



JPR
ARIZONA JUDICIAL PERFORMANCE REVIEW

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Judicial Reports

Commission number votes may vary based upon abstentions. Voting abstentions are procedural matters within the Commission and should not be viewed in any way as a negative factor with respect to a judge's performance.

Maricopa County Voters Only

Hon. Mark H. Brain

Maricopa County Superior Court

Bench: Family

Appointed: 2011

100% of the Commission Voted Judge Brain MEETS Judicial Performance Standards
28 Commissioners Voted 'Meets'
0 Commissioners Voted 'Does Not Meet'

Show Surveys from Prior Years

2022	Attorney Surveys	Juror Surveys	Litigant Witness Surveys
	Distributed: 524 Returned: 83 Score (See Footnote)	Distributed: 30 Returned: 13 Score (See Footnote)	Distributed: 494 Returned: 79 Score (See Footnote)
Legal Ability	97%	n/a	n/a
Integrity	99%	100%	88%
Communication	97%	100%	86%
Temperament	99%	100%	90%
Admin Performance	98%	100%	93%
Settlement Activities	100%	n/a	n/a

FOOTNOTE:

Judges are evaluated on their judicial performance midway through their term and prior to their retention election. Beginning in 2022, their survey evaluation scores include midterm scores and retention scores. Newly appointed judges serve a two-year term and are evaluated prior to their retention election on their retention scores. The score is the percentage of all evaluators who rated the judge "superior", "very good", or "satisfactory" in each of the Commission's evaluation categories. Depending on the assignment, a judge may not have responses in certain categories, indicated by N/A (for example, some judicial assignments do not require jury trials or no survey responses were returned). The JPR Commission votes "Yes" or "No" on whether a judge "MEETS" Judicial Performance Standards, based on the statistical information, as well as any other information submitted by the public or the judge. Further information on the judges and justices can be found at each court's website.



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WHO JUDGES THE JUDGES?



Arizona Commission on Judicial Performance Review

WE CAN HELP.

Hon. Mark H. Brain

2022 Attorney Survey Responses

Key: **SU** = Superior **VG** = Very Good **SA** = Satisfactory **PO** = Poor **UN** = Unsatisfactory

	SU		VG		SA		PO		UN		Mean	Total	No Resp
	Num.	Pct.	Num.	Pct.	Num.	Pct.	Num.	Pct.	Num.	Pct.			
1. Legal Ability													
1. Legal reasoning ability	51	63%	25	31%	1	1%	2	2%	2	2%	3.49	81	0
2. Knowledge of substantive law	49	63%	22	28%	5	6%	1	1%	1	1%	3.50	78	0
3. Knowledge of rules of evidence	48	65%	20	27%	4	5%	0	0%	2	3%	3.51	74	0
4. Knowledge of rules of procedure	52	66%	23	29%	2	3%	0	0%	2	3%	3.56	79	0
Category Total	200	64%	90	29%	12	4%	3	1%	7	2%	3.52	312	
2. Integrity													
5. Basic fairness and impartiality	51	64%	23	29%	3	4%	3	4%	0	0%	3.52	80	0
6. Equal treatment regardless of race	44	73%	15	25%	1	2%	0	0%	0	0%	3.72	60	0
7. Equal treatment regardless of gender	51	73%	17	24%	1	1%	1	1%	0	0%	3.69	70	0
8. Equal treatment regardless of religion	36	75%	11	23%	1	2%	0	0%	0	0%	3.73	48	0
9. Equal treatment regardless of national origin	40	74%	13	24%	1	2%	0	0%	0	0%	3.72	54	0
10. Equal treatment regardless of disability	36	73%	12	24%	1	2%	0	0%	0	0%	3.71	49	0
11. Equal treatment regardless of age	46	75%	14	23%	1	2%	0	0%	0	0%	3.74	61	0
12. Equal treatment regardless of sexual orientation	34	76%	10	22%	1	2%	0	0%	0	0%	3.73	45	0

13. Equal treatment regardless of economic status	46	73%	14	22%	1	2%	2	3%	0	0%	3.65	63	0
Category Total	384	72%	129	24%	11	2%	6	1%	0	0%	3.68	530	
3. Communication													
14. Clear and logical oral communications and directions	50	63%	24	30%	3	4%	3	4%	0	0%	3.51	80	0
15. Clear and logical written decisions	44	61%	22	31%	2	3%	3	4%	1	1%	3.46	72	0
16. Gave all parties an adequate opportunity to be heard	53	67%	22	28%	3	4%	1	1%	0	0%	3.61	79	0
Category Total	147	64%	68	29%	8	3%	7	3%	1	0%	3.53	231	
4. Temperament													
17. Understanding and compassion	54	68%	22	28%	3	4%	1	1%	0	0%	3.61	80	0
18. Dignified	57	72%	19	24%	3	4%	0	0%	0	0%	3.68	79	0
19. Courteous	57	72%	19	24%	3	4%	0	0%	0	0%	3.68	79	0
20. Conduct that promoted public confidence in the court and judge's ability	56	71%	19	24%	2	3%	2	3%	0	0%	3.63	79	0
21. Patient	52	66%	23	29%	3	4%	1	1%	0	0%	3.59	79	0
Category Total	276	70%	102	26%	14	4%	4	1%	0	0%	3.64	396	
5. Admin Performance													
22. Punctual in conducting proceedings	56	70%	21	26%	3	4%	0	0%	0	0%	3.66	80	0
23. Maintained proper control over courtroom	56	71%	20	25%	2	3%	0	0%	1	1%	3.65	79	0
24. Prompt in making rulings and rendering decisions	50	67%	18	24%	5	7%	0	0%	2	3%	3.52	75	0
25. Was prepared for the proceedings	56	72%	18	23%	3	4%	0	0%	1	1%	3.64	78	0
26. Efficient management of the calendar	53	69%	19	25%	2	3%	2	3%	1	1%	3.57	77	0
Category Total	271	70%	96	25%	15	4%	2	1%	5	1%	3.61	389	
6. Settlement Activities													
27. Appropriately promoted or conducted settlement	28	74%	10	26%	0	0%	0	0%	0	0%	3.74	38	0
Category Total	28	74%	10	26%	0	0%	0	0%	0	0%	3.74	38	



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2022 Litigant Witness Survey Responses

Key: **SU** = Superior **VG** = Very Good **SA** = Satisfactory **PO** = Poor **UN** = Unsatisfactory

	SU		VG		SA		PO		UN		Mean	Total	No Resp
	Num.	Pct.	Num.	Pct.	Num.	Pct.	Num.	Pct.	Num.	Pct.			
1. Integrity													
1. Basic fairness and impartiality	40	54%	13	18%	10	14%	3	4%	8	11%	3.00	74	0
2. Equal treatment regardless of race	38	58%	14	21%	6	9%	4	6%	4	6%	3.18	66	0
3. Equal treatment regardless of gender	38	58%	13	20%	6	9%	4	6%	5	8%	3.14	66	0
4. Equal treatment regardless of religion	36	64%	10	18%	5	9%	3	5%	2	4%	3.34	56	0
5. Equal treatment regardless of national origin	36	61%	11	19%	7	12%	2	3%	3	5%	3.27	59	0
6. Equal treatment regardless of disability	35	59%	11	19%	7	12%	2	3%	4	7%	3.20	59	0
7. Equal treatment regardless of age	40	62%	8	12%	9	14%	2	3%	6	9%	3.14	65	0
8. Equal treatment regardless of sexual orientation	36	65%	9	16%	5	9%	1	2%	4	7%	3.31	55	0
9. Equal treatment regardless of economic status	38	58%	8	12%	9	14%	3	5%	7	11%	3.03	65	0
Category Total	337	60%	97	17%	64	11%	24	4%	43	8%	3.17	565	
2. Communication													
10. Explained proceedings	39	54%	14	19%	10	14%	3	4%	6	8%	3.07	72	0
11. Explained reasons for delays	34	56%	9	15%	9	15%	4	7%	5	8%	3.03	61	0
Category Total	73	55%	23	17%	19	14%	7	5%	11	8%	3.05	133	

3. Temperament													
12. Understanding and compassion	41	59%	8	12%	8	12%	3	4%	9	13%	3.00	69	0
13. Dignified	46	65%	8	11%	12	17%	3	4%	2	3%	3.31	71	0
14. Courteous	45	64%	11	16%	10	14%	1	1%	3	4%	3.34	70	0
15. Conduct that promotes public confidence in the court	46	65%	9	13%	5	7%	3	4%	8	11%	3.15	71	0
16. Patient	46	66%	11	16%	9	13%	1	1%	3	4%	3.37	70	0
Category Total	224	64%	47	13%	44	13%	11	3%	25	7%	3.24	351	
4. Admin Performance													
17. Punctual in conducting proceedings	43	61%	16	23%	10	14%	0	0%	2	3%	3.38	71	0
18. Maintained proper control of courtroom	48	67%	14	19%	5	7%	2	3%	3	4%	3.42	72	0
19. Was prepared for the proceedings	47	65%	10	14%	7	10%	3	4%	5	7%	3.26	72	0
Category Total	138	64%	40	19%	22	10%	5	2%	10	5%	3.35	215	



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2022 Juror Survey Responses

Key: **SU** = Superior **VG** = Very Good **SA** = Satisfactory **PO** = Poor **UN** = Unsatisfactory

	SU		VG		SA		PO		UN		Mean	Total	No Resp
	Num.	Pct.	Num.	Pct.	Num.	Pct.	Num.	Pct.	Num.	Pct.			
1. Integrity													
1. Basic fairness and impartiality	12	92%	1	8%	0	0%	0	0%	0	0%	3.92	13	0
2. Equal treatment regardless of race	12	92%	1	8%	0	0%	0	0%	0	0%	3.92	13	0
3. Equal treatment regardless of gender	12	92%	1	8%	0	0%	0	0%	0	0%	3.92	13	0
4. Equal treatment regardless of religion	12	92%	1	8%	0	0%	0	0%	0	0%	3.92	13	0
5. Equal treatment regardless of national origin	12	92%	1	8%	0	0%	0	0%	0	0%	3.92	13	0
6. Equal treatment regardless of disability	12	92%	1	8%	0	0%	0	0%	0	0%	3.92	13	0
7. Equal treatment regardless of age	12	92%	1	8%	0	0%	0	0%	0	0%	3.92	13	0
8. Equal treatment regardless of sexual orientation	12	92%	1	8%	0	0%	0	0%	0	0%	3.92	13	0
9. Equal treatment regardless of economic status	10	91%	1	9%	0	0%	0	0%	0	0%	3.91	11	0
Category Total	106	92%	9	8%	0	0%	0	0%	0	0%	3.92	115	
2. Communication													
10. Explained proceedings to the jury	13	100%	0	0%	0	0%	0	0%	0	0%	4.00	13	0
11. Explained reasons for delays	12	100%	0	0%	0	0%	0	0%	0	0%	4.00	12	0

12. Clearly explained the juror's responsibilities	13	100%	0	0%	0	0%	0	0%	0	0%	4.00	13	0
Category Total	38	100%	0	0%	0	0%	0	0%	0	0%	4.00	38	
3. Temperament													
13. Understanding and Compassion	13	100%	0	0%	0	0%	0	0%	0	0%	4.00	13	0
14. Dignified	13	100%	0	0%	0	0%	0	0%	0	0%	4.00	13	0
15. Courteous	13	100%	0	0%	0	0%	0	0%	0	0%	4.00	13	0
16. Conduct that promotes public confidence in the court and judge's ability	13	100%	0	0%	0	0%	0	0%	0	0%	4.00	13	0
17. Patient	13	100%	0	0%	0	0%	0	0%	0	0%	4.00	13	0
Category Total	65	100%	0	0%	0	0%	0	0%	0	0%	4.00	65	
4. Admin Performance													
18. Punctuality in conducting proceedings	13	100%	0	0%	0	0%	0	0%	0	0%	4.00	13	0
19. Maintained proper control of courtroom	13	100%	0	0%	0	0%	0	0%	0	0%	4.00	13	0
20. Was prepared for the proceedings	13	100%	0	0%	0	0%	0	0%	0	0%	4.00	13	0
Category Total	39	100%	0	0%	0	0%	0	0%	0	0%	4.00	39	