

## MONTANA SUPREME COURT BENCH & BAR SURVEY

### Percentage (& Number) of Respondents Who Strongly Agreed or Agreed\*

Survey Question	Overall	Judges	Attorneys	Faculty
1. The Montana Supreme Court's decisions are based on the facts and applicable law.	74.8% (320)	90.0% (27)	73.0% (276)	90.9% (10)
2. The Montana Supreme Court's published opinions clearly state the appropriate rule of law, identify and apply standards of review, and provide instructions on remands.	81.0% (349)	81.3% (26)	80.3% (305)	90.9% (10)
3. The Montana Supreme Court's published opinions explain deviations from the principle of <i>stare decisis</i> and the adoption of new developments in the law.	66.6% (277)	67.7% (21)	65.8% (241)	81.8% (9)
4. The Montana Supreme Court issues opinions in adversarial cases in a timely manner.	31.4% (128)	25.8% (8)	31.2% (112)	66.7% (6)
5. The Montana Supreme Court completes its overall workload in a timely manner.	37.7% (147)	33.3% (10)	37.2% (127)	70.0% (7)
6. The Montana Supreme Court treats trial court judges with courtesy and respect in its opinions.	90.1% (373)	75.0% (24)	90.9% (331)	100.0% (11)
7. The Montana Supreme Court treats attorneys with courtesy and respect.	84.9% (354)	93.5% (29)	83.3% (305)	100.0% (11)
8. The Montana Supreme Court provides information about its roles, procedures, and operations.	92.4% (388)	96.9% (31)	91.6% (338)	100.0% (10)
9. The Montana Supreme Court's attorney disciplinary process is fair.	78.6% (265)	83.3% (25)	77.1% (226)	100.0% (8)
10. The Montana Supreme Court imposes disciplinary sanctions on attorneys that are proportionate to the attorneys' misconduct.	79.5% (268)	93.1% (27)	77.6% (228)	100.0% (7)

<b>Average Overall</b>	<b>71.7%</b>
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\* Excludes respondents who answered "Undecided or Unknown".

The Supreme Court conducted an electronic survey between September 3 and September 17, 2008. The survey was sent to 983 District Court judges, law school faculty and adjunct faculty, and appellate attorneys involved in cases disposed of by opinion between July 1, 2006 and June 30, 2008. Four hundred fifty-five (455) individuals responded to the survey -- 36 judges, 12 faculty members, and 397 attorneys -- for a response rate of 46.3%.

NOTE: Summing the number of responses from judges, attorneys, and faculty members will not equal the overall numbers because not all respondents identified their occupation.