

Judges are evaluated by survey on their judicial performance midway through their term and prior to their retention election. Beginning in 2022, their survey evaluations include midterm and retention feedback. Newly appointed judges serve a two-year term and are evaluated prior to their retention election. The composite percentage table is an average of all evaluators who rated the judge "superior", "very good", or "satisfactory" in each of the Commission's evaluation categories. Some evaluators select "Can't Rate" on the questionnaire affecting the average response number within their respondent category. The JPR Commission votes whether a judge "Meets" or "Does Not Meet" Judicial Performance Standards, based on the survey information and any other information submitted by the public or the judge. Further information on the judges and justices can be found on each court's website.

**Commission on Judicial Performance Review
Composite Percentage - Average of all Evaluation Categories**

Superior Court in Maricopa County

Hon. David W. Garbarino

2024		
Evaluation Category	Total Survey Responses	Average Percentage of Satisfactory or Above
Legal Ability	51	90%
Integrity	105	95%
Communication Skills	115	92%
Judicial Temperament	118	94%
Administrative Performance	118	95%
Settlement Activities	29	79%

Responses based upon 123 returned survey questionnaires from a distribution of 725 questionnaires. Survey respondents may not necessarily answer all survey questions.

ARIZONA COMMISSION ON JUDICIAL PERFORMANCE REVIEW

Superior Court

Name of Judge:	Total Surveys: 110					Assignment: Criminal					Cycle: Retention Review										
Hon. David W. Garbarino	ATTORNEY					LIT/WIT/PRO PER					JUROR										
	SU	VG	SA	PO	UN	45 Resp Mean	SU	VG	SA	PO	UN	16 Resp Mean	SU	VG	SA	PO	UN	49 Resp Mean			
Section I: Legal Ability	18	10	9	3	2	42	2.9														
Legal reasoning ability	19	11	8	3	2	43	3.0														
Knowledge of substantive law	17	10	11	3	2	43	2.9														
Knowledge of rules of evidence	19	8	8	2	3	40	3.0														
Knowledge of rules of procedure	17	11	9	3	2	42	2.9														
Section II: Integrity	21	7	8	0	1	38	3.3	8	3	0	1	2	15	2.8	37	6	0	0	0	44	3.8
Basic fairness and impartiality	20	12	9	1	3	45	3.0	9	3	0	1	3	16	2.9	43	6	0	0	0	49	3.9
Equal treatment regardless of race	23	7	9	0	1	40	3.3	8	3	0	1	3	15	2.8	39	7	0	0	0	46	3.8
Equal treatment regardless of gender	23	7	8	0	1	39	3.3	8	3	0	1	3	15	2.8	40	7	0	0	0	47	3.9
Equal treatment regardless of religion	20	6	6	0	1	33	3.3	8	3	0	2	2	15	2.9	34	6	0	0	0	40	3.9
Equal treatment regardless of national origin	21	7	8	0	1	37	3.3	8	3	0	2	2	15	2.9	36	6	0	0	0	42	3.9
Equal treatment regardless of disability	20	6	6	0	1	33	3.3	7	3	0	2	2	14	2.8	35	6	0	0	0	41	3.9
Equal treatment regardless of age	22	7	8	0	1	38	3.3	8	3	1	1	2	15	2.9	39	7	0	0	0	46	3.8
Equal treatment regardless of sexual orientation	21	6	8	0	1	36	3.3	7	3	0	1	2	13	2.9	35	7	0	0	0	42	3.8
Equal treatment regardless of economic status	23	6	9	0	1	39	3.3	8	3	0	1	3	15	2.8	36	6	1	0	0	43	3.8
Section III: Communication Skills	21	7	9	3	2	41	3.0	8	4	1	3	2	16	2.8	37	8	3	0	0	48	3.7
Clear and logical communications																					
Clear and logical oral communications and directions	21	9	7	4	2	43	3.0														
Clear and logical written decisions	19	5	6	3	2	35	3.0														
Gave all parties an adequate opportunity to be heard	23	6	13	1	2	45	3.0														
Explained proceedings (to the jury)								8	3	1	3	1	16	2.9	38	10	0	0	0	48	3.8
Explained reason for delays								7	4	1	2	2	16	2.8	36	5	7	0	0	48	3.6
Clearly explained the juror's responsibilities															38	9	2	0	0	49	3.7
Section IV: Judicial temperament	22	8	10	2	2	44	3.0	9	3	1	0	3	15	3.0	41	7	0	0	0	49	3.8
Understanding and compassion	20	7	13	2	2	44	2.9	10	1	1	0	3	15	3.0	41	8	0	0	0	49	3.8
Dignified	22	10	9	1	2	44	3.1	9	2	1	1	2	15	3.0	42	7	0	0	0	49	3.9
Courteous	22	8	11	2	2	45	3.0	9	2	1	1	2	15	3.0	41	8	0	0	0	49	3.8
Conduct that promotes public confidence in the court	22	7	9	3	4	45	2.9	8	4	0	0	3	15	2.9	40	7	1	0	0	48	3.8
Patient	22	8	9	3	2	44	3.0	8	4	0	0	3	15	2.9	43	5	0	0	0	48	3.9
Section V: Administrative Performance	22	9	12	0	1	45	3.1	7	4	1	2	2	16	2.9	37	9	2	1	0	49	3.7
Punctual in conducting proceedings	23	9	13	0	0	45	3.2	7	5	1	2	1	16	2.9	34	9	4	2	0	49	3.5
Maintained proper control of courtroom	22	9	12	0	2	45	3.1	7	5	0	1	3	16	2.8	40	8	1	0	0	49	3.8
Prompt in making rulings and rendering decisions	22	8	11	0	2	43	3.1														
Was prepared for the proceedings	23	10	10	0	2	45	3.2	8	3	1	2	1	15	3.0	38	11	0	0	0	49	3.8
Respectful treatment of staff																					
Cooperation with peers																					
Efficient management of calendar	22	10	12	0	1	45	3.2														
Section VI: Settlement Activities	12	4	7	4	2	29	2.7														
Appropriately promoted or conducted settlement	12	4	7	4	2	29	2.7														

UN=Unacceptable, PO=Poor,
SA=Satisfactory, VG=Very Good,
SU=Superior

Category summaries are averages and may not add up due to rounding.

Surveys were distributed to court
users from 02/2023 - 09/2023
Juror surveys from 9/2021 - 9/2023

ARIZONA COMMISSION ON JUDICIAL PERFORMANCE REVIEW

Superior Court

Name of Judge:	Total Surveys: 110						Assignment: Criminal					Cycle: Retention Review							
	ATTORNEY					45	LIT/WIT/PRO PER					16	JUROR					49	
Hon. David W. Garbarino	SU	VG	SA	PO	UN	Mean	SU	VG	SA	PO	UN	Mean	SU	VG	SA	PO	UN	Mean	
Section I: Legal Ability	43%	24%	21%	7%	5%	2.9													
Legal reasoning ability	44%	26%	19%	7%	5%	3.0													
Knowledge of substantive law	40%	23%	26%	7%	5%	2.9													
Knowledge of rules of evidence	48%	20%	20%	5%	8%	3.0													
Knowledge of rules of procedure	40%	26%	21%	7%	5%	2.9													
Section II: Integrity	57%	19%	21%	0%	3%	3.3	53%	20%	1%	9%	17%	2.8	85%	15%	0%	0%	0%	3.8	
Basic fairness and impartiality	44%	27%	20%	2%	7%	3.0	56%	19%	0%	6%	19%	2.9	88%	12%	0%	0%	0%	3.9	
Equal treatment regardless of race	58%	18%	23%	0%	3%	3.3	53%	20%	0%	7%	20%	2.8	85%	15%	0%	0%	0%	3.8	
Equal treatment regardless of gender	59%	18%	21%	0%	3%	3.3	53%	20%	0%	7%	20%	2.8	85%	15%	0%	0%	0%	3.9	
Equal treatment regardless of religion	61%	18%	18%	0%	3%	3.3	53%	20%	0%	13%	13%	2.9	85%	15%	0%	0%	0%	3.9	
Equal treatment regardless of national origin	57%	19%	22%	0%	3%	3.3	53%	20%	0%	13%	13%	2.9	86%	14%	0%	0%	0%	3.9	
Equal treatment regardless of disability	61%	18%	18%	0%	3%	3.3	50%	21%	0%	14%	14%	2.8	85%	15%	0%	0%	0%	3.9	
Equal treatment regardless of age	58%	18%	21%	0%	3%	3.3	53%	20%	7%	7%	13%	2.9	85%	15%	0%	0%	0%	3.8	
Equal treatment regardless of sexual orientation	58%	17%	22%	0%	3%	3.3	54%	23%	0%	8%	15%	2.9	83%	17%	0%	0%	0%	3.8	
Equal treatment regardless of economic status	59%	15%	23%	0%	3%	3.3	53%	20%	0%	7%	20%	2.8	84%	14%	2%	0%	0%	3.8	
Section III: Communication Skills	51%	16%	21%	7%	5%	3.0	47%	22%	6%	16%	9%	2.8	77%	17%	6%	0%	0%	3.7	
Clear and logical communications																			
Clear and logical oral communications and directions	49%	21%	16%	9%	5%	3.0													
Clear and logical written decisions	54%	14%	17%	9%	6%	3.0													
Gave all parties an adequate opportunity to be heard	51%	13%	29%	2%	4%	3.0													
Explained proceedings (to the jury)							50%	19%	6%	19%	6%	2.9	79%	21%	0%	0%	0%	3.8	
Explained reason for delays							44%	25%	6%	13%	13%	2.8	75%	10%	15%	0%	0%	3.6	
Clearly explained the juror's responsibilities													78%	18%	4%	0%	0%	3.7	
Section IV: Judicial temperament	49%	18%	23%	5%	5%	3.0	59%	17%	4%	3%	17%	3.0	85%	14%	0%	0%	0%	3.8	
Understanding and compassion	45%	16%	30%	5%	5%	2.9	67%	7%	7%	0%	20%	3.0	84%	16%	0%	0%	0%	3.8	
Dignified	50%	23%	20%	2%	5%	3.1	60%	13%	7%	7%	13%	3.0	86%	14%	0%	0%	0%	3.9	
Courteous	49%	18%	24%	4%	4%	3.0	60%	13%	7%	7%	13%	3.0	84%	16%	0%	0%	0%	3.8	
Conduct that promotes public confidence in the court	49%	16%	20%	7%	9%	2.9	53%	27%	0%	0%	20%	2.9	83%	15%	2%	0%	0%	3.8	
Patient	50%	18%	20%	7%	5%	3.0	53%	27%	0%	0%	20%	2.9	90%	10%	0%	0%	0%	3.9	
Section V: Administrative Performance	50%	21%	26%	0%	3%	3.1	47%	28%	4%	11%	11%	2.9	76%	19%	3%	1%	0%	3.7	
Punctual in conducting proceedings	51%	20%	29%	0%	0%	3.2	44%	31%	6%	13%	6%	2.9	69%	18%	8%	4%	0%	3.5	
Maintained proper control of courtroom	49%	20%	27%	0%	4%	3.1	44%	31%	0%	6%	19%	2.8	82%	16%	2%	0%	0%	3.8	
Prompt in making rulings and rendering decisions	51%	19%	26%	0%	5%	3.1													
Was prepared for the proceedings	51%	22%	22%	0%	4%	3.2	53%	20%	7%	13%	7%	3.0	78%	22%	0%	0%	0%	3.8	
Respectful treatment of staff																			
Cooperation with peers																			
Efficient management of calendar	49%	22%	27%	0%	2%	3.2													
Section VI: Settlement Activities	41%	14%	24%	14%	7%	2.7													
Appropriately promoted or conducted settlement	41%	14%	24%	14%	7%	2.7													

UN=Unacceptable, PO=Poor,
 SA=Satisfactory, VG=Very Good,
 SU=Superior

Category summaries are averages and may not add up due to rounding.

Surveys were distributed to court
 users from 02/2023 - 09/2023
 Juror surveys from 9/2021 - 9/2023

ARIZONA COMMISSION ON JUDICIAL PERFORMANCE REVIEW

Superior Court

Name of Judge:	Total Surveys: 13					Fall 2023	
	PEER JUDGE					Total	Mean
Hon. David W. Garbarino	EX	VG	AC	PO	FA		
Section I: Legal Ability	8	1	0	0	0	9	4.9
Decisions based on law and facts	8	1	0	0	0	9	4.9
Knowledge of rules of evidence	8	1	0	0	0	9	4.9
Knowledge of rules of procedure	8	1	0	0	0	9	4.9
Section II: Integrity	7	1	0	0	0	8	4.9
Unbiased and impartial	7	1	0	0	0	8	4.9
Section III: Communication Skills	7	2	1	0	0	10	4.6
Communication skills	7	2	1	0	0	10	4.6
Section IV: Judicial temperament	8	2	0	0	0	10	4.8
Conduct that promotes public confidence in the court and judge's ability	8	2	0	0	0	10	4.8
Respectful to all individuals	8	2	0	0	0	10	4.8
Section V: Administrative Performance	8	1	0	0	0	9	4.9
Works effectively with other judges	8	2	0	0	0	10	4.8
Works effectively with court personnel	8	0	0	0	0	8	5.0
Efficient management of calendar	8	0	0	0	0	8	5.0
Does a fair share of work	9	0	0	0	0	9	5.0

FA=Failing, PO=Poor,
AC=Acceptable, VG=Very Good,
EX=Excellent

Category summaries are averages and may not add up due to rounding.

Surveys were distributed to court
users from 09/2023 - 11/2023

ARIZONA COMMISSION ON JUDICIAL PERFORMANCE REVIEW

Superior Court

Name of Judge:	Total Surveys: 13					Fall 2023
Hon. David W. Garbarino	PEER JUDGE					Mean
	EX	VG	AC	PO	FA	
Section I: Legal Ability	89%	11%	0%	0%	0%	4.9
Decisions based on law and facts	89%	11%	0%	0%	0%	4.9
Knowledge of rules of evidence	89%	11%	0%	0%	0%	4.9
Knowledge of rules of procedure	89%	11%	0%	0%	0%	4.9
Section II: Integrity	88%	13%	0%	0%	0%	4.9
Unbiased and impartial	88%	13%	0%	0%	0%	4.9
Section III: Communication Skills	70%	20%	10%	0%	0%	4.6
Communication skills	70%	20%	10%	0%	0%	4.6
Section IV: Judicial temperament	80%	20%	0%	0%	0%	4.8
Conduct that promotes public confidence in the court and judge's ability	80%	20%	0%	0%	0%	4.8
Respectful to all individuals	80%	20%	0%	0%	0%	4.8
Section V: Administrative Performance	94%	6%	0%	0%	0%	4.9
Works effectively with other judges	80%	20%	0%	0%	0%	4.8
Works effectively with court personnel	100%	0%	0%	0%	0%	5.0
Efficient management of calendar	100%	0%	0%	0%	0%	5.0
Does a fair share of work	100%	0%	0%	0%	0%	5.0

FA=Failing, PO=Poor,
 AC=Acceptable, VG=Very Good,
 EX=Excellent

Category summaries are averages and may not add up due to rounding.

Surveys were distributed to court
 users from 09/2023 - 11/2023