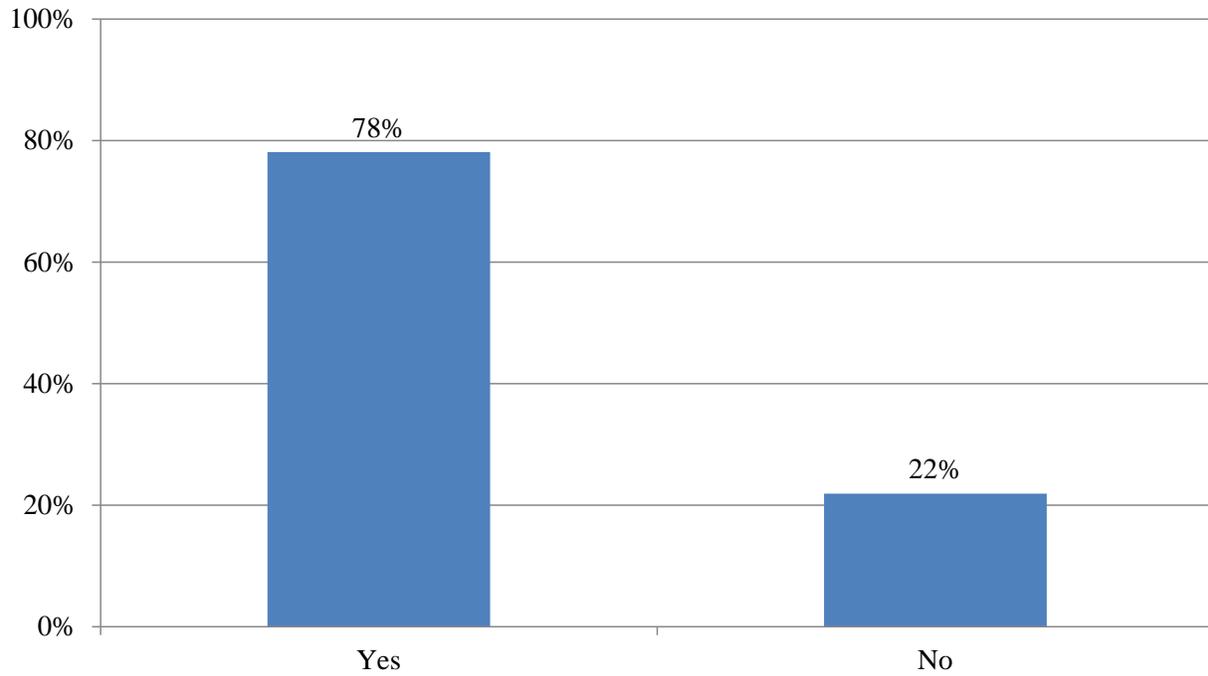
What does it take to "pass"? The judge must score a minimum of 3.6 on Legal Ability, Integrity & Judicial Temperament, and Administrative Skills to earn a presumption of retention from the Commission. That is, if a judge scores an average of 3.6 in each of these categories, the commission will vote to 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.

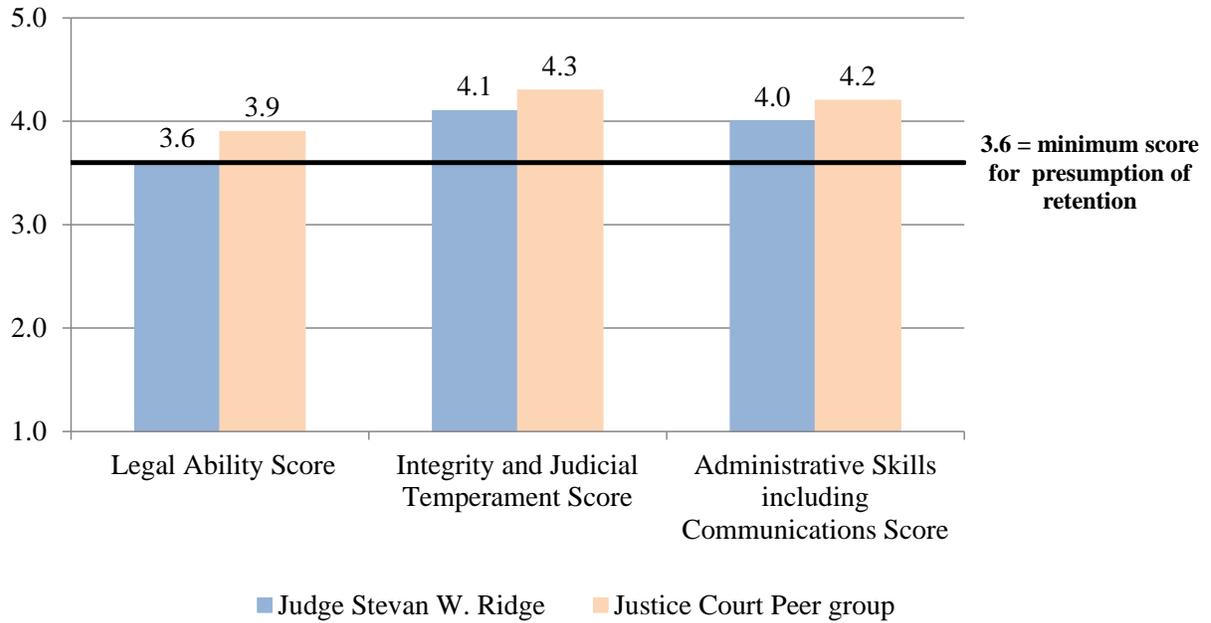
## B. Retention Question

**Figure A. Would you recommend that Judge Stevan W. Ridge be retained?**



## C. Statutory Category Scores

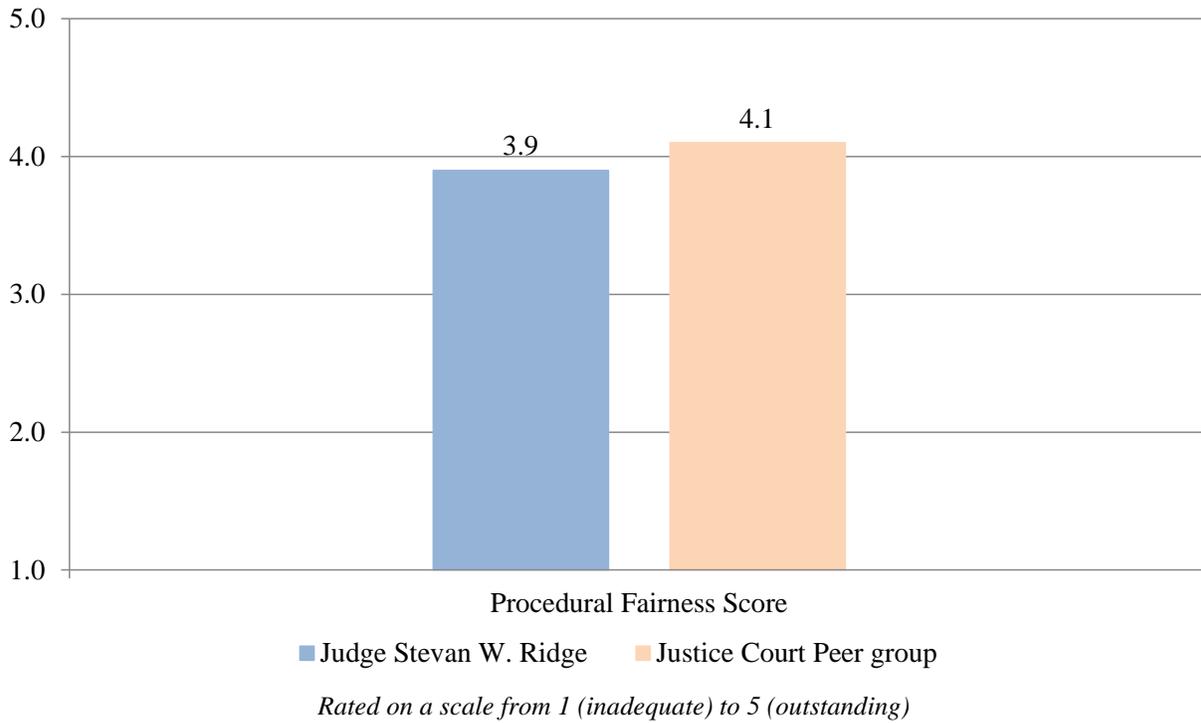
**Figure B. Statutory Category Scores**



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

## D. Procedural Fairness Score

**Figure C. 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. This determination is based on courtroom observations and relevant survey responses.

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

Category	Judge Stevan W. Ridge
Procedural Fairness	Pass

## E. Responses to Individual Survey Questions

**Table B. Responses to Survey Questions**

Category	Question	Judge Stevan W. Ridge	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.	3.6	4.0
Legal Ability	The judge makes appropriate findings of fact and applies the law to those facts.	3.6	3.9
Legal Ability	The judge follows legal precedent or clearly explains departures from precedent.	3.4	3.9
Legal Ability	The judge only considers evidence in the record.	3.6	3.9
Legal Ability	The judge's written opinions/decisions offer meaningful legal analysis.	3.1	3.8
Legal Ability	The judge's written opinions contain a readily understandable, concise ruling	3.2	3.9
Integrity & Judicial Temperament	The judge makes sure that everyone's behavior in the courtroom is proper.	4.4	4.3
Integrity & Judicial Temperament	The judge appears to pay attention to what goes on in court.	4.3	4.3
Integrity & Judicial Temperament	The judge's personal life or beliefs do not impair his or her judicial performance.	4.0	4.1
Integrity & Judicial Temperament	The judge demonstrates respect for the time and expense of those attending court.	3.8	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.	4.4	4.4

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

**Table C. Responses to Survey Questions (continued)**

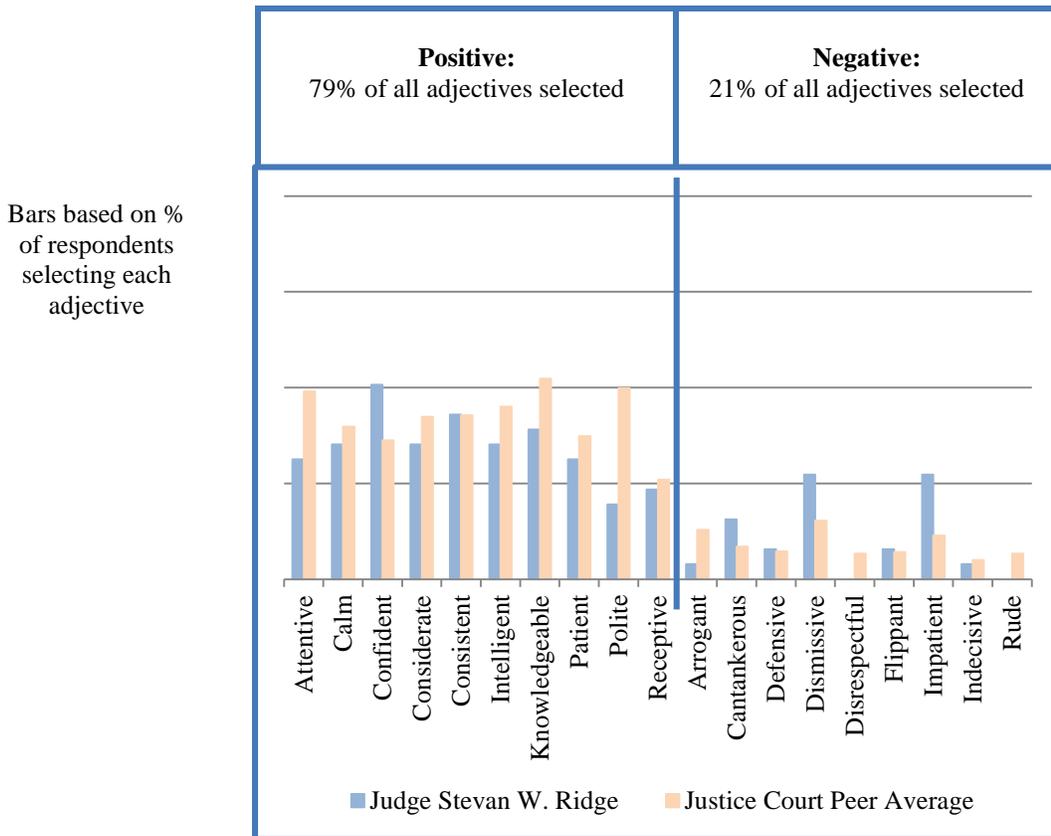
<b>Category</b>	<b>Question</b>	<b>Judge Stevan W. Ridge</b>	<b>Justice Court</b>
Administrative Skills	The judge is prepared for court proceedings.	4.1	4.3
Administrative Skills	The judge's interactions with courtroom participants and staff are professional and constructive.	4.1	4.1
Administrative Skills	The judge is an effective manager.	4.1	4.1
Administrative Skills	The judge convenes court without undue delay.	4.0	4.1
Administrative Skills	The judge rules in a timely fashion.	3.9	4.3
Administrative Skills	The judge maintains diligent work habits.	4.1	4.3
Administrative Skills	The judge's oral communications are clear.	4.3	4.3
Administrative Skills	The judge's written opinions/decisions are clear and logical.	3.6	4.1
Procedural Fairness	The judge treats all courtroom participants with equal respect.	4.0	4.1
Procedural Fairness	The judge is fair and impartial.	3.9	4.0
Procedural Fairness	The judge promotes public trust and confidence in the courts through his or her conduct.	3.8	4.0
Procedural Fairness	The judge provides the parties with a meaningful opportunity to be heard.	4.0	4.2

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

## F. Adjective Question Summary

From a provided list, survey respondents selected multiple adjectives to best describe the judge. The “positive” and “negative” labels at the top of the graph refer to the percent of all adjectives selected by all respondents that were either positive or negative. Each bar is based on the percent of respondents who selected that adjective. The adjacent bar shows a comparison to the other evaluated judges who serve on the same court level.

**Figure D. Adjective Responses**



## G. Attorney Demographics

**Table D: What are your primary areas of practice?**

Collections	11%
Domestic	17%
Criminal	78%
Civil	50%
Other	11%

Because many attorneys practice in multiple areas, totals may not equal 100%

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

5 or fewer	42%
6 - 10	26%
11 - 15	16%
16 - 20	5%
More than 20	11%

## Survey Background and Methods

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This report presents the results from the 2015 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 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).

#### 2. Summary of Survey Methods

Surveys are conducted online, using web-based survey software. Each qualified respondent receives an initial email notification signed by the Governor, Chief Justice, President of the Senate, and Speaker of the House, requesting participation in the survey. 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 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 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 2016 began on January 1, 2014 and ended on June 30, 2015.

## REPORT OF COURTROOM OBSERVATIONS FOR JUDGE STEVAN RIDGE

Five observers wrote 116 codable units that were relevant to 14 of the 15 criteria. Two observers reported that the judge was not aware that JPEC observers were present, and three did not know if the judge was aware.

### Overview

OVERALL ASSESSMENT	<ul style="list-style-type: none"><li>• Three observers were positive about Judge Ridge in all areas, particularly emphasizing his concern for and efforts towards each defendant's success. Two observers were positive in many areas but expressed reservations in other areas (see "Minority observations").</li><li>• Four observers reported that they would feel comfortable appearing before Judge Ridge. One observer would prefer not to appear before Judge Ridge (see "Courtesy, politeness, and general demeanor").</li></ul>
WIDELY AGREED-UPON THEMES	<ul style="list-style-type: none"><li>• All observers variously reported that Judge Ridge was an attentive, active listener, and he moved cases expeditiously without hurrying or rushing participants. He was consistently neutral and principled, asked if defendants understood their charges and the proceedings, and did not proceed with a case until they did so. He used clear language, spoke slowly with Spanish speakers, and explained how he arrived at his decisions, offering thorough explanations and suggestions about the proceedings and their next steps.</li><li>• Four observers particularly emphasized with numerous illustrations Judge Ridge's genuine interest in each defendant's success and his efforts to take their individual or unique circumstances into account, to accommodate defendants wherever possible, and to help and offer guidance to defendants having difficulty in meeting their obligations to the court.</li></ul>
MINORITY OBSERVATIONS	<ul style="list-style-type: none"><li>• Four observers variously reported Judge Ridge's patient, courteous, and considerate behavior and his straightforward and nonthreatening demeanor that relaxed nervous defendants and left them feeling they had been treated well. However, in stark contrast two observers also felt that the judge's subdued demeanor, which showed little emotion or humor, felt cold and impersonal, and one observer suggested the judge would do a better job of connecting with defendants by more often looking at them as he spoke (see "Courtesy, politeness, and general demeanor" and "Body language").</li><li>• Three observers reported that Judge Ridge was very patient and skilled at providing participants a voice and sufficient time to speak. In stark contrast one observer reported that Judge Ridge invited the prosecutor and attorneys to speak but did not invite the defendants to do so, in one case abruptly cutting off a defendant's question (see "Considered voice").</li><li>• Three observers reported that Judge Ridge spoke quietly but was easy to hear. In marked contrast one observer reported a case in which the judge's voice was so low the observer could not make out what the judge was saying (see "Voice quality").</li><li>• Two observers noted that Judge Ridge was accommodating of participants' schedules when setting court dates, but two observers noted long delays in starting court and the judge's occasional unexplained absences from the bench (see "Respect for others' time").</li></ul>
ANOMALOUS COMMENTS	<ul style="list-style-type: none"><li>• None</li></ul>

### Summary and *exemplar language* of five observers' comments

<i>RESPECT</i>	
Listening & focus	Three observers reported that Judge Ridge was an <i>attentive and active listener</i> , giving defendants <i>his full attention</i> .
Well-prepared & efficient	Three observers reported that Judge Ridge <i>ran an efficient courtroom, moving cases through quickly and efficiently</i> .

Respect for others' time	<p>Two observers reported that Judge Ridge was <i>willing to accommodate individual schedules</i> to find a <i>date that is favorable</i>, in one case asking his clerk to <i>open his calendar past the date the judge was currently scheduling</i> in order to <i>accommodate a defendant's request for continuation</i>.</p> <p>However, two observers felt that the delays of 30 to 60 minutes in starting court and the judge leaving the bench on occasion without explanation were <i>disrespectful to those in court</i>.</p>
Courtesy, politeness, and general demeanor	<p>Four observers reported that Judge Ridge <i>took time to greet individuals courteously</i>, saying, "<i>Good morning, how are you?</i>" He ended with a <i>positive attitude</i>, saying, "<i>You're good to go, thank you for coming in.</i>" He <i>chatted with defendants who seemed nervous which helped them relax</i> and more <i>fully participate in their defense</i>. He was <i>patient with defendants' confusing comments</i>, explaining why a defendant was in <i>error in his assumptions</i> and then <i>together coming to an understanding</i>. A defendant <i>declined his right to an attorney in order to be 'less trouble,'</i> and the judge told him <i>it would not be 'trouble' if he chose to have an attorney</i>. He <i>apologized with empathy</i> to a man whose ID had been stolen and was <i>mistakenly issued a warrant, quickly dismissing the charges</i> and saying, "<i>This happens every once in a while. Have a good day.</i>"</p> <p>Judge Ridge's demeanor was <i>polite, open, straightforward, and consistently calm</i> and <i>nonthreatening</i>, as well as <i>confident, experienced, highly principled and professional</i> in a <i>relaxed manner</i>. When the clerk was getting signatures in <i>close proximity to the judge</i>, he waited <i>before addressing the next case</i> rather than begin over the clerk's conversation. Observers considered that <i>participants left feeling that they had been treated well and even had a smile on their face</i>.</p> <p>In marked contrast, two observers felt that although Judge Ridge <i>politely referred to defendants as "Mr." or "Miss,"</i> and on rare occasions <i>when appropriate demonstrated some humor</i>, nevertheless the courtroom felt <i>cold and impersonal</i>, the judge's demeanor <i>subdued and mechanical with very little emotion</i>, and he occasionally <i>gave the impression of 'going through the motions.'</i> One observer suggested that the judge <i>could have done a better job of connecting with defendants by more often looking at them as he asked questions or gave instructions</i>.</p>
Body language	<p>One observer reported that Judge Ridge made <i>good eye contact</i> that only <i>strayed while reading</i>, and he asked defendants to <i>excuse him while he read</i>.</p> <p>In stark contrast, two observers reported that he <i>rarely made eye contact with anyone he spoke to</i>, and he <i>often did not look up at defendants when he asked if they understood the charges</i>.</p>
Voice quality	<p>Three observers reported that Judge Ridge <i>spoke quietly</i> in an <i>even, calm tone</i>, but his voice was <i>easy to hear and no one appeared to have difficulty hearing or understanding him</i>. In marked contrast, one observer reported that in one case Judge Ridge's <i>voice level was so low the observer could not make out what he was saying</i>.</p>
Courtroom tone & atmosphere	<p>Two observers reported that the <i>courtroom atmosphere</i> was <i>orderly, quiet, relaxed, friendly and professional</i>. The <i>staff seemed to have an appreciation for Judge Ridge and things moved along smoothly and cooperatively</i>.</p>

*NEUTRALITY*

Consistent and equal treatment	<p>Four observers reported that Judge Ridge was <i>consistently neutral and principled</i> and <i>treated all participants equally without personal biases or prejudices</i>. He was <i>consistent in his processes</i> and <i>applied the law equally to similar cases, while appreciating the difficulties this may involve</i>.</p>
Demonstrates concern for individual needs	<p>Four observers reported that Judge Ridge was <i>genuinely interested in each defendant's success</i> and addressed their <i>unique issues</i>. He attempted to <i>accommodate participants whenever possible</i> and <i>took more time</i> depending on individual circumstances, for example <i>allowing a public defender additional time when he was unprepared to proceed</i>. After sentencing he asked, "<i>In lieu of jail time you can perform community service, which would you prefer?</i>" He consistently <i>worked to find payment plans that defendants could meet</i>, asking, "<i>What can you afford to pay each month?</i>" If defendants had <i>difficulty meeting their obligations he consistently granted them another chance</i> but <i>set firm deadlines</i> for the new plan of action. Observers felt that his <i>flexibility and compassionate understanding of defendants' circumstances reflected well on the judge</i>.</p>

Demonstrates concern for individual needs <i>continued</i>	Judge Ridge frequently helped participants. He <i>extended a plea in abeyance</i> for a defendant who had misunderstood that a 12 week program of classes included 12 weeks of follow up. In a <i>particularly complicated case he offered to do some research and contact some other judges</i> , saying, <i>“Let me see what I can work out to try to resolve this.”</i> He offered <i>helpful guidance</i> , asking an <i>impatient defendant in a hurry to plead guilty</i> , <i>“Have you given this a lot of thought?”</i> and <i>suggesting a not guilty plea so that “You can save yourself a lot of headache if you come back with proof of insurance at the time of the infraction.”</i> When a defendant thought that he was <i>“following the rules,”</i> Judge Ridge attempted to <i>understand his contradictory explanations</i> , saying, <i>“I am willing to do whatever will resolve this issue,”</i> and the observer believed his <i>patient manner and respect for the individual avoided jail time and resentment from the defendant.</i>
Unhurried and careful	Four observers reported that Judge Ridge <i>moved things along expeditiously</i> but was <i>never hurried or impatient</i> . He took <i>adequate time on each case</i> and did <i>not rush defendants</i> . He was thorough in <i>recognizing that a charge was incorrectly listed as a Class B instead of Class C misdemeanor, made the modification</i> , and ensured the defendant <i>understood the change and its implication.</i>
<b>VOICE</b>	
Considered voice	Three observers reported that Judge Ridge was <i>very skilled at providing participants a voice</i> . After <i>reviewing and considering evidence he spoke with the defendant before making a decision</i> . He was <i>patient</i> when listening to defendants’ <i>convoluted or contradictory explanations</i> and <i>spent the time with no rancor to try and understand what the defendant was saying</i> . One observer felt that everyone left <i>feeling good about having sufficient time to say what they needed to say</i> .  In stark contrast, one observer reported that Judge Ridge <i>invited the prosecutor and defense attorneys to share their comments</i> but did <i>not invite perspective from defendants</i> . A defendant asked a question after the recital of his rights, but the question was <i>not directly related to the explanation</i> , and the judge was <i>rude and handled it poorly, abruptly cutting him off with some annoyance and impatience</i> , saying, <i>“That’s not a question about your rights,”</i> and the observer felt the defendant would then <i>not have felt free to ask anything else.</i>
<b>COMMUNICATION</b>	
Communicates clearly	Two observers reported that Judge Ridge <i>used clear language and spoke at a level that they could understand</i> and <i>provided additional clarification when requested or as needed.</i>
Ensures information understood	Four observers reported that Judge Ridge <i>asked each defendant, “Do you understand the charges?”</i> and <i>confirmed their understanding of the papers they signed</i> . He <i>did not move forward with a case until the defendant understood all the charges completely</i> , and in one case he gave <i>the defendant and her attorney time to sit and discuss the charges and later recalled the case to proceed</i> . He explained to a man who <i>said he didn’t understand the penalties</i> that the fines were the <i>maximum allowed and that “that wouldn’t be what’s going to happen.”</i> He spoke <i>slowly with Spanish speakers</i> and ensured the defendants <i>understood the process and what was being said</i> .  One observer reported that Judge Ridge <i>asked each defendant, “You have been informed of your rights this morning, do you have any questions about your rights?”</i> but another noted that <i>because of the interminable delay to the opening of the court</i> , not all defendants saw the video of their rights played by the bailiff, and while Judge Ridge <i>usually asked if defendants had seen the video</i> , he did <i>not always</i> , and the observer suggested <i>it would be best if this was routinely done.</i>
Provides adequate explanations	Four observers reported that Judge Ridge <i>explained how he arrived at his decisions</i> , which showed they were <i>consistent and given with no prejudice</i> . He offered <i>thorough explanations</i> , for example, that <i>future violations would impact their probation and what step is needed next and why</i> . He <i>offered suggestions for how to work with the DMV</i> and that <i>following through in a timely manner was important</i> , saying, <i>“If you get things wrapped up quickly, it would be a benefit to you.”</i>