

# RESOLUTION OF THE MESQUITE BAR ASSOCIATION

**WHEREAS** OVER THE PAST THIRTY YEARS THE DALLAS BAR ASSOCIATION HAS CONDUCTED A BI-ANNUAL JUDICIAL EVALUATION POLL PURPORTEDLY AS A SUBJECTIVE SURVEY OF PERFORMANCE OF MEMBERS OF THE BENCH TAKEN FROM ATTORNEYS TO BE PUBLISHED TO THE GENERAL PUBLIC. THIS SURVEY HAS SHOWN TO NO LONGER SERVE ITS STATED PURPOSE. OBJECTIVE INFORMATION CONCERNING THE PERFORMANCE OF THE LOCAL JUDICIARY IS PUBLICLY AVAILABLE IN THE DALLAS COUNTY MANAGEMENT REPORT AND AT DALLAS COUNTY COURTS' WEB SITE;

**WHEREAS** THE JUDICIAL EVALUATION POLL ONCE SERVED AS A USEFUL SOURCE OF PROFESSIONAL OPINIONS ABOUT JURISTS, WHICH COULD NOT PRACTICALLY BE OBTAINED ANY OTHER WAY, NOW THE POLL SERVES MORE THE FUNCTION OF AN IDEOLOGICAL LITMUS TEST OR POLITICAL TOOL;

**WHEREAS** AN OBJECTIVE STUDY COMMISSIONED BY THE MESQUITE BAR ASSOCIATION WAS UNDERTAKEN IN OVER A PERIOD OF MONTHS IN 2004, THE ONLY ONE OF ITS KIND, HAS CONCLUSIVELY SHOWN THAT FACTORS SUCH AS GENDER, POLITICAL AND/OR PERSONAL BIAS SERVE AS A DOMINATING CONCERNS OVER AND ABOVE THE LEGITIMATE CRITERIA OF THE JUDICIAL EVALUATION POLL (INCLUDING WORK ETHIC, KNOWLEDGE AND TEMPERAMENT). THE RESULTS OF THE 2004 STUDY WERE REPORTED IN AN ARTICLE, *MISJUDGING THE JUDGE* AND PRESENTED TO THE DALLAS BAR ASSOCIATION LEADERSHIP, THE DALLAS JUDICIARY AND THE DALLAS BAR PUBLICATION COMMITTEE;

**WHEREAS** VOTING IN THE POLL INCLUDES CRITERIA THAT IS UNENFORCEABLE AND HAS SHOWN TO BE INEFFECTIVE BY THE STUDY AND IS THEREFORE SUBJECT TO MISUSE OR ABUSE;

**WHEREAS** THE RECENTLY CONCLUDED JUDICIAL EVALUATION POLL AND RESULTS ARE CLOUDED WITH A "RE-BALLOTING" SCANDAL FOR THE 2005 JUDICIAL EVALUATION POLL WHICH CAST SERIOUS DOUBT UPON THE INTEGRITY OF THE VOTING, THE MOTIVE BEHIND CONTINUEING THE POLL, THE SECRECY OF THE BALLOTING AND THE CANDOR OF THE JUDICIAL EVALUATION POLL;

**NOW, THEREFORE BE IT RESOLVED** THAT THE MESQUITE BAR ASSOCIATION CALLS UPON THE DALLAS BAR ASSOCIATION TO CEASE IN TAKING THE JUDICIAL EVALUATION POLL WHICH IN ITS CURRENT FORM IS CONTRARY TO THE STATED MISSION OF THE DALLAS BAR ASSOCIATION, AND IN ITS PLACE OFFER A COMPOSITE OF OBJECTIVELY VERIFIABLE DATA RELATING TO THE PERFORMANCE OF JURISTS AS A MEANS OF COMPORTING WITH THE DALLAS BAR ASSOCIATION'S MISSION OF SERVICE AND SUPPORT TO THE LEGAL PROFESSION IN DALLAS AND PROMOTION OF GOOD RELATIONS AMONG LAWYERS, THE JUDICIARY, AND THE COMMUNITY.

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