

**APPENDIX A**

**SUPREME COURT STATISTICAL ANALYSIS**

**2010**

In 2010, 880 new cases were filed with the court and 888 cases were disposed of. The court accepted 546 cases for appellate review. It held oral arguments in 214 cases; 152 of the arguments were before the full court and 62 were before a 3JX panel. At the end of 2010, there were 593 pending cases, compared to 601 at the start of the year.

The supreme court clerk's office performed a statistical analysis of all cases disposed of during 2010 and calculated the average time that it took to complete each phase of the appellate process. The court's performance was compared to the judicial performance standards adopted in 2001, which establish time standards for different phases of the appellate process, such as screening, briefing, and decision making. In setting the time standards, the court decided upon the length of time, on average, that it should take to complete that phase, recognizing that the time required to complete a phase in a particular case could be more or less. The standards do not require that every case be processed within the time periods identified, but they serve as goals for the court and staff to process all cases promptly and efficiently.

As the chart shown below reflects, the court met all of the time standards in its handling of the 2010 cases.

**CASES DISPOSED OF IN 2010**

Phase	Time Standard	Average for All Cases
Screening	90 days	36 days
Filing of appellant's brief	60 days after record filed	59 days
Filing of appellee's brief	50 days after appellant's brief	49 days
Oral argument	180 days after appellee's brief	107 days
Decision	180 days after oral argument or submission	Opinion 98 days Order 15 days
Ruling on motions for reconsideration/ rehearing	60 days	28 days

The average length of time from filing to closing for cases disposed of during 2010 was 228 days.

Supreme Court Rule 56(III) requires that questionnaires be distributed every three years to evaluate the performance of the Supreme Court and the Supreme Court justices. Because questionnaires were distributed in 2008, they were not distributed in 2010.

## 2009

In 2009, 934 new cases were filed with the court and 871 cases were disposed of. The court accepted 656 cases for appellate review. It held oral arguments in 219 cases; 170 of the arguments were before the full court and 49 were before a 3JX panel. At the end of 2009, there were 601 cases pending.

The supreme court clerk's office performed a statistical analysis of all cases disposed of during 2009 and calculated the average time that it took to complete each phase of the appellate process. The court's performance was compared to the judicial performance standards adopted in 2001, which establish time standards for different phases of the appellate process, such as screening, briefing, and decision making. In setting the time standards, the court decided upon the length of time, on average, that it should take to complete that phase, recognizing that the time required to complete a phase in a particular case could be more or less. The standards do not require that every case be processed within the time periods identified, but they serve as goals for the court and staff to process all cases promptly and efficiently.

As the chart shown below reflects, the court met all of the time standards in its handling of the 2009 cases.

### CASES DISPOSED OF IN 2009

Phase	Time Standard	Average for All Cases
Screening	90 days	38 days
Filing of appellant's brief	60 days after record filed	56 days
Filing of appellee's brief	50 days after appellant's brief	46 days
Oral argument	180 days after appellee's brief	82 days
Decision	180 days after oral argument or submission	Opinion 60 days Order 8 days

Phase	Time Standard	Average for All Cases
Ruling on motions for reconsideration/ rehearing	60 days	28 days

The average length of time from filing to closing for cases disposed of during 2009 was 200 days.

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## APPENDIX B

### COMPARISON OF 2008 AND 2011 RESPONSE RATES

	2008	2011	
Attorneys	52 %	63 %	+11 %
Judges and Marital Masters	36 %	64 %	+28 %
Self- represented	19 %	28 %	+9 %

### 2011 RESPONSES

	# Distributed	# Responses	% Responses
Attorneys	247	155	63 %
Judges and Marital Masters	84	54	64 %
Self-represented	165	46	28 %

### 2008 RESPONSES

	Distributed	# Responses	% Responses
Attorneys	475	248	52 %
Judges and Marital Masters	95	34	36 %
Self-represented	146	28	19 %

**THE NH SUPREME COURT  
2011 JUDICIAL PERFORMANCE EVALUATION SURVEY**

**SURVEY RESULTS  
(REPORTED BY PERCENTAGES)**

**Being fair and impartial to each side in a case**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade <sup>1</sup>	Total Responses
<b>Attorneys</b>	1.3	3.2	8.4	27.1	60.0	0.0	155
<b>Judges/Marital Masters</b>	0.0	0.0	5.6	7.4	72.2	14.8	54
<b>Self- represented</b>	30.4	8.7	2.2	23.9	28.3	6.5	46

**Writing opinions that are clear**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.0	5.8	14.8	45.8	33.5	0.0	155
<b>Judges and Marital Masters</b>	0.0	0.0	5.6	42.6	51.9	0.0	54
<b>Self- represented</b>	10.9	8.7	21.7	28.3	26.1	4.3	46

**Writing opinions that adequately explain the basis of the court's decision**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.6	7.1	16.1	43.2	32.9	0.0	155
<b>Judge and Marital Masters</b>	0.0	0.0	9.3	37.0	53.7	0.0	54
<b>Self- represented</b>	19.6	10.9	13.0	23.9	28.3	4.3	46

<sup>1</sup> N/A or "No Grade" means the respondent did not have enough information to evaluate the court or the staff on a specific issue.

**Writing opinions that clearly set forth rules of law to be used in future cases**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	1.3	7.1	19.4	41.9	30.3	0.0	155
<b>Judges and Marital Masters</b>	0.0	3.7	13.0	44.4	38.9	0.0	54
<b>Self-represented</b>	N/A						

**Writing opinions that clearly address the merits of the legal issue advanced by the parties**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	1.3	9.7	20.0	42.6	26.5	0.0	155
<b>Judges and Marital Masters</b>	N/A						
<b>Self-represented</b>	N/A						

**Issuing opinions in a timely manner**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	1.3	5.2	23.2	41.3	29.0	0.0	155
<b>Judges and Marital Masters</b>	0.0	0.0	13.0	42.6	38.9	5.6	54
<b>Self-represented</b>	N/A						

**Making decisions without regard to possible criticism**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.6	5.8	18.1	28.4	38.7	8.4	155
<b>Judges and Marital Masters</b>	0.0	3.7	11.1	18.5	66.7	0.0	54
<b>Self-represented</b>	N/A						

**Treating parties and attorneys with patience, respect and courtesy**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.6	1.9	6.5	22.6	68.4	0.0	155
<b>Judge and Marital Masters</b>	N/A						
<b>Self-represented</b>	13.0	13.0	13.0	17.4	19.6	23.9	46

**Treating parties and attorneys equally regardless of race, sex or economic status**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.6	1.3	2.6	12.3	75.5	7.7	155
<b>Judge and Marital Masters</b>	N/A						
<b>Self-represented</b>	23.9	8.7	6.5	6.5	19.6	34.8	46

**Being prepared and attentive at oral argument**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	1.3	3.9	7.1	27.7	60.0	0.0	155
<b>Judge and Marital Masters</b>	N/A						
<b>Self-represented</b>	10.9	4.3	6.5	8.7	8.7	60.9	46

**The court's performance of its administrative function**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.6	3.2	8.4	38.1	35.5	14.2	155
<b>Judges and Marital Masters</b>	9.3	7.4	11.1	37.0	27.8	7.4	54
<b>Self-represented</b>	N/A						

**The court's performance of its rule-making function**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	1.3	4.5	12.9	42.6	16.8	21.9	155
<b>Judge and Marital Masters</b>	3.7	1.9	14.8	44.4	29.6	5.6	54
<b>Self-represented</b>	N/A						



**The court staff was friendly courteous and patient**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.0	0.0	1.9	14.3	83.1	0.6	154
<b>Judge and Marital Masters</b>	N/A						
<b>Self-represented</b>	4.3	0.0	4.3	19.6	63.0	8.7	46

**The court staff was willing available and able to answer questions**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.0	0.6	1.3	18.2	76.6	3.2	154
<b>Judge and Marital Masters</b>	N/A						
<b>Self-represented</b>	4.3	4.3	4.3	15.2	60.9	10.9	46

**Notice of the scheduling of oral argument was sufficient**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.0	0.0	4.5	28.6	66.2	0.6	154
<b>Judge and Marital Masters</b>	N/A						
<b>Self-represented</b>	8.7	2.2	6.5	21.7	10.9	50.0	46

**The notice of appeal form was easy to complete**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.6	0.6	8.4	36.4	48.1	5.8	154
<b>Judge and Marital Masters</b>	N/A						
<b>Self-represented</b>	4.3	13.0	15.2	21.7	21.7	23.9	46

**The court's rules are easy and clear to follow**

	Deficient	Below Average	Average	Good	Excellent	N/A or No Grade	Total Responses
<b>Attorneys</b>	0.0	2.6	20.8	48.1	28.6	0.0	154
<b>Judge and Marital Masters</b>	N/A						
<b>Self-represented</b>	6.5	15.2	13.0	28.3	28.3	8.7	46

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