OREGON SUPREME COURT

OREGON STATE BAR

Report of the
Oregon Supreme Court/
Oregon State Bar

Task Force on Gender Fairness APPENDIX

May 1998

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Procedures for
Task Force on Gender Fairness

I. Meetings

A. Notice; Public Meetings

The cochairs, or one of them, shall call meetings and set the agenda. All meetings shall be announced in advance and shall specify whether the Task Force will conduct a hearing at which public comment will be taken or will conduct a work session without public comment. All meetings shall be open to the public.

B. Quorum; Attendance

A majority of Task Force members shall constitute a quorum for the transaction of business. Task Force members are expected to attend all meetings if possible and shall notify a cochair or staff person in advance if they will be absent.

C. Business Requiring Quorum

Business requiring a quorum shall be adoption of a mission statement, goals, structure, and these procedures; and adoption of the final report. If a quorum has been declared, an affirmative vote of a majority of those present is required for Task Force action on the foregoing items. With the exception of those items, neither a quorum nor formal voting is required to conduct the business of the Task Force.

II. Responsibilities

A. Cochairs

The cochairs will coordinate and direct the work of the Task Force. The cochairs shall:

(1) coordinate the release of information to the press and the public;

(2) determine dates for and sites of Task Force meetings;

(3) hire and supervise any staff;

(4) approve the budget; and

(5) determine when reports should be made to the Chief Justice and the President of the Oregon State Bar.

2/2/96

B. Teams and Team Leaders

The cochairs will appoint a team leader to coordinate and direct the work of each team. Each team will investigate a designated subject area (including the collection of data and the holding of hearings) and will present (in writing) proposed findings, conclusions, and recommendations to the Task Force. Subject to the approval of the cochairs, the team leader may appoint members to the team who are not members of the Task Force. In consultation with the members of the team, each team leader shall:

(1) develop an internal plan of action, including time lines, for completion of the team's duties;

(2) set the schedule of the team; and

(3) be responsible for sending notices and keeping minutes.

Each team leader may propose a budget if appropriate.

C. Secretary

The secretary shall:

(1) make arrangements with the designated meeting sites;

(2) send all Task Force meeting notices;

(3) keep the minutes; and

(4) circulate the minutes.

You are Invited to Attend . . . .

Oregon Supreme Court - Oregon State Bar
TASK FORCE ON GENDER FAIRNESS

* * * *

PUBLIC HEARING

- Do you believe that you were treated differently in court because you are a woman or a man?
- Do you believe that the outcome of a legal case was affected by your sex?
- Does gender have a negative or positive effect on your experience in the judicial system or the legal profession?

The Task Force on Gender Fairness wants to hear from you!

WHEN:
Wednesday, September 25, 1996
4:00 p.m. to 7:00 p.m.

WHERE:
The Little Theater
South Medford High School
815 S. Oakdale
**Child Comfort Room - room 117*

WHY:

The Task Force on Gender Fairness is studying whether (and, if so how) Oregon's judicial system and legal profession treat people unfairly on the basis of gender. We will recognize fair treatment where it exists, and make recommendations for change where it does not. The Task Force is holding a series of public hearings to gather information on these issues.

**** Written comments are welcome ****
*** Wheelchair accessible * Spanish language interpreter on site * Child Comfort Room ***
(Contact the Task Force for ASL interpreting or other reasonable accommodations: Realtime captioning provided at Portland and Eugene hearings.)

WE NEED TO HEAR FROM YOU

If you have experience as a plaintiff or defendant, a juror, witness, guardian, mediator, court employee, lawyer, judge, legal worker, law enforcement officer, domestic violence worker, or anyone else involved in the justice system or the legal profession, the Task Force is interested in hearing from you.

** (The Child Comfort Room is available for you to leave your child with a supervisor that you bring to the site.)*
The Task Force will hold public hearings and other listening sessions throughout the state. If you prefer to speak with us at another time or location, please contact us at: Task Force on Gender Fairness, Oregon Supreme Court Building, 1163 State Street, Salem, OR 97301; (503) 986-5921; (TDD: 503-986-5504).

OREGON SUPREME COURT
Task Force on Gender Fairness
OREGON STATE BAR
E-mail: jessica.e.mindlin@state.or.us
Supreme Court Building, 1163 State Street, Salem, OR 97310
Phone: (503) 986-5921 Fax: (503) 986-5730 TDD: (503) 986-5504
Coordinator
Jessica E. Mindlin

WRITTEN STATEMENT
TO THE TASK FORCE ON GENDER FAIRNESS

The Task Force on Gender Fairness is studying whether (and, if so, how) Oregon's judicial system and legal profession (including law schools) treat people unfairly on the basis of gender (sex). We will recognize fair treatment where it exists, and make recommendations for change where it does not. Please be as specific as possible, and feel free to use additional sheets of paper.

(Any identifying information is OPTIONAL.) Supporting documents are also welcome. You may return this form to the box provided, or mail it to the Task Force at the address above. Thank you.

Name:
Address:
City, State, Zip:
Telephone Number: ( )
Other Information (e.g., case #):

OREGON SUPREME COURT
Task Force on Gender Fairness
OREGON STATE BAR
E-mail: Jessica.E.MINDLIN@state.or.us
Supreme Court Building, 1163 State Street, Salem, OR 97310
Phone: (503) 986-5921 Fax: (503) 986-5730 TDD: (503) 986-5504

Co-Chairs
The Honorable Susan P. Graber
Robert H. Fraser
Members
Ann Bartsch
Okianer Christian Dark
The Honorable Julie E. Frantz
Elizabeth S. Harchenko
The Honorable Dennis J. Hubel
The Honorable William D. Johnson
The Honorable Bryan M. Johnston
The Honorable Darryl Larson
Debra Fee Jing Lee
Joseph D. Matarazzo
The Honorable Jean Kerr Maurer
David Orf
Kathey Warnock
Gloriela Webster
Wendy Rae Willis
The Honorable Janice R. Wilson
Coordinator
Jessica E. Mindlin

DECLARACION ESCRITA
A LA COMISION ESPECIAL SOBRE IMPARCIALIDAD EN LOS ASUNTOS RELACIONADOS CON EL GENERO (TASK FORCE ON GENDER FAIRNESS)

La Comisión especial está investigando si el sistema jurídico de Oregon y la profesión legal tratan al público de forma injusta según el género (sexo) de la persona. Se le dará el debido reconocimiento al tratamiento imparcial dondequiera que exista, y haremos recomendaciones para efectuar cambios donde fuese necesario.

(Cualquier información que quiera proveer sobre su identidad es OPCIONAL.) También se agradecen cualesquier documentos que desee incluir con su declaración. Usted puede colocar este documento en la caja asignada para este propósito o enviarlo por correo a la comisión a la dirección provista arriba. Le agradecemos su participación.

Nombre:
Dirección:
Ciudad, Estado, Código postal:
Número de teléfono: ( )
Otra información (por ejemplo, número de la causa):

GENDER EQUITY SURVEY

Sponsored by the Oregon Supreme Court /
Oregon State Bar Task Force on Gender Fairness

PLEASE TAKE A FEW MOMENTS TO COMPLETE
THIS ANONYMOUS SURVEY OF LAWYERS

Please return your anonymous survey in the enclosed envelope to:

OSRL

OREGON SURVEY RESEARCH LABORATORY
5245 UNIVERSITY OF OREGON
EUGENE, OR 97403-5245

General Instructions: Please answer the following questions based only on your experiences as an Oregon lawyer practicing in Oregon state (not federal) court. You may need to answer only selected parts of the questionnaire, depending on your experience and involvement with different areas of the law. Some lawyers will skip a few questions; many lawyers will skip entire sections. Please return this questionnaire even if you are able to complete only a portion of the questions, as the representativeness of the data rests on the range of experiences of Oregon lawyers. Although most questions ask you just to check or circle a response, we welcome your thoughts. Feel free to include additional comments wherever you think they are necessary. Your comments will be transcribed and taken into account. Please return the questionnaire in the enclosed envelope by May 19th, 1997.

I. GENERAL PRACTICE INFORMATION

For the following questions, please circle the answer that best describes your practice.

A. With how many other lawyers do you practice?

1. Solo practitioner
2. 1-5 lawyers
3. More than 5 lawyers
4. Other →

Please explain: _____

_____

B. Type of area where you practice:

1. Primarily rural
2. Primarily urban
3. Mixed rural/urban

C. In which area(s) do you practice? (*Circle all that apply*)

1. General practice
2. Appellate
3. Business Law
4. Civil Litigation
5. Criminal Defense
6. Criminal Prosecution
7. Corporate Law
8. Environmental Law
9. Family Law
10. Govt/Public Sector Law
11. Juvenile Law
12. Labor Law
13. Legal Services
14. Public Defender
15. Real Estate Law
16. Other *(please specify)* _____

D. In what year were you first admitted to practice in any state? 19_____

E. How many years have you been in active practice in Oregon?

_____ years

F. In the past five years, approximately what percentage of your state court practice has been spent in each of the following areas? (*If you do not use one of the items on the list, enter zero. Percentages should add up to 100%*)

_____ % Civil
_____ % Criminal
_____ % Family
_____ % Juvenile
_____ % Probate
_____ % Other (*please specify*) _____

G. On average, how often have you appeared in state court in the last five years?

1. Daily
2. Weekly
3. 1-2 times/month
4. Less than once/month
5. Never

II. CRIMINAL LAW - ***The following questions pertain to programs and services available in the community and in correctional institutions for male and female offenders. Please answer these questions only if 25% or more of your practice or caseload in the past 5 years is in the area of criminal law; if not skip to Section III, Domestic Relations, on Page 6.***

A. *For the following questions, please indicate whether you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with the following statements:*

	Strongly Agree	*Somewhat Agree*	*Somewhat Disagree*	*Strongly Disagree*	*Don't Know*
1. Rehabilitation programs and services in *community corrections* are more available to men than to women.	1	2	4	5	9
2. Rehabilitation programs and services in the *prisons and jails* are more available to men than to women.	1	2	4	5	9
3. Rehabilitation programs and services in the *jails* are adequate to meet the needs of *female* offenders.	1	2	4	5	9
4. Rehabilitation programs and services in the *prisons* are adequate to meet the needs of *female* offenders.	1	2	4	5	9
5. Rehabilitation programs and services in the *jails* are adequate to meet the needs of *male* offenders.	1	2	4	5	9
6. Rehabilitation programs and services in the *prisons* are adequate to meet the needs of *male* offenders.	1	2	4	5	9

B. *A variety of programs could be offered in prisons to rehabilitate offenders. Which of the following program prisons do you believe are generally available, available but limited in scope, or unavailable to both male and female offenders in prison? Please answer for female and for male offenders.*

	Male Offenders			Female Offenders		
	Available	*Limited in Scope*	*Not Available*	*Available*	*Limited in Scope*	*Not Available*
1. Job Training	1	2	3	1	2	3
2. Education through high school	1	2	3	1	2	3
3. Education beyond high school	1	2	3	1	2	3
4. How available is health care, including pre- and post-natal care and gynecological services, for female offenders?				1	2	3

C. In your experience, are there any inequalities in the availability of, or nature of, rehabilitation programs and facilities for male and female *adult* offenders?

1. Yes →
2. No

1. What are those inequalities?

D. What about for male and female *juvenile* offenders?

1. Yes →
2. No

1. What are those inequalities?

E. *For the purpose of the following questions, assume "under similar circumstances" means that the severity of the crime and criminal histories are comparable to one another. Based on your observations and experiences please select the best answer.*

1. If, proportionately, there are fewer substance abuse treatment programs available for women than for men, does this lead to...?

   1. A lower incarceration rate for substance abusing pregnant women than for men.
   2. Neither a higher nor a lower incarceration rate.
   3. A higher incarceration rate for substance abusing pregnant women than for men.

2. If, proportionately, there are fewer substance abuse treatment programs available for women than for men, does this lead to...?

   1. A lower incarceration rate for substance abusing custodial mothers than for substance abusing custodial fathers.
   2. Neither a higher nor a lower incarceration rate.
   3. A higher incarceration rate for substance abusing custodial mothers than for substance abusing custodial fathers.

3. If, proportionately, there are fewer substance abuse treatment programs available for women than for men, does this lead to...?

   1. A lower incarceration rate for childless or non-custodial (non-pregnant) substance abusing women than for childless or non-custodial substance abusing men.
   2. Neither a higher nor a lower incarceration rate.
   3. A higher incarceration rate for childless or non-custodial (non-pregnant) substance abusing women than for childless or non-custodial substance abusing men.

4. In sentencing, judges take into account the parenting responsibilities of women...

   1. Less often than they do the parenting responsibilities of men
   2. To the same extent as they do the parenting responsibilities of men
   3. More often than they do the parenting responsibilities of men

F. In your experience, does the prosecutor's sentencing recommendation differ depending upon whether an adult offender is male or female?

1. Yes ⟶
2. No

1. What differs?

2. What factors tend to be considered?

G. In your experience, does the judge's final order differ depending upon whether an adult offender is male or female?

1. Yes → 1. What differs?
2. No

2. What factors tend to be considered?

H. *The following questions in this section refer to Juvenile Court only. Please answer these questions only if 25% or more of your total caseload is in Juvenile Court; if not skip to Section III, Domestic Relations.*

1. These questions regard the frequency of dispositions for male and female juveniles under similar circumstances. Please choose the best answer based on your observations and experiences.

	Less Frequently	*Same Amount*	*More Frequently*	*Don't Know*
1. Compared to boys, girls are ordered to alternative treatment programs. . .	1	2	3	9
2. Compared to boys, pregnant girls are ordered to alternative treatment programs. . .	1	2	3	9
3. Compared to custodial teen fathers, custodial teen mothers are ordered to alternative treatment programs. . .	1	2	3	9
4. Compared to boys, girls are confined in a secure facility. . .	1	2	3	9

I. In your experience, does the prosecutor's sentencing recommendation differ depending on whether the offender is a male or female youth?

1. Yes → 1. What differs?
2. No

2. What factors tend to be considered?

J. In your experience, does the judge's final order differ depending on whether the offender is a male or female youth?

1. Yes → 1. What differs?
2. No

2. What factors tend to be considered?

III. DOMESTIC RELATIONS - *The following questions refer to family law caseloads. Please answer questions only if 25% or more of your practice or caseload in the past 5 years is in the area of domestic relations; if not skip to Section IV, Litigation, on Page 7.*

A. *On the basis of your experience, please indicate whether you strongly agree, somewhat agree, somewhat disagree, or strongly disagree for each of the following statements about female litigants and male litigants.*

Biased against...	MALE LITIGANTS					FEMALE LITIGANTS				
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Don't Know	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Don't Know
1. In your *TRIAL COURT* experience, there is bias against litigants in. . .										
a. awarding child custody.	1	2	3	4	9	1	2	3	4	9
b. awarding child support.	1	2	3	4	9	1	2	3	4	9
c. awarding spousal support.	1	2	3	4	9	1	2	3	4	9
d. property distribution.	1	2	3	4	9	1	2	3	4	9
2. In your *APPELLATE COURT* experience, there is bias against litigants in. . .										
a. awarding child custody.	1	2	3	4	9	1	2	3	4	9
b. awarding child support.	1	2	3	4	9	1	2	3	4	9
c. awarding spousal support.	1	2	3	4	9	1	2	3	4	9
d. property distribution.	1	2	3	4	9	1	2	3	4	9
3. Oregon *STATUTES & REGULATIONS* are biased regarding. . .										
a. child custody awards.	1	2	3	4	9	1	2	3	4	9
b. child support awards.	1	2	3	4	9	1	2	3	4	9
c. spousal support awards.	1	2	3	4	9	1	2	3	4	9
d. property distribution.	1	2	3	4	9	1	2	3	4	9

B. How many family law cases (including temporary or final hearings, motions, and post-decree modifications) have you litigated during the last twelve months?

_____ cases

C. *Please circle the answer that best matches your observations and experiences for each of the statements.*

	Strongly Agree	*Somewhat Agree*	*Somewhat Disagree*	*Strongly Disagree*	*Don't Know*
1. Female trial court judges tend to favor female litigants in family law matters.	1	2	3	4	9
2. Male trial court judges tend to favor male litigants in family law matters.	1	2	3	4	9
3. Female trial court judges tend to favor male litigants in family law matters.	1	2	3	4	9
4. Male trial court judges tend to favor female litigants in family law matters.	1	2	3	4	9
5. Judges should not issue FAPA restraining orders to victims of domestic violence who repeatedly return to abusive relationships.	1	2	3	4	9
6. The legal process shows too much sympathy for women who allege domestic abuse.	1	2	3	4	9
7. The legal process shows too much sympathy for men who allege domestic abuse.	1	2	3	4	9

IV. LITIGATION - ***The following set of questions concern your experiences litigating criminal and civil cases at the trial court, administrative, and appellate levels. If you are not and never have been involved in litigation as an attorney, skip to Section V, Law Practice, Page 9.***

A. In your experience as an attorney, have you ever been involved in any cases in which you felt that the litigation process or outcome was affected (either negatively or positively) by the gender of one of the *parties*?

1. Yes →
2. No

1. Please describe:

B. In your experience as an attorney, have you been involved with any case(s) in which you felt that the litigation process or outcome was affected (either negatively or positively) by the gender of one of the *attorneys*?

1. Yes →
2. No

1. Please describe:

C. In your experience as an attorney, have you ever used the gender of one of the parties, witnesses, jurors, attorneys, judge, or other participants in the civil litigation process as part of your litigation strategy?

1. Yes
2. No

D. Have you observed behavior in the courtroom by judges, other attorneys, parties, or witnesses that indicate a gender bias?

1. Yes →
2. No

1. Please describe:

2. Do you believe that this behavior affected the outcome of the case?

1. Yes, adversely
2. Yes, positively
3. No

E. Have you observed behavior in the pretrial stages of any matter (e.g. discovery, mediation, arbitration) by judges, mediators, arbitrators, other attorneys, parties, or witnesses that indicate a gender bias?

1. Yes →
2. No

1. Please describe:

2. Do you believe that this behavior affected the outcome of the case?

1. Yes, adversely
2. Yes, positively
3. No

V. LAW PRACTICE - *We are interested in learning about your experiences in court, in law offices, at Bar events (CLEs, local Bar Association, and social gatherings), with clients and coworkers, and others.*

A. *Please read the following statements, decide if you personally have observed the behavior and, if so, indicate who engaged in the behavior described. Check judges, attorneys, or court personnel as applicable. Note: a check means 'yes' you have personally observed this behavior.*

Indicate who engaged in this behavior →	*Judges*		*Attorneys*		*Court Personnel*	
	Male	*Female*	*Male*	*Female*	*Male*	*Female*
1. Female attorneys are asked if they are attorneys in situations where male attorneys are not asked.	☐	☐	☐	☐	☐	☐
2. Female attorneys are ignored or cut off when speaking in situations where male attorneys are not.	☐	☐	☐	☐	☐	☐
3. Female attorneys are addressed by first names when male attorneys are addressed by surnames or titles.	☐	☐	☐	☐	☐	☐
4. Female litigants, witnesses or jurors are addressed by first names when males are addressed by surnames or titles.	☐	☐	☐	☐	☐	☐
5. Female attorneys, litigants, witnesses and/or jurors are addressed using terms of endearment (e.g., honey, sweetie, little lady) more than males.	☐	☐	☐	☐	☐	☐
6. Female attorneys are addressed in a patronizing manner more often than male attorneys.	☐	☐	☐	☐	☐	☐
7. Comments are made about the personal appearance of female attorneys, litigants, witnesses or jurors when no such comments are made about males.	☐	☐	☐	☐	☐	☐
8. Remarks or jokes demeaning or hostile about women are made in court or in chambers.	☐	☐	☐	☐	☐	☐
9. Remarks or jokes demeaning or hostile about men are made in court or in chambers.	☐	☐	☐	☐	☐	☐

Indicate who engaged in this behavior →	*Judges*		*Attorneys*		*Court Personnel*	
	Male	*Female*	*Male*	*Female*	*Male*	*Female*
10. Women litigants are subjected to verbal or physical sexual advances	☐	☐	☐	☐	☐	☐
11. Male litigants are subjected to verbal or physical sexual advances.	☐	☐	☐	☐	☐	☐
12. Female attorneys are subjected to verbal or physical sexual advances.	☐	☐	☐	☐	☐	☐
13. Male attorneys are subjected to verbal or physical sexual advances.	☐	☐	☐	☐	☐	☐
14. Female court personnel are subjected to verbal or physical sexual advances.	☐	☐	☐	☐	☐	☐
15. Male court personnel are subjected to verbal or physical sexual advances.	☐	☐	☐	☐	☐	☐

B. If you have observed any of the conduct described in the questions above, do you believe it affected the outcome of the case?

1. Yes →
2. No
3. Don't know

1. Please describe how you believe it affected the outcome of the case.

2. How often do you believe it has affected the outcome of a case?

1. Often
2. Sometimes
3. Rarely
4. Never

C. In your experience and observations, do you believe that case outcome is *negatively* affected when....
(please check all that you believe to be true)

1. the female attorney is also...
   ___ Black/African American
   ___ Hispanic
   ___ Asian/Pacific Islander
   ___ Native American
   ___ Young (less than 40 years old)
   ___ Old (over 55 years old)
   ___ Perceived to be a lesbian/bisexual
   ___ Single
   ___ Married
   ___ A parent
   ___ A person with a discernible disability

2. the male attorney is also...
   ___ Black/African American
   ___ Hispanic
   ___ Asian/Pacific Islander
   ___ Native American
   ___ Young (less than 40 years old)
   ___ Old (over 55 years old)
   ___ Perceived to be a gay/bisexual
   ___ Single
   ___ Married
   ___ A parent
   ___ A person with a discernible disability

3. the female litigant or witness is also...
   ___ Black/African American
   ___ Hispanic
   ___ Asian/Pacific Islander
   ___ Native American
   ___ Young (less than 40 years old)
   ___ Old (over 55 years old)
   ___ Perceived to be a lesbian/bisexual
   ___ Single
   ___ Married
   ___ A parent
   ___ A person with a discernible disability

4. the male litigant or witness is also...
   ___ Black/African American
   ___ Hispanic
   ___ Asian/Pacific Islander
   ___ Native American
   ___ Young (less than 40 years old)
   ___ Old (over 55 years old)
   ___ Perceived to be a gay/bisexual
   ___ Single
   ___ Married
   ___ A parent
   ___ A person with a discernible disability

D. In your experience and observations, how often do you believe that less weight is given to...

1. Female attorneys' arguments than to those of male attorneys.	*Often*	*Sometimes*	*Rarely*	*Never*
a. by a male judge	1	2	3	4
b. by a female judge	1	2	3	4
c. by a male juror	1	2	3	4
d. by a female juror	1	2	3	4

The testimony of female experts, law enforcement officers, or probation officers, than to that of their male counterparts.	*Often*	*Sometimes*	*Rarely*	*Never*
a. by a male judge	1	2	3	4
b. by a female judge	1	2	3	4
c. by a male juror	1	2	3	4
d. by a female juror	1	2	3	4
3. The testimony of female, non-expert witnesses than to male non-expert witnesses.				
a. by a male judge	1	2	3	4
b. by a female judge	1	2	3	4
c. by a male juror	1	2	3	4
d. by a female juror	1	2	3	4

4. Have you ever observed judges, counsel, or others intervene to correct situations of biased conduct within the courtroom?

1. Yes →
2. No

1. Please describe what conduct occurred, what corrective actions were taken if any, and by whom:

E. *Please check the box which best reflects your experience.*

	Strongly Agree	*Somewhat Agree*	*Somewhat Disagree*	*Strongly Disagree*	*Don't Know*
1. Conduct, tactics or arguments of a female attorney are viewed as inappropriate when the same conduct by a male attorney is viewed as good advocacy.	☐	☐	☐	☐	☐
2. Female lawyers should not be litigators because their family responsibilities interfere with court appearances.	☐	☐	☐	☐	☐
3. Female attorneys seem to get annoyed when men are just being polite.	☐	☐	☐	☐	☐
4. There is no significant gender bias in the courtroom today.	☐	☐	☐	☐	☐

F. In your experience, do lawyers often or sometimes prefer not to appear before a male or female judge in certain types of cases? *Please check the box if it applies to defendants or opposing counsel, and indicate whether you have filed an affidavit of prejudice for this reason.*

	Defendants		*Opposing Counsel*		*Affidavit of Prejudice filed*
	Male	*Female*	*Male*	*Female*	
1. In a criminal case, lawyers often or sometimes prefer not to appear in front of:					
a male judge with...	☐	☐	☐	☐	☐
a female judge with...	☐	☐	☐	☐	☐
2. In a civil case, lawyers often or sometimes prefer not to appear in front of:					
a male judge with...	☐	☐	☐	☐	☐
a female judge with...	☐	☐	☐	☐	☐
3. In a domestic relations case with property issues only, lawyers often or sometimes prefer not to appear in front of:					
a male judge with...	☐	☐	☐	☐	☐
a female judge with...	☐	☐	☐	☐	☐
4. In a domestic relations case with child custody issues only, lawyers often or sometimes prefer not to appear in front of:					
a male judge with...	☐	☐	☐	☐	☐
a female judge with...	☐	☐	☐	☐	☐
5. In a domestic abuse case, lawyers often or sometimes prefer not to appear in front of:					
a male judge with...	☐	☐	☐	☐	☐
a female judge with...	☐	☐	☐	☐	☐

G. *Please circle yes or no and explain your reasoning.*

1. Do clients treat you differently because of your gender?

   1. Yes →
   2. No

1. Please explain:

2. Do other lawyers treat you differently because of your gender?

1. Yes →
2. No

1. Please explain:

3. Do judges treat you differently because of your gender?

1. Yes →
2. No

1. Please explain:

4. Has your gender *plus* your sexual orientation, race, disability, etc. "earned" you any special work, committee assignments, or other tasks?

1. Yes →
2. No

1. Please explain.

2. Overall, do you consider these appointments or work assignments a benefit or a burden?

1. Benefit
2. Burden
3. Mixed

H. Are most of your clients your same... gender? Yes No
race? Yes No

I. Have you experienced or personally observed inappropriate treatment of men or women, based on gender, in your workplace?

1. Yes →
2. No

1. Please explain:

J. Have you experienced or personally observed inappropriate treatment of men or women, based on gender, elsewhere in the legal system?

1. Yes →
2. No

1. Please explain:

K. Are male and female *attorneys* in your workplace dealt with differently depending on family status or family needs?

1. Yes they are treated differently based on gender.
2. Yes people are treated differently, but it is based on job, not gender.
3. No, everyone is treated the same.

L. Are male and female *staff* in your workplace dealt with differently depending on family status or family needs?

1. Yes they are treated differently based on gender.
2. Yes people are treated differently, but it is based on job, not gender.
3. No, everyone is treated the same.

M. Has anyone come to you complaining of sexual harassment in <u>your</u> workplace?

1. Yes →
2. No

1. What was the complainant's gender?
   1. Male
   2. Female

2. What was the complainant's position within the office?

3. What was the perpetrator's gender?
   1. Male
   2. Female

4. What was the perpetrator's position within the office?

5. What was the nature of the harassment:

Hiring and Opportunities for Promotion - *The next set of questions pertain to hiring and promotion opportunities for lawyers. Please circle the answer that best fits your personal observations and experiences.*

A. When you were interviewed for a lawyer, law clerk, or other legal position, how often did the interviewer(s) inquire into, discuss, or take into account. . .

	Often	*Sometimes*	*Rarely*	*Never*	*Not Applicable*
1. your personal relationships	1	2	3	4	9
2. your family obligations	1	2	3	4	9
3. your personal commitments	1	2	3	4	9
4. your sexual orientation	1	2	3	4	9

B. When considering attorney or clerkship candidates for openings in your office, how often have you or other interviewers inquired into or discussed applicants'. . .

	Often	*Sometimes*	*Rarely*	*Never*	*Not Applicable*
1. personal relationships	1	2	3	4	9
2. family obligations	1	2	3	4	9
3. personal commitments	1	2	3	4	9
4. sexual orientation	1	2	3	4	9

C. When 2 or more lawyers of different genders are competing for a particular assignment on a specific case (e.g., "first chair," arguing an important motion, or appearing at an important hearing), and a male, rather than female, attorney is given the assignment, what reasons are typically given to explain the decision. *(Please circle all that apply).*

1. The case requires a "heavy hitter."
2. The case is assigned to a judge who prefers male counsel.
3. The client prefers male counsel.
4. A male attorney brought the client to the firm.
5. The case requires more aggressive counsel.
6. The case requires a particular type of expertise that the female attorney lacks.
7. The male attorney is more qualified.
8. The jury will respond better to a male attorney.
9. It isn't the right sort of case for a woman attorney.
10. A male attorney is more senior in the office.
11. A male attorney has a clear tie to the case.
12. Other →

1. Please describe:

D. In the past 5 years (or, since you joined your firm/organization if it has been less than 5 years), have you lost an assignment or an important role on a case to a colleague of the opposite sex for what you believe to be gender-related reasons?

1. Yes →
2. No

1. How many times?

_____

2. In what way do you believe that your gender was a factor?

E. The next 4 questions pertain to "rainmaking" in private law practice. If you are not in private practice, skip to the next section (Section VII, Page 18).

1. Please rank the top 3 legal skills with respect to their importance in *generating new clients.*

____ Legal analysis
____ Trial experience
____ Litigation experience
____ Writing ability
____ Speaking ability
____ Organizational ability
____ Specialization in a particular area of law
____ Negotiation and mediation ability
____ Client interaction

2. Please rank the top 3 legal skills with respect to their importance in *maintaining existing clients.*

____ Legal analysis
____ Trial experience
____ Litigation experience
____ Writing ability
____ Speaking ability
____ Organizational ability
____ Specialization in a particular area of law
____ Negotiation and mediation ability
____ Client interaction

3. For this question, first rank the top 3 factors with respect to their positive impact, then rank the top 3 factors with respect to their negative impact on *generating new clients or maintaining existing clients.*

Positive	Negative	
_____	_____	1. Ethnic diversity
_____	_____	2. Age
_____	_____	3. Marital status
_____	_____	4. Sexual orientation
_____	_____	5. Years in practice
_____	_____	6. Class rank in law school
_____	_____	7. Service on firm's management or compensation committee
_____	_____	8. Gender
_____	_____	9. Children
_____	_____	10. Disability
_____	_____	11. Law school attended
_____	_____	12. Professional recognition
_____	_____	13. Foreign language skills

4. Rank the top 3 with respect to their importance in *generating new clients or maintaining existing clients.*

____ Personality
____ Timeliness
____ Accountability
____ Involvement in professional organizations
____ Involvement in community activities
____ Amount of time spent in/out of the office
____ Ability/ willingness to travel
____ Ability/willingness to work long hours (evenings/nights) and weekends
____ Chargeable/billable hours
____ Legal skills

VII. GENERAL BACKGROUND INFORMATION - *Please circle the appropriate information.*

A. What is your gender? 1. Male
2. Female

B. In what year were you born? 19_____

C. How many minor children do you have? _____

1. With whom do they live?

D. How many years have you been in your current position? _____ years

E. What is your position? (*Check all that apply*)

___ Partner/Shareholder in a firm
___ Associate in a firm
___ Contract Lawyer
___ In-house Counsel
___ Government/Public Service Lawyer
___ Other (*indicate position*) _____

F. What is your race/ethnicity?

1. Black/African-American
2. Asian
3. Hispanic
4. Native American
5. Pacific Islander
6. White (non-Hispanic)
7. Other *(please specify)* _____

G. What is your sexual orientation?

1. Bisexual
2. Gay/lesbian
3. Straight/heterosexual
4. Other *(specify)* _____

H. What is your current marital status?

1. Divorced
2. Married/living as married
3. Separated
4. Single and never married
5. Widowed
6. Other _____

I. Do you have a physical or mental disability?

1. Physical
2. Mental
3. No disabilities

1. Is the disability noticeable?
   1. Yes
   2. No

Thank you for taking the time to fill out this questionnaire!
Please feel free to make additional comments
by including a separate sheet or using the space below.
Your comments will be transcribed and taken into account.

WALLACE P. CARSON, JR.
Chief Justice

1163 State Street
Salem, Oregon 97310-0260
Telephone: (503) 986-5700
FAX: (503) 986-5730
TTY:(503) 986-5504

THE SUPREME COURT

May 20, 1997

Dear Colleague:

The Oregon Supreme Court-Oregon State Bar Task Force on Gender Fairness is interested in your present experience as a judge and your past experiences as a lawyer practicing in the Oregon state courts. The Task Force is studying whether and, if so, how the Oregon judicial system and legal profession treat people unfairly on the basis of gender. The Task Force will recognize fair treatment where it exists and make recommendations for change where it does not.

The purpose of the enclosed survey is to obtain information about how, if at all, gender issues influence court proceedings and the legal profession. Your experiences and thoughts on the subject are very important.

The survey will take only about 25 to 30 minutes to complete. Your answers are completely anonymous. If you wish to comment on any question or qualify any of your answers, please feel free to write in the margins or to attach additional sheets of paper. I invite your comments regarding gender fairness issues in the Oregon justice system or legal profession regardless of whether they pertain to issues specifically raised in this survey. Your comments will be read, transcribed, and considered.

Your participation is entirely voluntary, but I hope that you will take part in this important project. Your views are very important in order to obtain an accurate understanding of issues that affect our courts and the profession today. Please take a moment at your earliest convenience to complete the survey and return it, in the envelope provided, **by Tuesday, June 3, 1997**, to the Oregon Survey Research Laboratory (OSRL). OSRL has been employed for this project to ensure respondents' anonymity in tabulation of the survey results.

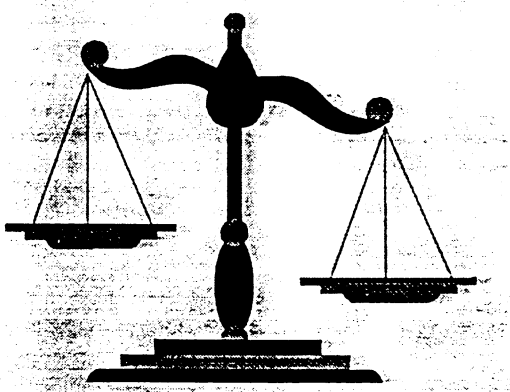
The Task Force is happy to answer any questions you may have regarding the project. Please feel free to contact Jessica Mindlin, Task Force Coordinator, at (503) 986-5921 (TTY: (503) 986-5504) .

Yours sincerely,

Wallace P. Carson, Jr.

GENDER EQUITY SURVEY

Sponsored by the Oregon Supreme Court /
Oregon State Bar Task Force on Gender Fairness



PLEASE TAKE A FEW MOMENTS TO COMPLETE
THIS ANONYMOUS SURVEY OF JUDGES

Please return your anonymous survey in the enclosed envelope to:

OSRL

OREGON SURVEY RESEARCH LABORATORY
5245 UNIVERSITY OF OREGON
EUGENE, OR 97403-5245

General Instructions: Please answer the following questions based only on your experiences as an Oregon state court judge unless otherwise indicated. You may need to answer only selected parts of the questionnaire, depending on your experience and involvement with different areas of the law. Some judges will skip a few questions; many judges will skip entire sections. Please return this questionnaire even if you are able to complete only a portion of the questions, as the representativeness of the data rests on the range of experiences of Oregon judges. Although most questions ask you just to check or circle a response, we welcome your thoughts. Feel free to include additional comments wherever you think they are necessary. Your comments will be transcribed and considered. Please return the questionnaire in the enclosed envelope by Tuesday June 3, 1997.

I. GENERAL PRACTICE INFORMATION

For the following questions, please circle the answer that best describes your situation.

A. Including yourself, how many judges are there in your court?

1. One
2. 2-5 judges
3. 6-9 judges
4. 10 or more judges
5. Other →

Please explain:

B. Type of area where you serve:

1. Primarily rural
2. Primarily urban
3. Mixed rural/urban

C. What kind(s) of cases do you hear? (*Circle all that apply*)

1. Administrative Law
2. Civil
3. Criminal
4. Family Law
5. Juvenile
6. Probate
7. Other *(please specify)* _____

D. Court where you serve: *Circle all that apply*

1. District
2. Circuit
3. Appellate
4. Juvenile
5. Administrative
6. Other *(please specify)* _____

E. When you practiced as an attorney, in which area(s) did you practice? (*Circle all that apply*)

1. General practice
2. Appellate
3. Business Law
4. Civil Litigation
5. Criminal Defense
6. Criminal Prosecution
7. Corporate Law
8. Environmental Law
9. Family Law
10. Govt./Public Sector Law
11. Juvenile Law
12. Labor Law
13. Legal Services
14. Public Defender
15. Real Estate Law
16. Other *(please specify)* _____

F. Are you on active or senior status?

1. Active
2. Senior

G. In the past five years, approximately what percentage of your time as a judge has been spent in each of the following areas?
(*If you do not use one of the items on the list, enter zero. Percentages should add up to 100%*)

_____ % Civil
_____ % Criminal
_____ % Family
_____ % Juvenile
_____ % Probate
_____ % Administrative Law
_____ % Other (*please specify*) _____

II. CRIMINAL LAW-- *The following questions pertain to programs and services available in the community and in correctional institutions for male and female offenders.*

A. *For the following questions, please indicate whether you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with the following statements:*

	Strongly Agree	*Somewhat Agree*	*Somewhat Disagree*	*Strongly Disagree*	*Don't Know*
1. Rehabilitation programs and services offered through *community corrections* are more available to men than to women.	1	2	4	5	9
2. Rehabilitation programs and services in the *prisons and jails* are more available to men than to women.	1	2	4	5	9
3. Rehabilitation programs and services in the *jails* are adequate to meet the needs of *female* offenders.	1	2	4	5	9
4. Rehabilitation programs and services in the *prisons* are adequate to meet the needs of *female* offenders.	1	2	4	5	9
5. Rehabilitation programs and services in the *jails* are adequate to meet the needs of *male* offenders.	1	2	4	5	9
6. Rehabilitation programs and services in the *prisons* are adequate to meet the needs of *male* offenders.	1	2	4	5	9

B. *A variety of programs could be offered in prisons to rehabilitate offenders. Which of the following programs in prisons do you believe are generally available, available but limited in scope, or unavailable? Please answer for male and for female offenders.*

	Male Offenders			*Female Offenders*		
	Available	*Limited in Scope*	*Not Available*	*Available*	*Limited in Scope*	*Not Available*
1. Job Training	1	2	3	1	2	3
2. Education through high school	1	2	3	1	2	3
3. Education beyond high school	1	2	3	1	2	3
4. How available is health care, including pre- and post-natal care and gynecological services, for female offenders?				1	2	3

C. In your experience, are there any inequalities in the availability of, or nature of, rehabilitation programs and facilities for male and female *adult* offenders?

1. Yes →
2. No
3. Don't know

1. What are those inequalities?

D. What about for male and female *juvenile* offenders?

1. Yes →
2. No
3. Don't know

1. What are those inequalities?

E. *For the purpose of the following questions, assume "under similar circumstances" means that the severity of the crime and criminal histories are comparable to one another. Based on your observations and experiences please select the best answer.*

1. If, proportionately, there are fewer substance abuse treatment programs available for women than for men, does this lead to...?
   1. A lower incarceration rate for substance abusing pregnant women than for men.
   2. Neither a higher nor a lower incarceration rate.
   3. A higher incarceration rate for substance abusing pregnant women than for men.

2. If, proportionately, there are fewer substance abuse treatment programs available for women than for men, does this lead to...?
   1. A lower incarceration rate for substance abusing custodial mothers than for substance abusing custodial fathers.
   2. Neither a higher nor a lower incarceration rate.
   3. A higher incarceration rate for substance abusing custodial mothers than for substance abusing custodial fathers.

3. If, proportionately, there are fewer substance abuse treatment programs available for women than for men, does this lead to...?

   1. A lower incarceration rate for childless or non-custodial (non-pregnant) substance abusing women than for childless or non-custodial substance abusing men.
   2. Neither a higher nor a lower incarceration rate.
   3. A higher incarceration rate for childless or non-custodial (non-pregnant) substance abusing women than for childless or non-custodial substance abusing men.

4. In sentencing, other judges take into account the parenting responsibilities of women...

   1. Less often than they do the parenting responsibilities of men.
   2. To the same extent as they do the parenting responsibilities of men.
   3. More often than they do the parenting responsibilities of men.

F. In your experience, does a prosecutor's sentencing recommendation differ depending upon whether the adult offender is male or female?

   1. Yes →
   2. No

   1. What differs?

   2. What factors tend to be considered?

G. In your opinion, do other judges' orders (e.g., sentencing, custody) differ depending upon whether the adult offender is male or female ?

   1. Yes →
   2. No

   1. What differs?

   2. What factors tend to be considered?

H. Do your orders differ depending upon whether the adult offender is a male or female ?

   1. Yes →
   2. No

   1. What differs?

   2. What factors tend to be considered?

I. *The following questions in this section refer to Juvenile Court only. Please answer these questions only if 25% or more of the cases you hear are Juvenile matters; if not skip to Section III, Domestic Relations.*

The next 4 questions regard the frequency of dispositions for male and female juveniles under similar circumstances. Please choose the best answer based on your observations and experiences.

	Less Frequently	*Same Amount*	*More Frequently*	*Don't Know*
1. Compared to boys, girls are ordered to alternative treatment programs...	1	2	3	9
2. Compared to boys, pregnant girls are ordered to alternative treatment programs...	1	2	3	9
3. Compared to custodial teen fathers, custodial teen mothers are ordered to alternative treatment programs..	1	2	3	9
4. Compared to boys, girls are confined in a secure facility...	1	2	3	9

J. In your experience, does a prosecutor's sentencing recommendation differ depending on whether the juvenile offender is a male or female ?

1. Yes →
2. No ↓

1. What differs?

2. What factors tend to be considered?

K. In your experience, do other judges' orders differ depending on whether the juvenile offender is a male or female ?

1. Yes →
2. No ↓

1. What differs?

2. What factors tend to be considered?

L. Do your orders differ depending on whether the juvenile offender is a male or female?

1. Yes →
2. No ↓

1. What differs?

2. What factors tend to be considered?

Skip to the next page

III. DOMESTIC RELATIONS - *The following questions refer to family law caseloads. Circle the response for each category which best describes your experience. If you have never been involved with family law cases, skip to Section IV, Litigation on page 7.*

A. *On the basis of your experience, please indicate whether you strongly agree, somewhat agree, somewhat disagree, or strongly disagree for each of the following statements about female litigants and male litigants.*

	MALE LITIGANTS					FEMALE LITIGANTS				
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Don't Know	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Don't Know
1. In *TRIAL COURT*, there is bias against litigants in. . .										
a. awarding child custody.	1	2	3	4	9	1	2	3	4	9
b. awarding child support.	1	2	3	4	9	1	2	3	4	9
c. awarding spousal support.	1	2	3	4	9	1	2	3	4	9
d. property distribution.	1	2	3	4	9	1	2	3	4	9
2. In *APPELLATE COURT*, there is bias against litigants in. . .										
a. awarding child custody.	1	2	3	4	9	1	2	3	4	9
b. awarding child support.	1	2	3	4	9	1	2	3	4	9
c. awarding spousal support.	1	2	3	4	9	1	2	3	4	9
d. property distribution.	1	2	3	4	9	1	2	3	4	9
3. Oregon *STATUTES & REGULATIONS* are biased against litigants regarding. . .										
a. child custody awards.	1	2	3	4	9	1	2	3	4	9
b. child support awards.	1	2	3	4	9	1	2	3	4	9
c. spousal support awards.	1	2	3	4	9	1	2	3	4	9
d. property distribution.	1	2	3	4	9	1	2	3	4	9

B. How many family law cases (including temporary or final hearings, motions, and post-decree modifications) have you presided over during the last twelve months?

_____ cases

C. *Please circle the answer that best matches your observations and experiences for each of the following statements.*

	Strongly Agree	*Somewhat Agree*	*Somewhat Disagree*	*Strongly Disagree*	*Don't Know*
1. Female trial court judges tend to favor female litigants in family law matters.	1	2	3	4	9
2. Male trial court judges tend to favor male litigants in family law matters.	1	2	3	4	9
3. Female trial court judges tend to favor male litigants in family law matters.	1	2	3	4	9
4. Male trial court judges tend to favor female litigants in family law matters.	1	2	3	4	9
5. Judges should not issue restraining orders to victims of domestic violence who repeatedly return to abusive relationships.	1	2	3	4	9
6. The legal process shows too much sympathy for women who allege domestic abuse.	1	2	3	4	9
7. The legal process shows too much sympathy for men who allege domestic abuse.	1	2	3	4	9
8. In my opinion, husbands who force intercourse on their wives are inconsiderate, even cruel, but not really rapists.	1	2	3	4	9

IV. LITIGATION - *The following set of questions concern your experiences with criminal and civil cases.*

A. As a judge, have you ever been involved in any cases in which you felt that the litigation process or outcome was affected (either negatively or positively) by the gender of one of the *parties*?

1. Yes →
2. No

1. Please describe:

2. Did you have this experience as a lawyer?
1. Yes
2. No
3. Not applicable

B. As a judge, have you been involved with any case(s) in which you felt that the litigation process or outcome was affected (either negatively or positively) by the gender of one of the *attorneys*?

1. Yes →
2. No

1. Please describe:

2. Did you have this experience as a lawyer?
1. Yes
2. No

C. As a lawyer, did you ever use the gender of a party, witness, juror, attorney, judge, or other participant as part of your litigation strategy?

1. Yes →
2. No

1. Please describe:

D. Have you observed behavior in your courtroom by attorneys, parties, witnesses, or anyone else that indicates a gender bias?

1. Yes →
2. No

1. Please describe:

2. Do you believe that this behavior affected the outcome of the case?
1. Yes, adversely
2. Yes, positively
3. No

3. Did you ever observe such behavior as a lawyer?
1. Yes
2. No

E. Have you observed behavior in the pretrial stages of any matter (e.g. discovery, mediation, arbitration) by attorneys, mediators, arbitrators, other judges, parties, or witnesses that indicate a gender bias?

1. Yes →
2. No

1. Please describe:

2. Do you believe that this behavior affected the outcome of the case?
1. Yes, adversely
2. Yes, positively
3. No

F. In your experience, do male or female counsel tend to be better at...?

	Male Counsel	*Female Counsel*	*No Difference*
1. reaching a settlement.	1	2	3
2. assertive representation of clients' interests.	1	2	3
3. arguing complicated issues of law.	1	2	3

V. LAW PRACTICE - *We are interested in learning about your experiences in court, in law offices, at Bar events (CLEs, local Bar Association, and social gatherings), with clients and coworkers, and others. Please select the best answer to the following questions based upon your experiences as a lawyer and as a judge.*

A. *Please read the following statements, decide if you personally have observed the behavior and, if so, indicate who engaged in the behavior described. Check judges, attorneys, or court personnel as applicable. Note: a check means 'yes' you have personally observed this behavior.*

Indicate who engaged in this behavior →	*Judges*		*Attorneys*		*Court Personnel*	
	Male	*Female*	*Male*	*Female*	*Male*	*Female*
1. Female attorneys are asked if they are attorneys in situations where male attorneys are not asked.	☐	☐	☐	☐	☐	☐
2. Female attorneys are ignored or cut off when speaking in situations where male attorneys are not.	☐	☐	☐	☐	☐	☐
3. Female attorneys are addressed by first names when male attorneys are addressed by surnames or titles.	☐	☐	☐	☐	☐	☐
4. Female litigants, witnesses or jurors are addressed by first names when males are addressed by surnames or titles.	☐	☐	☐	☐	☐	☐
5. Female attorneys, litigants, witnesses and/or jurors are addressed using terms of endearment.	☐	☐	☐	☐	☐	☐
6. Male attorneys, litigants, witnesses and/or jurors are addressed using terms of endearment.	☐	☐	☐	☐	☐	☐
7. Female attorneys are addressed in a patronizing manner more often than male attorneys.	☐	☐	☐	☐	☐	☐
8. Comments are made about the personal appearance of female attorneys, litigants, witnesses or jurors when no such comments are made about males.	☐	☐	☐	☐	☐	☐
9. Remarks or jokes demeaning or hostile about women are made in court or in chambers.	☐	☐	☐	☐	☐	☐

Indicate who engaged in this behavior →	*Judges*		*Attorneys*		*Court Personnel*	
	Male	*Female*	*Male*	*Female*	*Male*	*Female*
10. Remarks or jokes demeaning or hostile about men are made in court or in chambers.	☐	☐	☐	☐	☐	☐
11. Female litigants are subjected to verbal or physical sexual advances	☐	☐	☐	☐	☐	☐
12. Male litigants are subjected to verbal or physical sexual advances.	☐	☐	☐	☐	☐	☐
13. Female attorneys are subjected to verbal or physical sexual advances.	☐	☐	☐	☐	☐	☐
14. Male attorneys are subjected to verbal or physical sexual advances.	☐	☐	☐	☐	☐	☐
15. Female court personnel are subjected to verbal or physical sexual advances.	☐	☐	☐	☐	☐	☐
16. Male court personnel are subjected to verbal or physical sexual advances.	☐	☐	☐	☐	☐	☐

B. If you have observed any of the conduct described in the questions above, do you believe it affected the outcome of the case?

1. Yes →
2. No
3. Don't know

1. Please describe how you believe it affected the outcome of the case.

2. How often do you believe it has affected the outcome of a case?

1. Often
2. Sometimes
3. Rarely
4. Never

C. In your experience and observations, do you believe that case outcome is *negatively* affected when....
(please check all that you believe to be true or leave blank)

1. **the female attorney is also...**
   - ___ Black/African American
   - ___ Hispanic
   - ___ Asian/Pacific Islander
   - ___ Native American
   - ___ Young (less than 40 years old)
   - ___ Old (over 55 years old)
   - ___ Perceived to be a lesbian/bisexual
   - ___ Single
   - ___ Married
   - ___ A parent
   - ___ A person with a discernible disability

2. **the male attorney is also...**
   - ___ Black/African American
   - ___ Hispanic
   - ___ Asian/Pacific Islander
   - ___ Native American
   - ___ Young (less than 40 years old)
   - ___ Old (over 55 years old)
   - ___ Perceived to be a gay/bisexual
   - ___ Single
   - ___ Married
   - ___ A parent
   - ___ A person with a discernible disability

3. **the female litigant or witness is also...**
   - ___ Black/African American
   - ___ Hispanic
   - ___ Asian/Pacific Islander
   - ___ Native American
   - ___ Young (less than 40 years old)
   - ___ Old (over 55 years old)
   - ___ Perceived to be a lesbian/bisexual
   - ___ Single
   - ___ Married
   - ___ A parent
   - ___ A person with a discernible disability

4. **the male litigant or witness is also...**
   - ___ Black/African American
   - ___ Hispanic
   - ___ Asian/Pacific Islander
   - ___ Native American
   - ___ Young (less than 40 years old)
   - ___ Old (over 55 years old)
   - ___ Perceived to be a gay/bisexual
   - ___ Single
   - ___ Married
   - ___ A parent
   - ___ A person with a discernible disability

D. In your experience and observations, how often do you believe that less weight is given to...

1. female attorneys' arguments than to those of male attorneys.	*Often*	*Sometimes*	*Rarely*	*Never*
a. by a male judge	1	2	3	4
b. by a female judge	1	2	3	4
c. by a male juror	1	2	3	4
d. by a female juror	1	2	3	4

In your experiences and observations, how often do you believe that less weight is given to...

	Often	*Sometimes*	*Rarely*	*Never*
2. the testimony of female experts, law enforcement officers, or probation officers, than to that of their male counterparts.				
a. by a male judge	1	2	3	4
b. by a female judge	1	2	3	4
c. by a male juror	1	2	3	4
d. by a female juror	1	2	3	4
3. the testimony of female, non-expert witnesses than to the testimony of male non-expert witnesses.				
a. by a male judge	1	2	3	4
b. by a female judge	1	2	3	4
c. by a male juror	1	2	3	4
d. by a female juror	1	2	3	4

4. Have you ever observed anyone intervene to address biased conduct within the courtroom?

1. Yes →
2. No

1. Please describe what conduct occurred, what corrective actions were taken if any, and by whom:

E. *Please check the box which best reflects your experience.*

	Strongly Agree	*Somewhat Agree*	*Somewhat Disagree*	*Strongly Disagree*	*Don't Know*
1. Conduct, tactics or arguments of a female attorney are viewed as inappropriate when the same conduct by a male attorney is viewed as good advocacy.	☐	☐	☐	☐	☐
2. Female lawyers should not be litigators because their family responsibilities interfere with court appearances.	☐	☐	☐	☐	☐
3. Female attorneys seem to get annoyed when men are just being polite.	☐	☐	☐	☐	☐
4. There is no significant gender bias in the courtroom today.	☐	☐	☐	☐	☐

F. When you practiced as a lawyer, did you or other lawyers often or sometimes prefer not to appear before a male or female judge in certain types of cases? *Please check the box if it applies to defendants or opposing counsel, and indicate whether you ever filed an affidavit of prejudice for this reason.*

	Defendants		*Opposing Counsel*		*Affidavit of Prejudice filed*
	Male	*Female*	*Male*	*Female*	
1. In a criminal case, lawyers often or sometimes prefer not to appear in front of:					
a male judge with...	☐	☐	☐	☐	☐
a female judge with...	☐	☐	☐	☐	☐
2. In a civil case, lawyers often or sometimes prefer not to appear in front of:					
a male judge with...	☐	☐	☐	☐	☐
a female judge with...	☐	☐	☐	☐	☐
3. In a domestic relations case with property issues only, lawyers often or sometimes prefer not to appear in front of:					
a male judge with...	☐	☐	☐	☐	☐
a female judge with...	☐	☐	☐	☐	☐
4. In a domestic relations case with child custody issues only, lawyers often or sometimes prefer not to appear in front of:					
a male judge with...	☐	☐	☐	☐	☐
a female judge with...	☐	☐	☐	☐	☐
5. In a domestic abuse case, lawyers often or sometimes prefer not to appear in front of:					
a male judge with...	☐	☐	☐	☐	☐
a female judge with...	☐	☐	☐	☐	☐

G. *Please circle yes or no and describe your experience(s).*

1. Do litigants treat you differently because of your gender?

   1. Yes → Please explain:
   2. No

2. Do lawyers treat you differently because of your gender?

   1. Yes → Please explain:
   2. No

3. Do other judges treat you differently because of your gender?

   1. Yes → Please explain:
   2. No

4. Has your gender *plus* your sexual orientation, race, disability, etc. "earned" you any special work, committee assignments, or other tasks?

   1. Yes →
   2. No

   1. Please explain.

   2. Overall, do you consider these appointments or work assignments a benefit or a burden?

      1. Benefit
      2. Burden
      3. Mixed

H. Have you experienced or personally observed inappropriate treatment of men or women, based on gender, in your workplace (i.e. the courthouse)?

   1. Yes → Please explain:
   2. No

I. Have you experienced or personally observed inappropriate treatment of men or women, based on gender, elsewhere in the legal system?

1. Yes →
2. No

1. Please explain:

J. Are male and female *employees* (including judges) in your workplace dealt with differently depending on family status or family needs?

1. Yes they are treated differently based on gender.
2. Yes people are treated differently, but it is based on job, not gender.
3. No, everyone is treated the same.

K. Has a court employee ever come to you complaining of sexual harassment in his/her workplace?

1. Yes →
2. No

1. What was the complainant's gender?
   1. Male
   2. Female

2. What was the complainant's position within the court system?

3. What was the alleged perpetrator's gender?
   1. Male
   2. Female

4. What was the alleged perpetrator's position within the office?

5. What was the nature of the harassment:

6. In your opinion, was the complaint successfully resolved?
   1. Yes
   2. No

Please go to the next page

VI. Hiring and Opportunities for Promotion - *The next set of questions pertain to hiring and promotion opportunities for lawyers. Please circle the answer that best fits your personal observations and experiences as a judge or, where applicable, your experiences as an attorney.*

A. When you interviewed for a lawyer, law clerk, or other legal position, how often did an interviewer inquire into, discuss, or take into account. . .

	Often	*Sometimes*	*Rarely*	*Never*	*Not Applicable*
1. your personal relationships	1	2	3	4	9
2. your family obligations	1	2	3	4	9
3. your personal commitments	1	2	3	4	9
4. your sexual orientation	1	2	3	4	9

Elaborate if applicable:

B. Were you asked about any of these when you interviewed for a judicial position?

1. Yes →
2. No

Elaborate:

C. When interviewing potential court employees for a position, how often have you or other interviewers inquired into or discussed applicants'. . .

	Often	*Sometimes*	*Rarely*	*Never*	*Not Applicable*
1. personal relationships	1	2	3	4	9
2. family obligations	1	2	3	4	9
3. personal commitments	1	2	3	4	9
4. sexual orientation	1	2	3	4	9

Comments:

D. When you practiced as an attorney, if 2 or more lawyers of different genders competed for a particular assignment on a specific case (e.g., "first chair," arguing an important motion, or appearing at an important hearing), and a male, rather than female, attorney was given the assignment, what reasons were typically given to explain the decision. *(Please circle all that apply).*

1. The case requires a "heavy hitter."
2. The case is assigned to a judge who prefers male counsel.
3. The client prefers male counsel.
4. A male attorney brought the client to the firm.
5. The case requires more aggressive counsel.
6. The case requires a particular type of expertise that the female attorney lacks.
7. The male attorney is more qualified.
8. The jury will respond better to a male attorney.
9. It isn't the right sort of case for a woman attorney.
10. A male attorney is more senior in the office.
11. A male attorney has a clear tie to the case.
12. Other →

1. Please explain:

E. In the past 5 years (or, since you joined the bench if it has been less than 5 years), have you lost an assignment to a colleague of the opposite sex for what you believe to be gender-related reasons?

1. Yes →
2. No

1. How many times?

_____

2. In what way do you believe that your gender was a factor?

F. The next few questions pertain to "rainmaking" in private law practice. If you were in private practice, please answer the following questions, if not skip to the next section (Section VII page 18).

1. Were you ever in private practice in Oregon?

1. Yes →
2. No *(skip to Section VII, page 18)*

3. Please rank the top 3 legal skills with respect to their importance in *generating new clients.*

____ Legal analysis
____ Trial experience
____ Litigation experience
____ Writing ability
____ Speaking ability
____ Organizational ability
____ Specialization in a particular area of law
____ Negotiation and mediation ability
____ Client interaction

2. How many years were you in private practice in Oregon?

_____ years

4. Please rank the top 3 legal skills with respect to their importance in *maintaining existing clients.*

____ Legal analysis
____ Trial experience
____ Litigation experience
____ Writing ability
____ Speaking ability
____ Organizational ability
____ Specialization in a particular area of law
____ Negotiation and mediation ability
____ Client interaction

5. Rank the top 3 with respect to their importance in lawyers' ability to *generate new clients or maintain existing clients.*

_____ Personality
_____ Timeliness
_____ Accountability
_____ Involvement in professional organizations
_____ Involvement in community activities
_____ Amount of time spent in/out of the office
_____ Ability/ willingness to travel
_____ Ability/willingness to work long hours (evenings/nights) and weekends
_____ Service on firm's management or compensation committee
_____ Legal skills

6. Please first rank the top 3 factors with respect to their positive impact, then rank the top 3 factors with respect to their negative impact on lawyers' ability to *generate new clients or maintain existing clients.*

Positive	Negative	
_____	_____	1. Ethnic diversity
_____	_____	2. Age
_____	_____	3. Marital status
_____	_____	4. Sexual orientation
_____	_____	5. Years in practice
_____	_____	6. Class rank in law school
_____	_____	7. Gender
_____	_____	8. Children
_____	_____	9. Disability
_____	_____	10. Law school attended
_____	_____	11. Professional recognition
_____	_____	12. Foreign language skills

VII. GENERAL BACKGROUND INFORMATION - *Please circle the appropriate information.*

A. What is your gender?

1. Male
2. Female

B. In what year were you born? 19_____

C. 1. In what year were you first admitted to practice in any state? 19_____

2. How many years have you been a lawyer in Oregon? _____ years

3. How many years have you been a judge in Oregon? _____ years

D. Do you have children?

1. Yes
2. No

1. How many? _____
2. Are any of your children minors?
   1. Yes
   2. No

3. Were you ever separated or divorced when your children were minors?
   1. Yes
   2. No

4. Was there a custody dispute?
   1. Yes
   2. No

5. To whom was physical custody awarded?
   1. Mother
   2. Father
   3. Joint
   4. Other

E. What is your sexual orientation?

1. Gay/lesbian
2. Straight/heterosexual
3. Bisexual
4. Other *(specify)* _____

F. What is your race/ethnicity?

1. Black/African-American
2. Asian
3. Hispanic
4. Native American
5. Pacific Islander
6. White (non-Hispanic)
7. Mixed/Other *(please specify)* _____

G. What is your current marital status?

1 Divorced
2. Married/living as married
3. Separated
4. Single and never married
5. Widowed
6. Other _____

H. Do you have a physical or mental disability?

1. Physical
2. Mental
3. No disabilities

1. Is the disability noticeable?
   1. Yes
   2. No

Thank you for taking the time to fill out this questionnaire!
Please feel free to make additional comments by including a separate sheet or using the space below. Your comments will be transcribed and considered.

Do not mark outside this line

Oregon Supreme Court/Oregon State Bar
Gender Fairness Task Force
COURT PERSONNEL QUESTIONNAIRE

Thank you for helping the Oregon Supreme Court/Oregon State Bar Task Force on Gender Fairness by completing this survey.

As a person who frequently is in the courtroom, in chambers, or in clerks' offices, you are in a unique position to help evaluate how people are treated in the Oregon court system. Please answer the following questions based only on your experiences.

Many of the following questions will ask about your observations of the way men and women are treated in courtroom proceedings and in the court system generally. Because the courts also have a special responsibility to make sure their own employees are treated fairly, some questions ask how you have been treated, as a Judicial Department employee.

All of your responses will be completely anonymous and no individual will be identified in our report.

Please return this questionnaire even if you are able to complete only some of the questions, as the representativeness of the data rests on the range of experiences of court personnel in Oregon. Although most questions ask you to just mark a response, we welcome your thoughts. Please include additional comments wherever you think they are necessary; they will be transcribed and considered.

SECTION I. HIRING, PROMOTION, COMPENSATION

A. How did you hear about your current job:
- 1.newspaper
- 2.supervisor
- 3.job posting
- 4.another employee
- 5.other (please specify)

B. Were you interviewed for your current job? 1.Yes 2.No

C. Were promotional opportunities explained to you at the interview? 1.Yes 2.No

D. Have you been turned down for a promotion within your court within the last 5 years?
1.Yes 2.No (If no, skip to question J.)

E. Were you told why you were turned down for the promotion?
- 1.not told why
- 2.someone more qualified applied
- 3.not enough education
- 4.someone with more seniority applied
- 5.not enough experience
- 6.other (please specify)_____

F. To whom was the promotion given:
- 1.co-worker within the court
- 2.someone from another court
- 3.a non-court employee
- 4.other (please specify)
- 5.don't know (please skip to Question J.)

G. Was the individual who was hired: 1.female 2.male 3.don't know

H. Was the individual hired a member of a racial minority or ethnic group?
1.Yes 2.No 3.Don't know

I. Did the individual hired have a discernible disability? 1.Yes 2.No 3.Don't know

J. Have you ever trained a newly-hired employee who later was promoted over you?
1.Yes 2.No 3.Don't know (skip to L.)

K. Was the individual promoted a male or a female? 1.male 2.female

L. Do you feel that you are under extra pressure to prove yourself on the job because of any of the following? Mark all that apply:
- 1.Yes, because of my gender
- 2.Yes, because of my race
- 3.Yes, because of my disability
- 4.Yes, because of my age
- 5.Yes, because of my sexual orientation
- 6.No

M. Do you favor policies allowing for any of the following? Mark all that apply:
- 1.job-sharing
- 2.flexible work hours
- 3.release time for education
- 4.on-site child care for employees

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N. Please mark your level of agreement with the following statements.

a. In your experience, men's opportunities for job advancement in the court system are limited because of gender.
Strongly Agree ☐ Somewhat Agree ☐ Somewhat Disagree ☐ Strongly Disagree ☐ No Basis to Judge

b. In your experience, women's opportunities for job advancement in the court system are limited because of gender.
☐ Strongly Agree ☐ Somewhat Agree ☐ Somewhat Disagree ☐ Strongly Disagree ☐ No Basis to Judge

c. In your court during the past five years, men are given preference in appointments to supervisory positions in court administration.
Strongly Agree ☐ Somewhat Agree ☐ Somewhat Disagree ☐ Strongly Disagree No Basis to Judge

d. In your court during the past five years, women are given preference in appointments to supervisory positions in court administration.
Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree No Basis to Judge

e. In your court, during the past five years, men and women doing substantially the same type of work are classified identically.
Strongly Agree ☐ Somewhat Agree ☐ Somewhat Disagree ☐ Strongly Disagree No Basis to Judge

f. In your court, during the past five years, compensation is increased when the duties of a higher position are performed.
Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree No Basis to Judge

SECTION II. SPECIFIC TREATMENT OF COURT PERSONNEL

Please markk the response that best completes the following statements:

A. Building facilities are_____adequate for women than for men. ☐ 1.more ☐ 2.less ☐ 3.equally 4.Don't know

B. The physical facilities assigned to women are _____desirable than those assigned to men in similar job positions. ☐ 1.more ☐ 2.less ☐ 3.equally 4.Don't know

C. The discipline practices for tardiness, sick leave abuse, and absenteeism are_____fair for women than men. ☐ 1.more ☐ 2.less 3.equal 4.Don't know

The following questions ask about your experiences while an Oregon court employee.

D. Have you ever been asked to perform duties that are not asked of the opposite sex? ☐ 1.Yes ☐ 2.No ☐ 3.Don't know

E. Are there duties that you are not allowed to perform because of your gender? ☐ 1.Yes ☐ 2.No ☐ 3.Don't know

F. Are the work rules regarding hours, breaks, and time off applied equally to men and women? ☐ 1.Yes ☐ 2.No ☐ 3.Don't know

If no, to whose benefit are they applied? ☐ Males ☐ Females

G. From what you've observed or experienced, does taking parental or adoption leave hurt a woman's chances for advancement and promotion once she returns to work? ☐ 1.Yes ☐ 2.No ☐ 3.Don't know

H. From what you've observed or experienced, does taking parental or adoption leave hurt a man's chances for advancement and promotion once he returns to work? ☐ 1.Yes ☐ 2.No ☐ 3.Don't know

I. Is there a person in Court administration/OSCA who will receive complaints relating to gender-based discrimination? ☐ 1.Yes ☐ 2.No ☐ 3.Don't know

J. Have you ever been, or know someone who has been, the subject of gender-based discrimination?
☐ 1.Yes ☐ 2.No (skip to Section III)

K. Have you ever made a complaint to a person in Court administration/OSCA relating to gender-based discrimination?
☐ 1.Yes ☐ 2.No (skip to question M.)

L. If yes, to whom did you complain?
☐ 1.judge ☐ 2.personnel department ☐ 3.supervisor ☐ 4.Other (please specify)

M. Have you ever wanted to make such a complaint but have not done so? ☐ 1.Yes ☐ 2.No

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SECTION III. WORKING CONDITIONS

The following questions ask whether you, personally, have observed or experienced specific types of behavior in Oregon courts.

A. Have you ever been addressed or referred to by your first name, or by a term of endearment (such as dear, honey, sweetie, young lady, little lady, young man, son, etc.) when you felt you shouldn't have?
1.Yes 2.No (skip to question C.)

B. Who referred to you in this manner? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

C. Have you ever observed other employees being addressed or referred to by first name, or by a term of endearment (such as dear, honey, sweetie, young lady, little lady, young man, son, etc.) when you felt they shouldn't have?
1.Yes 2.No (skip to question F.)

D. Who was referred to in this manner? 1.female employee 2.male employee 3.Both

E. Who referred to the other employee in this manner? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

F. Have you ever received unwanted remarks about your appearance or dress?
1.Yes 2.No (skip to question H.)

G. Who made the comment? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

H. Have you ever observed other employees receive unwanted remarks about their appearance or dress?
1.Yes 2.No (skip to question K.)

I. Was the person who received the comment: 1.female employee 2.male employee 3.Both

J. Who made the comment? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

K. Have you ever received unwanted sexual or suggestive comments?
1.Yes 2.No (skip to question M.)

L. Who made the comments? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

M. Have you ever observed other employees receive unwanted sexual or suggestive comments?
1.Yes 2.No (skip to question P.)

N. Was the person who received the comment: 1.female employee 2.male employee 3.Both

O. Who made the comments? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

P. Have you ever been subjected to unwanted sexual teasing, demeaning jokes or remarks hostile toward men or women?
1.Yes 2.No (skip to question R.)

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Q. Who made the unwanted comments? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

R. Have you ever observed other employees being subjected to sexual teasing, demeaning jokes or remarks hostile toward men or women? 1.Yes 2.No (skip to question U.)

S. Who was subjected to this treatment?: 1.female employee 2.male employee 3.Both

T. Who treated them this way? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

U. Have you ever experienced unwanted pressure for social contact (e.g. drinks, dates, etc.)?
1.Yes 2.No (skip to question W.)

V. Who made the unwanted comments? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

W. Have you ever observed other employees experience unwanted pressure for social contact (e.g. drinks, dates, etc.).
1.Yes 2.No (skip to question Z.)

X. Who was subjected to this pressure?: 1.female employee 2.male employee 3.Both

Y. Who pressured the employee? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

Z. Have you ever experienced unwanted, deliberate physical touching?
1.Yes 2.No (skip to question BB)

AA. Who touched you? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

BB. I have observed other employees receive unwanted, deliberate physical touching.
1.Yes 2.No (skip to question EE.)

CC. Who was touched?: 1.female employee 2.male employee 3.Both

DD. By whom was the employee touched? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

EE. If you answered "yes" to any of the questions above, did you complain to anyone in your workplace about such treatment? 1.Yes 2.No (skip to question HH)

FF. To whom did you complain? Check all that apply.
1.judge 2.personnel department 3.supervisor 4. Other (please specify)

GG. Was the person you complained to: 1.female 2.male

HH. If No, why didn't you complain? (please explain) _____

_____

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SECTION IV. COURTROOM TREATMENT

The following questions ask whether you, personally, have observed or experienced these specific types of behavior in Oregon state courts DURING THE LAST FIVE YEARS. Please mark the response that comes closest to your own observations or experiences.

A. Judges are more likely to interrupt the presentation of attorneys who are:
Male Female No Difference No Basis to Judge

B. Judges assign more credibility to arguments of attorneys who are:
Male Female No Difference No Basis to Judge

C. Juries assign more credibility to arguments of attorneys who are:
Male Female No Difference No Basis to Judge

D. Judges assign more credibility to the opinions of experts who are:
Male Female No Difference No Basis to Judge

E. Juries assign more credibility to the opinions of experts who are:
Male Female No Difference No Basis to Judge

F. Judges assign more credibility to the opinions of witnesses who are:
Male Female No Difference No Basis to Judge

G. Juries assign more credibility to the opinions of witnesses who are:
Male Female No Difference No Basis to Judge

H. The outcome of cases is affected by bias against attorneys who are:
Male Female No Difference No Basis to Judge

I. The outcome of cases is affected by bias against parties who are:
Male Female No Difference No Basis to Judge

J. The outcome of cases is affected by bias against witnesses who are:
Male Female No Difference No Basis to Judge

K. Court-awarded attorney fees are higher if the party is:
Male Female No Difference No Basis to Judge

L. Court-awarded attorney fees are higher if the attorney is:
Male Female No Difference No Basis to Judge

M. Female judges give preferential treatment to attorneys who are:
Male Female No Difference No Basis to Judge

N. Male judges give preferential treatment to attorneys who are:
Male Female No Difference No Basis to Judge

Choose the answer to the following questions that most nearly fits your personal observations or experiences, over the last five years.

O. Judges have negative attitudes toward family law. 1. Agree 2. Disagree 3. No basis

P. Have you ever encountered inappropriate references to gender in court forms or documents in Oregon courts?
1.Yes 2.No

Q. Have you observed attorneys who are racial minorities receive less courteous treatment than other attorneys?
1.Yes 2.No (skip to question S.)

R. Who treated them less courteously?
Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

S. Have you observed plaintiffs, defendants, or witnesses who are racial minorities receive less courteous treatment than others? 1.Yes 2.No (skip to question U.)

T. Who treated them less courteously? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

U. Have you observed female attorneys being asked if they are attorneys when male attorneys are not?
1.Yes 2.No (skip to question W.)

V. Who asked them? Check all that apply.
1.female attorney 2.male attorney
3.female judge 4.male judge
5.female court personnel 6.male court personnel
7.female juror 8.male juror
9.female litigant/defendant 10.male litigant/defendant
11.female police officer 12.male police officer
13. Other (please specify)

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W. Which of the following statements best describe your overall perception of gender bias against female attorneys in court?

1. There is no gender bias against female attorneys.
2. Gender bias against female attorneys exists, but only in a few areas and with certain individuals.
3. Gender bias against female attorneys is widespread, subtle and hard to detect.
4. Gender bias against female attorneys is widespread and readily apparent.

X. Which of the following statements best describe your overall perception of gender bias against male attorneys in court?

1. There is no gender bias against male attorneys.
2. Gender bias against male attorneys exists, but only in a few areas and with certain individuals.
3. Gender bias against male attorneys is widespread, subtle and hard to detect.
4. Gender bias against male attorneys is widespread and readily apparent.

SECTION V. GENDER ISSUES AND INTERACTION

The following set of questions deal with gender issues and interaction. Please mark your level of agreement with the following statements.

A. Female attorneys are addressed by their first names when male attorneys are not.

- Always
- Often
- Sometimes
- Rarely
- Never
- No Basis to judge

B. If so, by whom?

- 1. female attorney
- 2. male attorney
- 3. female judge
- 4. male judge
- 5. female court personnel
- 6. male court personnel
- 7. female juror
- 8. male juror
- 9. female litigant/defendant
- 10. male litigant/defendant
- 11. female police officer
- 12. male police officer
- 13. Other (please specify)

C. Female attorneys are addressed by terms of endearment (e.g, honey, dear) when male attorneys are not.

- Always
- Often
- Sometimes
- Rarely
- Never
- No Basis to judge

D. If so, by whom?

- 1. female attorney
- 2. male attorney
- 3. female judge
- 4. male judge
- 5. female court personnel
- 6. male court personnel
- 7. female juror
- 8. male juror
- 9. female litigant/defendant
- 10. male litigant/defendant
- 11. female police officer
- 12. male police officer
- 13. Other (please specify)

E. Male attorneys are addressed by their first names when female attorneys are not.

- Always
- Often
- Sometimes
- Rarely
- Never
- No Basis to judge

F. If so, by whom?

- 1. female attorney
- 2. male attorney
- 3. female judge
- 4. male judge
- 5. female court personnel
- 6. male court personnel
- 7. female juror
- 8. male juror
- 9. female litigant/defendant
- 10. male litigant/defendant
- 11. female police officer
- 12. male police officer
- 13. Other (please specify)

G. Male attorneys are addressed by terms of endearment (e.g, honey, son) when female attorneys are not.

- Always
- Often
- Sometimes
- Rarely
- Never
- No Basis to judge

H. If so, by whom?

- 1. female attorney
- 2. male attorney
- 3. female judge
- 4. male judge
- 5. female court personnel
- 6. male court personnel
- 7. female juror
- 8. male juror
- 9. female litigant/defendant
- 10. male litigant/defendant
- 11. female police officer
- 12. male police officer
- 13. Other (please specify)

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YEAR OF BIRTH Do not mark outside this line

I. How often have you observed an attorney receive unwanted sexual or suggestive comments?
- Always
- Often
- Sometimes
- Rarely
- Never
- No Basis to judge

J. Was the person who received the comment: 1.female attorney 2.male attorney 3.Both

K. Who made the comment?
- 1.female attorney
- 2.male attorney
- 3.female judge
- 4.male judge
- 5.female court personnel
- 6.male court personnel
- 7.female juror
- 8.male juror
- 9.female litigant/defendant
- 10.male litigant/defendant
- 11.female police officer
- 12.male police officer
- 13. Other (please specify)

L. How often have you observed an attorney receive unwanted, deliberate physical touching?
- Always
- Often
- Sometimes
- Rarely
- Never
- No Basis to judge

M. Was the person touched: 1.female attorney 2.male attorney 3.Both

N. Who touched them?
- 1.female attorney
- 2.male attorney
- 3.female judge
- 4.male judge
- 5.female court personnel
- 6.male court personnel
- 7.female juror
- 8.male juror
- 9.female litigant/defendant
- 10.male litigant/defendant
- 11.female police officer
- 12.male police officer
- 13. Other (please specify)

O. In cases in which more than one attorney appears on the case, have you observed any gender disparity in the assignment of roles to attorneys appearing on cases for trial?
1.Yes 2.No (skip to section VI)

P. Do you agree or disagree with the following statement?

More females than males are in "first chair" positions. 1.Agree 2.Disagree

SECTION VI. GENERAL BACKGROUND INFORMATION

A. What is your gender? 1.Female 2.Male

B. In what year were you born? (Fill in bubbles at top of page also)_____

C. What is your ethnicity/race?
- 1.Asian
- 2.African-American
- 3.Hispanic
- 4.Native American
- 5.Pacific Islander
- 6.White (non-Hispanic)
- 7.Other (please specify)
- 8.Mixed race (please specify)

D. What is your sexual orientation?
1.Straight/heterosexual 2.Gay/lesbian 3.Bi-sexual 4.Other_____

E. What is your current relationship status:
- 1.Single and never married
- 2.Currently divorced
- 3.Widowed
- 4.Married/living with domestic partner
- 5.Previously divorced, now remarried
- 6.Other (please specify)

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Do not mark outside this line

F. Do you have any children under the age of 18 years? 1.Yes 2.No (skip to question H.)

G. With whom do your children live? (please specify)_____

H. Do you have a disability and/or do others regard you as having a disability?
1.Yes 2.No (skip to question K.)

I. What is your disability or the disability others regard you as having?
1.physical disability 2.mental or emotional disability 3.Both

J. Is the disability noticeable or discernible? 1.Yes 2.No

K. What is the highest educational level you have achieved?
1.some high school
2.high school diploma or GED
3.some college or training after high school
4.associate's degree (2 years)
5.bachelor's degree
6.graduate degree

L. Which category best describes your current position?
1.Court administration
2.Court operations specialist
3.Judicial assistant
4.Law clerk
5.Court reporter
6.Bailiff
7.Other_____

M. How many YEARS have you been employed in your current position?
0-1 1-2 2-3 3-4 4-5 5-7 7-10 10-15 15-20 20+

N. How many YEARS have you been employed with the court system?
0-1 1-2 2-3 3-4 4-5 5-7 7-10 10-15 15-20 20+

O. On average, how many hours PER WEEK are you in the courtroom?
0-2 2-5 5-10 10-15 15-20 20-25 25-30 30-35 35-40

P. On average, how many hours PER WEEK are you in chambers?
0-2 2-5 5-10 10-15 15-20 20-25 25-30 30-35 35-40

Please use this space to elaborate on any of your survey answers or to comment on gender fairness in your job or in the Oregon state courts.

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Oregon Supreme Court/Oregon State Bar
Gender Fairness Task Force
INTERPRETERS' SURVEY - JUDICIAL ADMINISTRATION SUB-GROUP

The Oregon Supreme Court-Oregon State Bar Task Force on Gender Fairness is studying whether people are treated unfairly on the basis of gender in the Oregon state courts and legal profession. You are in the unique position of working with, and observing interactions between and treatment of, litigants, judges, lawyers, clients, court personnel, interpreters, and others. We want to learn from your experiences. We would greatly appreciate your assisting the Task Force by filling out this survey. YOU ARE NOT REQUIRED TO COMPLETE THIS SURVEY. However, we need and value your input. PLEASE DO NOT PUT YOUR NAME ON THE QUESTIONNAIRE. Please complete the survey by filling in the bubbles with a #2 pencil and return it in the attached envelope to: Jessica Mindlin, GFTF, Supreme Court Building, Salem, OR 97310.

Section A: GENERAL INFORMATION

1. How many years have you worked as an interpreter?
0-1 1-2 2-3 3-4 4-5 5-6 6-7 7-8 8-9 9+

2. How many years have you worked as an interpreter in Oregon?
0-1 1-2 2-3 3-4 4-5 5-6 6-7 7-8 8-9 9+

3. How many years have you worked as an interpreter in State of Oregon COURTS?
0-1 1-2 2-3 3-4 4-5 5-6 6-7 7-8 8-9 9+

4. How often do you interpret IN COURT?
- Daily
- 3-5x/week
- 1-3x/week
- 1-3x/month
- 1-6x/year
- less than once/year

5. How often do you interpret outside of court but in a legal matter?
- Daily
- 3-5x/week
- 1-3x/week
- 1-3x/month
- 1-6x/year
- less than once/year

6. What percentage of your interpreting work is in-court interpreting?
- 0-10%
- 10-20%
- 20-30%
- 30-40%
- 40-50%
- 50-60%
- 60-70%
- 70-80%
- 80-90%
- 90% or more

7. What percentage of your interpreting work is interpreting in criminal cases?
- 0-10%
- 10-20%
- 20-30%
- 30-40%
- 40-50%
- 50-60%
- 60-70%
- 70-80%
- 80-90%
- 90% or more

8. What percentage of your interpreting work is interpreting in civil cases?
- 0-10%
- 10-20%
- 20-30%
- 30-40%
- 40-50%
- 50-60%
- 60-70%
- 70-80%
- 80-90%
- 90% or more

 Please continue on the back of this form

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SECTION 1: TREATMENT OF INTERPRETERS.

We are very interested in learning about your interpreting experiences both in and outside of the courtroom. For the following questions, please mark all the answers that apply. If you answer "yes" to any question, indicate who engaged in the behavior described and whether it took plase in or out of court.

During your work as an interpreter has anyone: (Mark appropriate answers)

1.1 Called you by your first name, or "dear," "sweetie," "honey", or other similar type name when persons of the opposite sex were not referred to in this manner? 1.Yes 2.No

IF YES, WHO REFERRED TO YOU IN THIS WAY?

1. Attorney	(Male)	(Female)	In Court	Out of Court
2. Judge	(Male)	(Female)	In Court	Out of Court
3. Interpreter	(Male)	(Female)	In Court	Out of Court
4. Plaintiff/Defendant	(Male)	(Female)	In Court	Out of Court
5. Court personnel/security	(Male)	(Female)	In Court	Out of Court
6. Other_____	(Male)	(Female)		

1.2 Made remarks about your appearance or dress when you felt they shouldn't have? 1.Yes 2.No

IF YES, WHO WAS THIS

1. Attorney	(Male)	(Female)	In Court	Out of Court
2. Judge	(Male)	(Female)	In Court	Out of Court
3. Interpreter	(Male)	(Female)	In Court	Out of Court
4. Plaintiff/Defendant	(Male)	(Female)	In Court	Out of Court
5. Court personnel/security	(Male)	(Female)	In Court	Out of Court
6. Other_____	(Male)	(Female)	In Court	Out of Court

1.3 Made negative or hostile remarks about women to you? 1.Yes 2.No

IF YES, WHO WAS THIS?

1. Attorney	(Male)	(Female)	In Court	Out of Court
2. Judge	(Male)	(Female)	In Court	Out of Court
3. Interpreter	(Male)	(Female)	In Court	Out of Court
4. Defendant	(Male)	(Female)	In Court	Out of Court
5. Court personnel/security	(Male)	(Female)	In Court	Out of Court
6. Other_____	(Male)	(Female)	In Court	Out of Court

1.4 Made negative or hostile remarks about men to you? 1.Yes 2.No

IF YES, WHO WAS THIS?

1. Attorney	(Male)	(Female)	In Court	Out of Court
2. Judge	(Male)	(Female)	In Court	Out of Court
3. Interpreter	(Male)	(Female)	In Court	Out of Court
4. Plaintiff/Defendant	(Male)	(Female)	In Court	Out of Court
5. Court personnel/security	(Male)	(Female)	In Court	Out of Court
6. Other_____	(Male)	(Female)	In Court	Out of Court

1.5 Made sexual or suggestive comments to you? 1.Yes 2. No

IF YES, WHO WAS THIS?

1. Attorney	(Male)	(Female)	In Court	Out of Court
2. Judge	(Male)	(Female)	In Court	Out of Court
3. Interpreter	(Male)	(Female)	In Court	Out of Court
4. Plaintiff/Defendant	(Male)	(Female)	In Court	Out of Court
5. Court personnel/security	(Male)	(Female)	In Court	Out of Court
6. Other_____	(Male)	(Female)	In Court	Out of Court

1.6 Addressed you in a rude manner when persons of the opposite sex were addressed politely? 1.Yes 2.No

IF YES, WHO WAS THIS?

1. Attorney	(Male)	(Female)	In Court	Out of Court
2. Judge	(Male)	(Female)	In Court	Out of Court
3. Interpreter	(Male)	(Female)	In Court	Out of Court
4. Plaintiff/Defendant	(Male)	(Female)	In Court	Out of Court
5. Court personnel/security	(Male)	(Female)	In Court	Out of Court
6. Other_____	(Male)	(Female)	In Court	Out of Court

1.7 Treated you in an inappropriately familiar manner? 1.Yes 2.No

IF YES, WHO WAS THIS?

1. Attorney	(Male)	(Female)	In Court	Out of Court
2. Judge	(Male)	(Female)	In Court	Out of Court
3. Interpreter	(Male)	(Female)	In Court	Out of Court
4. Plaintiff/Defendant	(Male)	(Female)	In Court	Out of Court
5. Court personnel/security	(Male)	(Female)	In Court	Out of Court
6. Other_____	(Male)	(Female)	In Court	Out of Court

1.8 Subjected you to unwanted sexual teasing, jokes, or comments? 1.Yes 2.No

IF YES, WHO WAS THIS?

1.Attorney	(Male)	(Female)	In Court	Out of Court
2. Judge	(Male)	(Female)	In Court	Out of Court
3. Interpreter	(Male)	(Female)	In Court	Out of Court
4. Plaintiff/Defendant	(Male)	(Female)	In Court	Out of Court
5. Court personnel/security	(Male)	(Female)	In Court	Out of Court
6. Other_____	(Male)	(Female)	In Court	Out of Court

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1.9 Subjected you to unwanted, deliberate physical touching? 1.Yes 2.No

IF YES, WHO WAS THIS?

1. Attorney	(Male)	(Female)	In court	Out of court
2. Judge	(Male)	(Female)	In court	Out of court
3. Interpreter	(Male)	(Female)	In court	Out of court
4. Plaintiff/Defendant	(Male)	(Female)	In court	Out of court
5. Court personnel/security	(Male)	(Female)	In court	Out of court
6. Other_____	(Male)	(Female)	In court	Out of court

1.10 Asked you if you were the defendant? (criminal case) 1.Yes 2.No

IF YES, WHO WAS THIS?

1. Attorney	(Male)	(Female)	In court	Out of court
2. Judge	(Male)	(Female)	In court	Out of court
3. Interpreter	(Male)	(Female)	In court	Out of court
4. Plaintiff/Defendant	(Male)	(Female)	In court	Out of court
5. Court personnel/security	(Male)	(Female)	In court	Out of court
6. Other_____	(Male)	(Female)	In court	Out of court

1.11 When you were interpreting in court, has an attorney ever treated you in an overly aggressive of demeaning manner? 1.Yes 2.No

IF YES, WHO DID THIS? 1. Male Attorney 2. Female Attorney

1.12 When you were outside of court (but interpreting a legal matter), has an attorney ever treated you in an overly aggressive or demeaning manner? 1.Yes 2.No

IF YES, WHO DID THIS? 1. Male Attorney 2. Female Attorney

1.13 Have you ever observed an attorney treat a male interpreter in an overly aggressive or demeaning manner in court? 1.Yes 2.No.

IF YES, WHO DID THIS? 1. Male Attorney 2. Female Attorney

1.14 Have you ever observed an attorney treat a female interpreter in an overly aggressive or demeaning manner in court? 1.Yes 2.No.

IF YES, WHO DID THIS? 1. Male Attorney 2. Female Attorney

1.15 Have you ever observed an attorney treat a male interpreter in an overly aggressive or demeaning manner outside of court? 1.Yes 2.No.

IF YES, WHO DID THIS? 1. Male Attorney 2. Female Attorney

1.16 Have you ever observed an attorney treat a female interpreter in an overly aggressive or demeaning manner outside of court? 1.Yes 2.No.

IF YES, WHO DID THIS? 1. Male Attorney 2. Female Attorney

SECTION 2: TREATMENT OF DEFENDANTS, VICTIMS OR WITNESSES

This next section asks for your observations on how others are treated in court in both civil and criminal cases. Please tell us whether you have ever heard or witnessed the actions described and, if so, where.

During your work as an interpreter has anyone: (Mark appropriate answer)

2.1 Called a male defendant, victim, or witness by their first name, or "dear", or "honey", when you felt they shouldn't have? 1.Yes 2.No

IF YES, WHO DID THIS?

1. Attorney	(Male)	(Female)	In court	Out of court
2. Judge	(Male)	(Female)	In court	Out of court
3. Other Interpreter	(Male)	(Female)	In court	Out of court
4. Court personnel/security	(Male)	(Female)	In court	Out of court
5. Other_____	(Male)	(Female)	In court	Out of court

2.2 Called a female defendant, victim, or witness by their first name, or "dear", or "honey", when you felt they shouldn't have? 1.Yes 2.No

IF YES, WHO DID THIS?

1. Attorney	(Male)	(Female)	In court	Out of court
2. Judge	(Male)	(Female)	In court	Out of court
3. Other Interpreter	(Male)	(Female)	In court	Out of court
4. Court personnel/security	(Male)	(Female)	In court	Out of court
5. Other_____	(Male)	(Female)	In court	Out of court

2.3 Made remarks about a male defendant's, victim's, or witness' appearance or dress when you felt they shouldn't have? 1.Yes 2.No

IF YES, WHO DID THIS?

1. Attorney	(Male)	(Female)	In court	Out of court
2. Judge	(Male)	(Female)	In court	Out of court
3. Other Interpreter	(Male)	(Female)	In court	Out of court
4. Court personnel/security	(Male)	(Female)	In court	Out of court
5. Other_____	(Male)	(Female)	In court	Out of court

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2.4 Made remarks about a female defendant's, victim's, or witness' appearance or dress when you felt they shouldn't have? ☐ 1.Yes ☐ 2.No

IF YES, WHO DID THIS?

1. Attorney	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
2. Judge	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
3. Other Interpreter	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
4. Court personnel/security	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
5. Other_____	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court

2.5 Made sexual or suggestive comments to a male defendant, victim, or witness? ☐ 1.Yes ☐ 2.No

IF YES, WHO DID THIS?

1. Attorney	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
2. Judge	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
3. Other Interpreter	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
4. Court personnel/security	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
5. Other_____	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court

2.6 Made sexual or suggestive comments to a female defendant, victim, or witness? ☐ 1.Yes ☐ 2.No

IF YES, WHO DID THIS?

1. Attorney	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
2. Judge	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
3. Other Interpreter	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
4. Court personnel/security	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
5. Other_____	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court

2.7 Touched a male defendant, victim, or witness in a way you felt they shouldn't have? ☐ 1.Yes ☐ 2.No

IF YES, WHO DID THIS?

1. Attorney	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
2. Judge	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
3. Other Interpreter	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
4. Court personnel/security	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
5. Other_____	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court

2.8 Touched a female defendant, victim, or witness in a way you felt they shouldn't have? ☐ 1.Yes ☐ 2.No

IF YES, WHO DID THIS?

1. Attorney	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
2. Judge	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
3. Other Interpreter	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
4. Court personnel/security	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court
5. Other_____	☐ (Male)	☐ (Female)	☐ In court	☐ Out of court

2.9 When interpreting in a language that has both a formal and informal (or less and more familiar) form of address (e.g., "usted" and "tú" in Spanish), have you ever observed anyone address a party or witness in the familiar form when you felt they shouldn't have? ☐ 1.Yes ☐ 2.No

IF YES, who was addressed in the less formal, more familiar form of address?

☐ Male ☐ Female ☐ In court ☐ Out of court

By whom were they addressed in the more familiar form?

☐ Male ☐ Female ☐ In court ☐ Out of court

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SECTION 3: OVERALL PERCEPTION OF GENDER BIAS IN THE COURT SYSTEM

You are in a unique position to observe the dynamics of the court system. Select the best answer based upon your personal observations and experiences.

Have you ever: (Mark appropriate answer)

3.1 Observed biased treatment of women in the Oregon courts? ☐ 1.Yes ☐ 2.No
IF YES, who treated them in a biased manner?
1. Attorney ☐ (Male) ☐ (Female)
2. Judge ☐ (Male) ☐ (Female)
3. Court personnel/security ☐ (Male) ☐ (Female)
4. Other_____ (Male) (Female)

3.2 Observed biased treatment of men in the Oregon courts? 1.Yes 2.No
IF YES, who theated them in a biased manner?
1. Attorney (Male) (Female)
2. Judge (Male) (Female)
3. Court personnel/security (Male) (Female)
4. Other_____ (Male) (Female)

3.3 Observed inappropriate treatment of women in the Oregon courts? 1.Yes 2.No
IF YES, by whom?
1. Attorney (Male) (Female)
2. Judge (Male) (Female)
3. Court personnel/security (Male) (Female)
4. Other_____ (Male) (Female)

3.4 Observed inappropriate treatment of men in the Oregon courts? 1.Yes 2.No
IF YES, WHO WAS THIS?
1. Attorney (Male) (Female)
2. Judge (Male) (Female)
3. Court personnel/security (Male) (Female)
4. Other_____ (Male) (Female)

3.5 Observed that male judges are addressed by their first names or familiar terms? ☐ 1.Yes ☐ 2.No
IF YES, by whom?
1. Attorney ☐ (Male) ☐ (Female)
2. Judge ☐ (Male) ☐ (Female)
3. Court personnel/security ☐ (Male) ☐ (Female)
4. Other_____ ☐ (Male) ☐ (Female)

3.6 Observed that male attorneys are addressed by their first names or familiar terms? 1.Yes 2.No
IF YES, by whom?
1. Attorney ☐ (Male) ☐ (Female)
2. Judge ☐ (Male) ☐ (Female)
3. Court personnel/security ☐ (Male) ☐ (Female)
4. Other_____ ☐ (Male) ☐ (Female)

3.7 Observed that female judges are addressed by their first names or familiar terms? ☐ 1.Yes ☐ 2.No
IF YES, by whom?
1. Attorney ☐ (Male) ☐ (Female)
2. Judge ☐ (Male) ☐ (Female)
3. Court personnel/security ☐ (Male) ☐ (Female)
4. Other_____ ☐ (Male) ☐ (Female)

3.8 Observed that female attorneys are addressed by their first names or familiar terms? ☐ 1.Yes ☐ 2.No
IF YES, by whom?
1. Attorney ☐ (Male) ☐ (Female)
2. Judge ☐ (Male) ☐ (Female)
3. Court personnel/security ☐ (Male) ☐ (Female)
4. Other_____ ☐ (Male) ☐ (Female)

3.9 Observed that remarks or jokes demeaning to women are made in court or in chambers? ☐ 1.Yes ☐ 2.No
IF YES, by whom?
1. Attorney ☐ (Male) ☐ (Female)
2. Judge ☐ (Male) ☐ (Female)
3. Court personnel/security ☐ (Male) ☐ (Female)
4. Other_____ ☐ (Male) ☐ (Female)

3.10 Observed that remarks or jokes demeaning to men are made in court or in chambers? ☐ 1.Yes ☐ 2.No
IF YES, by whom?
1. Attorney ☐ (Male) ☐ (Female)
2. Judge ☐ (Male) ☐ (Female)
3. Court personnel/security ☐ (Male) ☐ (Female)
4. Other_____ ☐ (Male) ☐ (Female)

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Do not mark outside this line

3.11 Observed that comments are made about the physical appearance of women appearing in court? 1.Yes 2.No

IF YES, by whom?

1. Attorney (Male) (Female)
2. Judge (Male) (Female)
3. Court personnel/security (Male) (Female)
4. Other_____ (Male) (Female)

3.12 Observed that comments are made about the physical appearance of men appearing in court? 1.Yes 2.No

IF YES, by whom?

1. Attorney (Male) (Female)
2. Judge (Male) (Female)
3. Court personnel/security (Male) (Female)
4. Other_____ (Male) (Female)

3.13 Observed that female attorneys are asked if they are attorneys when male attorneys are not asked? 1.Yes 2.No

IF YES, by whom?

1. Attorney (Male) (Female)
2. Judge (Male) (Female)
3. Court personnel (Male) (Female)
4. Court security/jail staff (Male) (Female)
5. Litigants or witnesses (Male) (Female)
6. Other_____ (Male) (Female)

3.14 Observed whether judges are more likely to interrupt a male or a female attorney?

Male Attorney Female Attorney No difference (skip to #3.15)

Who is more likely to interrupt a male attorney?

Male Judge Female Judge No difference

3.15 Observed that male judges assign more credibility to the arguments of male or female attorneys?

More credibility to: Male attorneys Female attorneys No difference

3.16 Observed that female judges assign more credibility to the arguments of male or female attorneys?

More credibility to: Male attorneys Female attorneys No difference

3.17 Observed that male judges assign more credibility to the testimony of male or female witnesses?

More credibility to: Male witnesses Female witnesses No difference

3.18 Observed that female judges assign more credibility to the testimony of male or female witnesses?

More credibility to: Male witnesses Female witnesses No difference

3.19 Observed that the outcome of cases is adversely affected by bias against male attorneys? 1. Yes 2. No

IF YES, bias by whom? 1. Male Judge 2. Female Judge

3.20 Observed that the outcome of cases is adversely affected by bias against female attorneys? 1. Yes 2. No

IF YES, bias by whom? 1. Male Judge 2. Female Judge

3.21 Observed that the outcome of cases is adversely affected by bias against male litigants? 1. Yes 2.No

IF YES, bias by whom? 1. Male Judge 2. Female Judge

3.22 Observed that the outcome of cases is adversely affected by bias against female litigants? 1. Yes 2.No

IF YES, bias by whom? 1. Male Judge 2. Female Judge

3.23 Observed that the outcome of cases is adversely affected by bias against male witnesses? 1. Yes 2.No

IF YES, bias by whom? 1. Male Judge 2. Female Judge

3.24 Observed that the outcome of cases is adversely affected by bias against female witnesses? 1. Yes 2.No

IF YES, bias by whom? 1. Male Judge 2. Female Judge

3.25 Observed that male judges are more likely to chastise a male or female attorney for arriving late for a court appearance?

Male attorney Female attorney No difference

3.26 Observed that female judges are more likely to chastise a male or female attorney for arriving late for a court appearance?

Male attorney Female attorney No difference

PAGE 6 PLEASE CONTINUE ON THE NEXT PAGE

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3.27 Observed that judges give preferential treatment to attorneys who are male? 1.Yes 2.No

IF YES, WHO DID THIS? 1. Male Judge 2. Female Judge

3.28 Observed that judges give preferential treatment to attorneys who are female? 1.Yes 2.No

IF YES, WHO DID THIS? 1. Male Judge 2. Female Judge

3.29 Observed that judges treat family law cases (litigants, lawyers, etc.) in a more curt or harsh manner that they treat other cases? 1.Yes 2.No

IF YES, WHO DID THIS? 1. Male Judge 2. Female Judge

3.30 Observed anyone intervene to correct another person's biased behavior? 1. Yes 2.No

IF YES, WHO INTERVENED?

1. Attorney (Male) (Female)
2. Judge (Male) (Female)
3. Court personnel/security (Male) (Female)
4. Other_____

3.31 In your experience, is there bias against pregnant female attorneys? Yes No

IF YES, by whom?

Male judges Female judges Other_____

Male attorneys Female attorneys

3.32 Do you believe that, in addition to gender, case outcome is affected when the male attorney is also: (please mark all that you believe to be true)

- African-American or Black
- Hispanic
- Asian/Pacific Islander
- Native American
- Younger than 40
- Older than 40
- A person with a discernible disability
- Perceived to be ~~a lesbian~~ gay/bisexual
- Single
- Married
- A parent

3.33 Do you believe that, in addition to gender, case outcome is affected when the female attorney is also: (please check all that you believe to be true)

- African-American or Black
- Hispanic
- Asian/Pacific Islander
- Native American
- Younger than 40
- Older than 40
- A person with a discernible disability
- Perceived to be a lesbian/bisexual
- Single
- Married
- A parent

SECTION 4. BACKGROUND INFORMATION

Please answer the following demographic questions which will help us better understand which factors, if any, affect people experiences with gender in the justice system and the legal community.

1. Sex: 1. Male 2. Female
2. Age: 1) 18-25 2) 26-35 3) 36-45 4) 46-55 5) 56-65 6) 66 and over
3. Marital Status: 1) Single 2) Married/Living as married 3) Divorced/Separated 4) Widowed
4. Level of education (mark the highest level completed):
   - High School diploma (or equivalent)
   - Some college or post-high school training
   - AA degree
   - BA or BS degree
   - Some post-graduate work
   - Post-graduate degree

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SECTION 5. COMMENTS

We invite you to comment on any question or qualify any of your answers. We also welcome your suggestions for collecting bias, if any, in the Oregon justice system or legal profession. Your comments regarding gender fairness issues are welcome regardless of whether they pertain to issues specifically raised in this survey. Thank you for your time.

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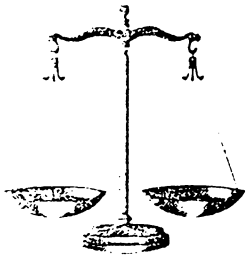
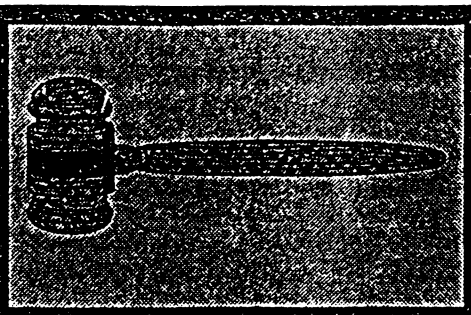
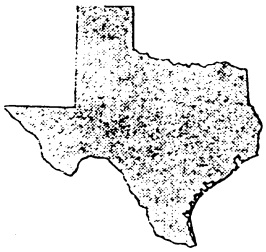
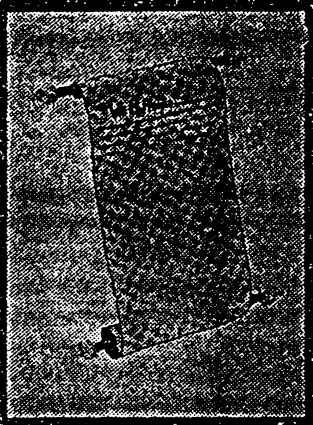
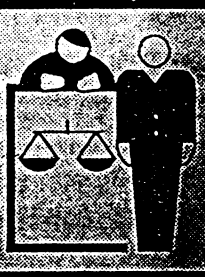






Guidelines for Gender-Neutral Courtroom Procedures





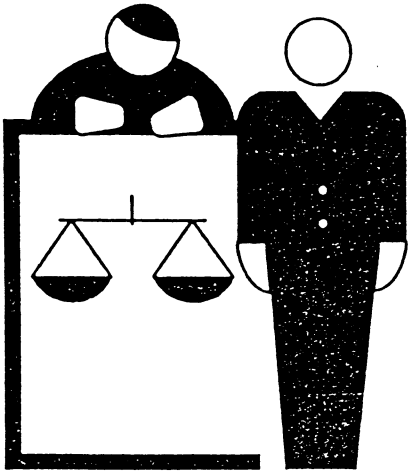
Commissioned by the
Texas Supreme Court

By

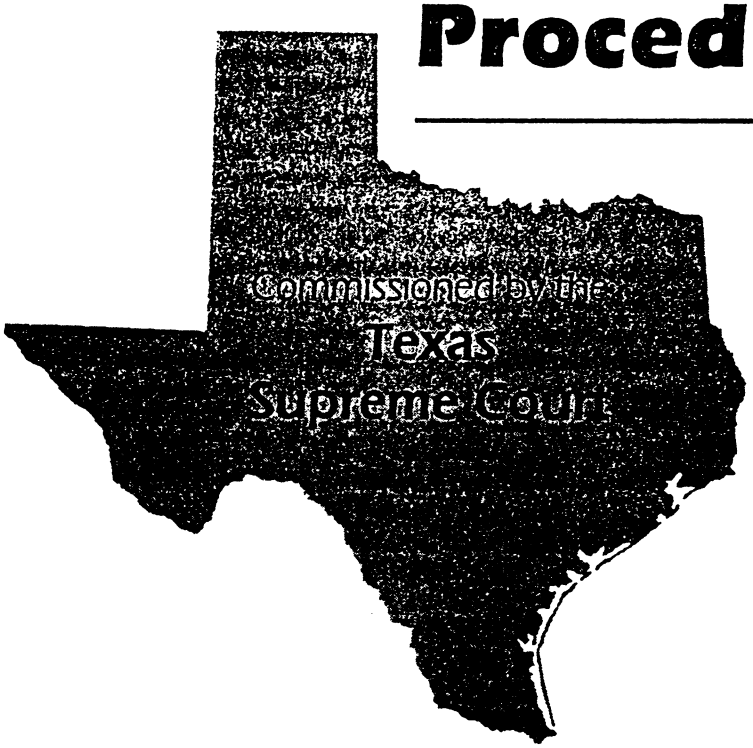
The Gender Bias Reform Implementation Committee

based on findings and recommendations of

The Gender Bias Task Force



Guidelines for Gender-Neutral Courtroom Procedures



by

The Gender Bias Reform Implementation Committee

based on findings and recommendations of

The Gender Bias Task Force

PUBLISHED JUNE, 1997

Dedication

To the Supreme Court of Texas and the Texas Court of Criminal Appeals, whose recognition of the need for guidelines to provide for equal access to the halls of justice without regard to gender or race, this guidebook is gratefully dedicated.

Special Thanks

To The Texas Bar Foundation for their support and participation in this educational project.

To GDRobinson Publications for producing this booklet at cost.

Introduction

Do You See Yourself Here? Have you ever:

- ☑ Told an off-color joke in chambers?
- ☑ Remarked to a female attorney how her family commitments might interfere with her responsibilities to the court or her client?
- ☑ Hesitated to award a father primary child custody or given a smaller support order if the paying spouse is the mother primarily because of their gender?
- ☑ Called a female lawyer: "dear," "honey," "sweetie," "sweetheart," "darling"? How about: "young lady," "missy," "little lady," "Miss America"?
- ☑ Expressed surprise that a woman would appear in court late in her pregnancy?
- ☑ Called a woman by her first name but addressed a man as "Mister so-and-so"?
- ☑ Referred to a female criminal defendant as a "bimbo"?
- ☑ Treated a female criminal defendant with more leniency just because she is a female?

☑ Made remarks about a woman's physical appearance, attractiveness, or unattractiveness, either to her face or behind her back? Allowed your court staff to do this? **...Does "nice legs" ring a bell?**

You're saying "Not Me!" Right?

Well, Consider This:

The facade of the United States Supreme Court Building concisely expresses the mission of the nation's courts:

Equal Justice Under Law.

This abiding rule is graphically portrayed by the figure of Themis — blind justice holding scales in balance.

The Gender Bias Task Force, created by the Supreme Court of Texas, discovered after a two-and-one-half year study, that many Texas women and men experience discriminatory or inequitable treatment in the Texas judicial system simply because of their sex.

Much of the gender bias documented by the Task Force occurs in the courtroom —in the exchanges among judges, attorneys, litigants, court personnel, and witnesses.

For example, the Task Force made the following findings:

- ☑ Nine out of ten female law professionals responding to a State Bar survey reported being the target of at least one incident of gender discrimination in the courtroom during the preceding three years.
- ☑ Women litigants often experience hostile, demeaning, or condescending treatment from attorneys and sometimes from judges.
- ☑ Judges rarely reprimand counsel or court personnel whose behavior or comments exhibit gender bias.
- ☑ Gender stereotypes and gender-biased treatment toward litigants and counsel of both sexes have a negative impact on the litigation process and may affect case outcome.
- ☑ Discriminatory treatment of attorneys affects their credibility and may have serious consequences on their ability to advocate effectively for clients.

Gender bias can be subtle and unintentional. This guide is designed to help judges, attorneys and court personnel identify gender bias in our courts. Gender-neutral courts will promote "equal justice under law."

Recognizing Gender Bias

A striking finding of the Task Force was the significant gap between the perceptions of men and women concerning the extent of gender bias. Although a majority of male attorneys and judges surveyed by the Task Force believed that bias against women does exist, most felt that it exists in only a few areas and involves a few individuals. In contrast, more than half of the women respondents indicated that bias against female litigants not only exists, but that it is widespread. Most women also said gender bias is subtle and hard to detect rather than readily apparent.

What, then, is gender bias?

Gender bias may be defined as the predisposition or tendency to think about and behave toward people mainly on the basis of their sex.

Gender bias may include the following:

Stereotyped thinking that leads to disparate treatment in the courtroom

- ☑ Fathers denied custody because judges do not believe men can or should be primary caretakers
- ☑ Mothers denied custody because they work outside the home
- ☑ Male criminal defendants given stiffer sentences than female criminal defendants for the same crime
- ☑ Women attorneys considered "too tough" for behavior praised as zealous advocacy when exhibited by male attorneys
- ☑ Women seated at counsel table presumed to be legal assistants or secretaries rather than attorneys
- ☑ Female court personnel assumed to have no authority or ability to handle matters presented to them

Devaluation of Women and Women's Work

- ☑ Undervaluing the work women perform as homemakers and caregivers for children and the elderly in civil damage suits and in property division upon divorce
- ☑ Credibility accorded litigants, witnesses and lawyers solely on the basis of their sex
- ☑ Tolerating terms of endearment or less than respectful forms of address toward female counsel, witnesses or court personnel which convey that women attorneys, litigants, witnesses and court personnel have a lower status than their male counterparts

Placing A Burden On One Sex That Is Not Placed On The Other

- ☑ Holding women attorneys to higher standards than their male counterparts; assuming competence on the part of male attorneys but expecting female attorneys to prove their ability
- ☑ Expecting more credentials or greater qualifications before qualifying women as expert witnesses than those expected for men in the same profession

How Gender Bias Is Manifested In The Courtroom

AS TO LITIGANTS: The Task Force found that women litigants often experience hostile, demeaning or condescending treatment in the courtroom, and that male litigants are negatively affected by gender stereotypes both in the family law system and in the criminal justice system.

- ☑ Calling female litigants by first names while addressing male litigants by title (Mr., Dr., Professor)
- ☑ Making condescending references to women's roles, such as referring to the litigant as "just a housewife"
- ☑ Expressing surprise upon hearing that a father is seeking custody of his child

In a gender-neutral court, the claims of men and women litigants are considered equally legitimate and are treated accordingly. A gender-neutral court strives to free the litigation process from predetermined assumptions regarding the relative roles and attributes of men and women.

AS TO DOMESTIC VIOLENCE AND SEXUAL ASSAULT VICTIMS: The Task Force learned that domestic violence and sexual assault cases present special gender fairness problems. **Gender biased behavior may include:**

- ☑ Viewing domestic violence and sexual assault as less serious than other criminal acts
- ☑ Minimizing victim's experiences, such as assuming that acquaintance rape is less traumatic than "stranger rape"
- ☑ Questioning the credibility of female crime victims in ways that the credibility of male crime victims is not questioned
- ☑ Blaming victims for causing the abuse or assault

In a gender-neutral court, special care is taken to treat all victims of crime with respect and sensitivity to the trauma they have experienced. Victims of domestic violence and sexual assault must not be subjected to unjust scrutiny because of the nature of the act(s) perpetrated against them. Their testimony is no less credible because the alleged acts are sexual or occurred in a domestic context.

AS TO COURT PERSONNEL: Gender bias in the treatment of court personnel may include:

- ☑ Assuming that a female clerk is subordinate to a male clerk
- ☑ Addressing female court personnel by terms of endearment or diminutives

In a gender-neutral court, court personnel are viewed as providing valuable service to everyone using the court and are accorded respect and courtesy. It is unfair to assume that employees' authority or ability to assist is related to their gender.

AS TO LAWYERS: The Task Force heard of numerous incidents in which women attorneys were treated with rudeness, condescension or contempt. Treating male and female attorneys differently solely because of gender is not only unfair to them — it can undermine their credibility and may have serious consequences on their ability to be effective advocates for clients. This disparate treatment undermines the justice system's goal of providing equal justice for all. Treatment that can sabotage the goal of fairness includes:

- ☑ Referring to female attorneys by diminutives (honey, sweetie, little lady, etc.) or first names while addressing male attorneys as Mr. (Last Name)

- ☑ Remarking on the attractiveness or attire of female attorneys
- ☑ Looking to male attorneys to provide information to the court and ignoring female attorneys
- ☑ Failing to recognize and respond to women lawyers to the same extent and in the same manner that male lawyers are responded to and recognized

In a gender-neutral court, the judge does not engage in this behavior or tolerate this behavior from attorneys or court personnel. Good attorneys, regardless of gender, are seen as competent advocates. Women attorneys in a gender-neutral court are not expected to be more passive in their advocacy or more tolerant of interruption or reprimands than men.

AS TO WITNESSES: The Task Force found that male and female witnesses often experienced disparate treatment. Imagine being summoned into court for the sole reason that you have information important to a case, and then being treated in a hostile, demeaning, or condescending manner! Such behavior may include:

- ☑ Treating women in such a way as to indicate that their opinions or statements are unimportant, irrational or unduly emotional
- ☑ Referring to female witnesses by first names, terms of endearment, or diminutives

☑ Addressing female expert witnesses as Miss/ Mrs./Ms. rather than by an earned title, such as Doctor/Professor that denotes an area of expertise

In a gender-neutral court, credibility of witnesses is judged by the same standard for women and for men. Treatment of female or male witnesses that suggests that they are not worthy of belief solely because of their gender thwarts the goal of gender fairness. In a gender-neutral court, expert witnesses are judged on the basis of their qualifications and not their gender. Sometimes attorneys will explain that referring to witnesses in ways that undermine their credibility is nothing more than trial tactics. Trial tactics based on or exploiting gender bias are not tolerated in a gender-neutral court.

AS TO PEOPLE FROM DIVERSE COMMUNITIES. A court sensitive to "equal justice under law" treats everyone entering the court with dignity and respect, regardless of gender, racial or ethnic background, disability, sexual orientation, religion, age or ability to speak English.

A gender-neutral court is careful not to make assumptions about people's roles in the courts based on any of these factors.

Some Suggested Ways To Avoid Gender Bias

1 **Address all persons in the courtroom by last names and appropriate title,**

- ♦Counsel or attorney
- ♦Mr./Ms. (unless Miss or Mrs. are requested)
- ♦Dr. or Officer or Representative/Senator
- ♦Jurors or Juror 1
- ♦Presiding Juror

To avoid differential treatment or even the appearance of differential treatment, address both women and men in the same formal or professional manner. Always use a consistent form of address such as "Attorney X" and "Attorney Y." In private conversation or social settings, first names and other informal address may convey a friendly or casual attitude; in the public settings where courthouse business takes place they suggest a lack of respect.

2 Address mixed groups of women and men with gender neutral or gender inclusive terms.

♦Colleagues
♦Members of the jury
♦Members of the bar
♦Counselors
♦Ladies and gentlemen

Conversation that creates an exclusively masculine or feminine atmosphere should be avoided so that everyone is included in the justice system.

3 Use gender neutral language in all court correspondence and jury instructions.

Use "Dear Counsel" when not using the individual's name and where appropriate include reference to he/she, him/her. The plural (witnesses/they) is helpful.

4 Avoid terms of endearment and diminutive terms in courthouse interaction, as such terms imply a lower staus

♦honey, sweetie, dear, doll, babe
♦little lady, pretty girl, young lady, lady lawyer (in reference to adult women)
♦boy, son (in reference to adult men)

These terms can demean or offend even if the speaker does not intend to do so. Courtroom

protocol requires the highest degree of professionalism and courtesy.

5 **Avoid comments on or references to physical appearance, such as:**

- ♦body parts
- ♦pregnancy
- ♦dress style
- ♦hair style

Comments on physical appearance can be seen as demeaning and put people at a disadvantage by drawing attention to their gender rather than the reason for their presence in the court. Comments appropriate in a social setting often are inappropriate in a professional setting. For example, complimenting a female attorney on her appearance or drawing attention to her pregnancy while she is conducting business may undermine how others perceive her.

6 **Jokes and remarks with sexual content, or jokes and remarks that play on sexual stereotypes, are out of place in the courthouse setting.**

Everyone in the courthouse must protect the dignity and integrity of the court and show respect for every other person. Sexual, racial, and ethnic jokes and remarks are improper in the courthouse and in the administration of justice.

7 Avoid comments, gestures and touching that can offend others or make them uncomfortable.

Because touching people may offend them, it should be avoided. They may not feel free to interrupt or complain, especially when the person doing the touching is in a position of authority, such as a supervisor touching an employee or a court employee touching a litigant, witness, juror, or attorney.

Sexually suggestive comments, gestures, and touching, as well as sexual advances, undermine the dignity of the court. Such acts may constitute sexual harassment which is prohibited by law and subject to sanction pursuant to court policy. Harassment to provoke an emotional response is inappropriate under all circumstances.

8 Treat women and men with dignity, respect and attentiveness, mindful of their professional accomplishments.

The Task Force found that women lawyers are much more likely than men to be asked if they are attorneys. Do not inquire of a woman regarding her professional status when you would not ask the same question of a man. To avoid this, use a question that applies to everyone, such as, **"Will all attorneys please identify themselves to the court?"**

Responsibility For Eliminating Gender Bias In The Courtroom

It is up to judges, attorneys, and court personnel to work together to eliminate gender bias and to promote fairness.

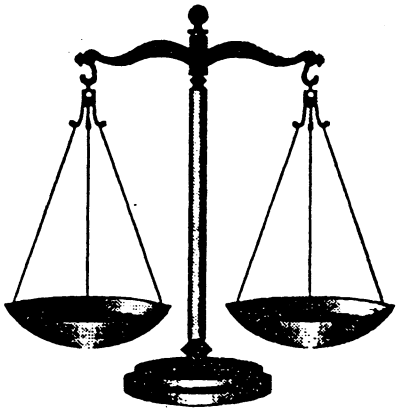
AS JUDGES: Judges play a key role in eliminating bias from the judicial system. A judge can establish an environment that makes it clear that men and women are and will be considered equals in the eyes of the law. Judges are obligated under the Texas Code of Judicial Conduct to require lawyers in proceedings before the court to refrain from manifesting, by words or conduct, bias or prejudice based on race, sex, religion, national origin, disability, age, sexual orientation, or socioeconomic status against parties, witnesses, counsel, or others. This requirement does not preclude legitimate advocacy when any of these factors is an issue in the proceeding (see Canon 3B(7)). Judges are also obligated under the Code to require staff, court officials and others subject to the judge's direction

and control to observe the standards that apply to the judge and to refrain from manifesting bias or prejudice in the performance of their official duties (see Canon 3C(2)). A judge's treatment of people in the court, the decisions the judge makes, and intervention in inappropriate conduct of attorneys and court personnel are of utmost importance.

AS ATTORNEYS: As officers of the court, attorneys have an important role in maintaining the dignity and integrity of the court. An attorney's treatment of litigants, witnesses, court personnel, and other attorneys has a significant impact on the judicial system. The Texas Disciplinary Rules of Professional Conduct specifically address "bias or prejudice based on race, color, national origin, religion, disability, age, sex or sexual orientation" in connection with an adjudicatory proceeding (see Rule 5.08). In addition, the Texas Lawyers Creed calls on all attorneys to "treat counsel, opposing parties, the Court, and members of the Court staff with courtesy and civility," and not to manifest by words or conduct bias or prejudice.

AS COURT PERSONNEL: Members of the public often have their first and sometimes their only experience with the court system through a court employee. By conveying respect and providing assistance to all, court personnel play an important role in eliminating bias in the administration of justice.

The Gender Bias Reform Implementation Committee has prepared this Guide based on some of the findings and recommendations of the Gender Bias Task Force published in its Final Report in February 1994. The purpose is to provide guidance for the bench, bar and court personnel. This Guide does not set a legal standard of care or conduct, nor does it supplant the Texas Code of Judicial Conduct or the Texas Rules of Disciplinary Procedure. It is not a set of rules that lawyers may use and abuse to incite ancillary litigation or arguments over whether it has been observed.



The Supreme Court of Texas and the Court of Criminal Appeals hereby approve the Guide as part of an educational program to promote fairness in the administration of justice in Texas.

Additional copies of this handbook are available through the

Texas Center for Legal Ethics and Professionalism
P.O. Box 12487
Austin, TX 78711-2487
(512) 463-1477

Or find the handbook on the Web:

Texas Center for Legal Ethics and Professionalism
www.txethics.org

Texas Center for the Judiciary
www.yourhonor.com

Court of Appeals for the 8th District
www.8thcoa.courts.state.tx.us

Court of Appeals for the 5th District
www.courtstuff/5th/

CIRCUIT COURT OF THE STATE OF OREGON
for MULTNOMAH COUNTY
MULTNOMAH COUNTY COURTHOUSE
1021 SW FOURTH AVENUE
PORTLAND, OR 97204-1123
(503) 248-3846

DONALD H. LONDER
PRESIDING JUDGE

Department 04
Courtroom 208

June 23, 1997

MEMORANDUM

To: Security

From: Donald H. Londer
Presiding Judge

Re: **SURVEY**

The Oregon Supreme Court/Oregon State Bar Task Force on Gender Fairness will be conducting a litigant survey here at the Multnomah Courthouse. Student volunteers will be in the Courthouse conducting the survey June 24 through July 3. The information to be provided by this survey is an important part of the work of the Task Force.

Please allow the student volunteers access to the building.

Thank you for your cooperation.

cc: Jerry Cooper
Judge Janice Wilson
Judge Jean Maurer
Gloriela Webster

OREGON SUPREME COURT
Task Force on Gender Fairness
OREGON STATE BAR
E-mail: Jessica.E.MINDLIN@state.or.us
Supreme Court Building, 1163 State Street, Salem, OR 97310
Phone: (503) 986-5921 Fax: (503) 986-5730 TDD: (503) 986-5504

Co-Chairs
The Honorable Susan P. Graber
Robert H. Fraser

Members
Ann Bartsch
Okianer Christian Dark
The Honorable Julie E. Frantz
Elizabeth S. Harchenko
The Honorable Dennis J. Hubel
The Honorable William D. Johnson
The Honorable Bryan M. Johnston
The Honorable Darryl Larson
Debra Fee Jing Lee
Joseph D. Matarazzo
The Honorable Jean Kerr Maurer
David Orf
Kathey Warnock
Gloriela Webster
Wendy Rae Willis
The Honorable Janice R. Wilson

Coordinator
Jessica E. Mindlin

MEMORANDUM

TO: Litigant Survey Volunteers
FROM: Jessica Mindlin
DATE: April 23, 1997
RE: Script to follow when approaching potential survey respondent

Hello. I am a volunteer with the Oregon Supreme Court/Oregon State Bar Task Force on Gender Fairness. I'm conducting a survey today here at the _____ County Courthouse. May I ask you just a few questions about your court experiences?

If they say "yes," before you begin to ask the questions on the survey inform them that:
"I don't work for the court, and your participation in this survey is voluntary and anonymous."

Note: Be encouraging but not pushy. For example, if the respondent seems reluctant you can assure them that: "It will take just a few moments of your time. Your answers are really important and will help us in our effort to ensure fairness in the justice system."

If they do not want to answer the survey, thank them politely for their time.

If anyone has any questions about the Task Force, you should refer them to Jessica Mindlin, Task Force Coordinator.

Instructions for Survey Givers:

What is a civil case?
Civil cases are all of the non-criminal matters, such as Familiy Law (also known as domestic relations; includes divorce and child custody hearings), probate (dealing with wills), juvenile matters, small claims court, personal injury, and contract/business cases.

What is the difference between district and circuit courts?
Both civil and criminal cases are divided into 2 levels: District Court and Circuit Court. All misdemeanor criminal cases are handled in District Court. All felony criminal cases are heard by the Circuit Court (although some felony cases start out in District Court and are transferred, after a hearing, up to the Circuit Court). All family law, Stalking and Family Abuse Prevention Act Restraining Orders are heard by the Circuit Court.

How to decide which court:
1. When you get to the court house, pick up a county docket at the information desk. This will outline the schedule and types of cases being heard that day.
2. Don't bother if hearings involve only in-custody criminal defendants, because they aren't at liberty to answer our survey questions (we don't have access to them).
3. In order for the surveys to be representative, it is important to cover many different courts (e.g. small claims, jury trials, probation violations, Etc.) If there are several survey givers at the courthouse, it is best to divide up among the different court rooms.

Where to stand:
If the court house isn't busy, it may be best to actually observe the cases. That way you know who to approach, as well as the type of case. This is only practical, however, if there is little activity in the court house. In busier counties, it would be better to post one (1) person outside each court room.

What to do:
Review the survey before you approach anyone for the first time. Become familiar with the layout of the questions and their skip logic; this will help shorten the time it takes to complete the survey. Also, note that there is a shift in time reference from today's court appearance to their court experiences ever. These shifts are noted in the survey and should be told to the survey taker as they are written on the surveys. When you reach the end of the survey thank them for their time (there is a scripted thank you at the bottom of the survey). If the survey taker has any additional comments they wish to add, give them a written statement form to complete. They may take the form home and send it to the Task Force at their convenience.

How to approach people:
Only approach people outside the court room. We have provided a script for you to read. Although it may seem rehearsed, it is important that every survey giver follow the script in order to avoid skewed results.

* Please dont fold the surveys!

Do not mark outside this line

Gender Fairness Task Force
Litigant Survey

1. Why were you in Court today? ☐ Plaintiff in a Civil Case
☐ Defendant in a Civil Case
☐ Restraining/Stalking Order
☐ Mediation Services
☐ Criminal Defendant
☐ Crime Victim
☐ Witness
☐ Landlord/tenant (including eviction)
☐ Other (please specify)_____

(If they are a lawyer, judge, juror, court employee, or security, thank them for their time and move on -- you're only surveying litigants & witnesses.)

** THE FOLLOWING QUESTIONS ASK ABOUT YOUR EXPERIENCES IN COURT TODAY.

2. Do you have a lawyer representing you in the case for which you were in court today? ☐ Yes ☐ No (skip to question 3)
   a. Is your lawyer for this case a male or female? ☐ Male ☐ Female
   b. Did you have a lawyer in court with you today? ☐ Yes ☐ No (skip to question 3)
   c. Was the lawyer in court with you today your "main" lawyer for this case? ☐ Yes (skip to question 3) ☐ No
   Was the lawyer in court with you today male or female? ☐ Male ☐ Female
3. Did you want to address the court (talk to the judge) today? ☐ Yes ☐ No (skip to question 4)
   a. Did the judge give you an opportunity to speak? ☐ Yes ☐ No
4. Did you need an interpreter in court today? ☐ Yes ☐ No (skip to question 5)
   a. In what language? ☐ Spanish
   ☐ Vietnamese
   ☐ Russian
   ☐ Sign Language
   ☐ Other (please specify)_____
   b. Was an interpreter available? ☐ Yes ☐ No (skip to question 5)
   c. Could you understand the interpreter? ☐ Yes ☐ No
   d. How helpful was your interpreter?
   ☐ Very helpful ☐ Somewhat helpful ☐ Somewhat unhelpful ☐ Very unhelpful
   e. Was your interpreter a male or female? ☐ Male ☐ Female
   f. Would you have preferred an interpreter of a specific sex? ☐ Yes ☐ No (skip to question 5)
   g. Which sex would you have preferred? ☐ Male ☐ Female
   h. Why?_____
5. Did you bring any children under the age of 6 to court with you today? ☐ Yes ☐ No (skip to question 6)
   a. Would it have been easier for you to appear in court if child care were available at or near the courthouse? ☐ Yes ☐ No
6. Were you treated respectfully:
   a. by the judge you appeared before today? ☐ Yes ☐ No ☐ No basis for opinion
   b. by the courthouse staff? ☐ Yes ☐ No ☐ No basis for opinion
7. Was your court appearance today before a male or female judge? ☐ Male Judge ☐ Female Judge ☐ N/A
8. Do you believe that the outcome of your case was affected by the sex of the people involved? ☐ Yes ☐ No (skip to question 9)
   a. If Yes, please describe how: _____
   _____
   _____

** THE NEXT SERIES OF QUESTIONS ASKS ABOUT YOUR COURT EXPERIENCES IN GENERAL, NOT JUST TODAY'S COURT EXPERIENCE.

9. Have you ever had your deposition taken? ☐ Yes ☐ No (skip to question 10)
   a. In the case in which you were deposed, was the lawyer in charge of your case a male or female? ☐ Male ☐ Female
   b. Was the lawyer representing you at the deposition a male or female? ☐ Male ☐ Female
   c. Was the lawyer questioning (deposing) you a male or female? ☐ Male ☐ Female

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10. Do you believe that your gender (sex) ever affected how you were treated in court?
Yes No (skip to #11)

a. How? (please specify)_____

b. Who treated you differently? (their position)_____

c. Was this person a male or a female? Male Female

11. Approximately how many times have you appeared before a judge?
1 2 3 4 5 6 7 8 9 10+

**THE FOLLOWING QUESTIONS ASK IF YOU HAVE EVER EXPERIENCED SPECIFIC BEHAVIORS WHILE IN COURT, OR IN A LEGAL SETTING (SUCH AS A LAW OFFICE).

12. Have you ever been called by a term of endearment (such as girl, boy, dear, sweetie, honey)?
Yes No (skip to #13)

a. By whom, a male or female? Male Female

b. What was their position? (please specify)_____

13. Have you ever been called by your first name when someone of the opposite sex was called by their last name?
Yes No (skip to #14)

a. By whom, a male or female? Male Female

b. What was their position? (please specify)_____

14. Have you ever been addressed in a rude manner when persons of the opposite sex were addressed politely?
Yes No (skip to #15)

a. By whom, a male or female? Male Female

b. What was their position? (please specify)_____

15. Have you ever been subjected to comments about your dress or appearance based on your sex?
Yes No (skip to #16)

a. By whom, a male or female? Male Female

b. What was their position? (please specify)_____

16. Have you ever been subjected to comments of a sexual nature or touched in a way that you felt was inappropriate?
Yes No (skip to #17)

a. By whom, a male or female? Male Female

b. What was their position? (please specify)_____

17. Have you ever observed male and female witnesses, defendants, or other parties to a case being treated unequally in court? Yes No (skip to #18)

a. Was the male or female treated better? Male Female Both

b. By whom was the (male/ female) treated better?
- a lawyer
- a legal assistant
- a juror
- court employee
- a judge
- a police officer
- other (please specify)_____

c. Was the person who treated the (male/female) better a male or female? Male Female Both

d. In what way were they treated differently? (please be specific)_____

_____

18. Have you ever observed men and women being treated differently in a law office or other legal environment?
Yes No (skip to #19)

a. Was a male or female treated better? Male Female Both

b. By whom was the (male/ female) treated better?
- a lawyer
- a legal assistant
- a juror
- court employee
- a judge
- a police officer
- other (please specify)_____

Please continue on the next page

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c. Was the person who treated the (male/female) better a male or female? ☐ Male ☐ Female ☐ Both

d. In what way were they treated differently? (please specify) _____

_____

19. What is the sex of the judges you have appeared before ?
Male judges only (skip to # 23) ☐ Female judges only (skip to # 23) ☐ Both male and female judges

20. Have you ever observed witnesses, lawyers, or other parties to a case treat male judges differently from female judges in court? Yes ☐ No (skip to #21)

a. Was the male or female judge treated better? ☐ Male judge ☐ Female judge ☐ Both

b. By whom was the (male/ female) judge treated better? (mark all that apply)

By a male attorney	By a female attorney
By a male witness	By a female witness
By a male defendant	By a female defendant
By a male police officer	By a female police officer
By a male juror	By a female juror
By a male party in a case	By a female party in a case
Other male _____	Other female_____

c. How are the judges treated differently from one another? (please specify)_____

_____

21. Do you behave differently in front of a male judge than you do in front of a female judge?
☐ Yes ☐ No (skip to #23)

a. How do you behave differently? (please specify)_____

_____

b. Who do you treat more respectfully - a male or a female judge?
☐ A male judge ☐ A female judge ☐ No difference

22. Who treats you more respectfully - a male or female judge? ☐ A male judge ☐ A female judge ☐ No difference

23. In General:
a. Do you think the outcome of a case is more likely to be favorable if the lawyer is a male or female?
☐ Male ☐ Female ☐ No Difference ☐ It Depends

b. Do you think the outcome of a case is more likely to be favorable if the judge is a male or female?
☐ Male ☐ Female ☐ No Difference ☐ It Depends

c. Are male or female witness viewed as more creditable?
☐ Male ☐ Female ☐ No Difference ☐ It Depends

24. Does the sex of your lawyer make any difference to you? ☐ Yes ☐ No (skip to #25)

a. Have you ever requested or tried to hire a lawyer of a specific sex? ☐ Yes ☐ No (skip to #25)

b. Which sex? ☐ Male ☐ Female

c. Why did you want a lawyer of that sex? * Ask as an open-ended question and check all that apply.*
☐ They will fight harder for me.
☐ They are cheaper.
☐ I have had a positive experience with an attorney of that sex in the past.
☐ I have had a negative experience with an attorney of the opposite sex in the past.
☐ Because of the nature of the charges against me.
☐ Other (please specify) _____

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YEAR OF BIRTH Do not mark outside this line

THIS FINAL SET OF QUESTIONS WILL PROVIDE US WITH SOME BACKGROUND INFORMATION ABOUT OUR SURVEY RESPONDENTS:

25. Sex: Male Female

26. What is your year of birth? Please answer by entering it in the block of bubbles at the top of this page.

27. What is your race/ethnicity?
- African American
- Hispanic
- Native American
- White (non-Hispanic)
- Asian
- Pacific Islander
- Mixed (please specify)_____
- Other (please specify) _____

28. What is your income level?
- $10,000 or less
- $10,001 - $20,000
- $20,001 - $35,000
- $35,001 - $50,000
- $50,001 - $75,000
- More than $75,000

29. Do you have disabilities? Yes No (skip to question 30)

a. Is your disability/perceived disability, physical, mental, or both? Physical Mental Both

b. Is your disability noticeable? Yes No

30. Is there anything else about yourself that you think affected the outcome of your case?
If so, please explain:

_____

_____

Thank you very much for taking the time to complete this survey. We value and appreciate your input.

(USE THIS SPACE FOR ANY ADDITIONAL INFORMATION)

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1. ¿Por qué estuvo usted hoy en el tribunal?

. Demandante de una causa civil
. Demandado de una causa civil
. Orden inhibitoria o de acoso
. Servicios de mediación
. Acusado penal
. Víctima de un delito
. Testigo
. Arrendatario/arrendador (incluyendo desalojo)
. Otro (explique) _____

**** Si es un abogado/a, juez, jurado o guardia, déle las gracias por su tiempo y pase a otra persona. Solo se encuestarán litigantes y testigos)**

** Las siguientes preguntas están relacionadas con su experiencia de hoy en el tribunal.

2. ¿Tiene usted abogado/a que lo represente en su caso por el que vino hoy al tribunal?
. Sí . No (pase a la pregunta 3)

a. ¿La persona que lo representa es abogado o abogada?
. abogado . abogada

b. ¿Estuvo con usted un abogado/a en el tribunal hoy?
. Sí . No (pase a la pregunta 3)

¿El abogado/a que estuvo hoy con usted es su abogado/a "principal"? . Sí (pase a la pregunta 3) . No

¿La persona que estuvo con usted hoy en el tribunal era abogado o abogada?
. abogado . abogada

3. ¿Quería usted hablar con el juez hoy en el tribunal?
. Sí . No (pase a la pregunta 4)

a. ¿Se le dio la oportunidad de hablar con el o la juez?
. Sí . No

4. ¿Necesitó intérprete usted hoy en el tribunal?
. Sí . No (pase a la pregunta 5)

a. ¿De qué lengua?
. español . vietnamita . ruso . lenguaje para sordomudos
. otra (especifíque por favor _____
b. ¿Hubo intérprete? . Sí . No (pase a la pregunta 5)
c. ¿Pudo entender al o la intérprete? . Sí . No
d. ¿Fue útil el o la intérprete?
. muy útil . no muy útil
. más o menos útil . nada útil
e. ¿Su intérprete era hombre o mujer?
. hombre . mujer

f. ¿Hubiera preferido usted un intérprete de un género en especial?
. Sí . No (pase a la pregunta 5)
g. ¿Qué hubiera preferido?
. Hombre . Mujer
h. ¿Por qué? _____
_____

5. ¿Tiene usted hijos menores de 6 años?
. Sí . No (pase a la pregunta 6)
a. ¿Trajo niños al tribunal hoy?
. Sí . No
b. ¿Le hubiera sido más fácil a usted comparecer hoy en el tribunal si hubiera cuidado de niños en el tribunal o cerca?
. Sí . No

6. ¿Las siguientes personas lo trataron a usted respetuosamente?:
a. El juez ante el cual usted compareció.
. Sí . No . No tengo bases para opinar
b. El personal del tribunal.
. Sí . No . No tengo bases para opinar

7. ¿Compareció usted en el tribunal ante un juez o una juez?
. un juez . una juez . no se aplica

8. ¿Piensa usted que el género de las personas involucradas en su caso afectó el resultado? . Sí . No (pase a la pregunta 9)

a. Si respondió <u>sí</u>, explique de qué manera: _____
_____
_____
_____
_____

**** La siguiente serie de preguntas tienen que ver con su experiencia en los tribunales en general, no solamente con su experiencia de hoy.**

9. ¿Alguna vez le han tomado una deposición?
. Sí . No (pase a la pregunta 10)
a. En el caso en que tomaron su deposición, ¿la persona que estaba a cargo de su caso era: . abogada . abogada?
b. ¿La persona que le representó en la desposición era:
. abogada . abogado?
c. ¿La persona que le estaba interrogando (tomando su deposición) era: . abogada . abogado?

10. ¿Piensa usted que su género afectó la manera en como le trataron en el tribunal? . Sí . No (pase a la pregunta 11)
a. ¿De qué manera? (explique por favor) _____
_____
b. ¿Quién le trató diferente? (especifíque su puesto)
_____
c. ¿La persona era hombre o mujer? . hombre . mujer

11. ¿Cuántas veces, aproximadamente, ha comparecido usted ante un juez? (escriba el número de veces) _____

** Las siguientes preguntas tienen que ver con situaciones específicas que usted ha tenido en el tribunal o en un ambiente legal como por ejemplo un despacho de abogados.

12. ¿Alguna vez ha usado alguien un término de cariño para dirigirse a usted (por ejemplo niña, niño, querida/o, tesoro, amor)?

. Sí . No (pase a la pregunta 13)

a. ¿Quién? ¿Hombre o mujer? . hombre . mujer

b. ¿Qué puesto tenía la persona? (explique) _____

13. ¿Alguna vez le han llamado por su nombre cuando a otra persona del sexo opuesto le han llamado por su apellido?

. Sí . No (pase a la pregunta 14)

a. ¿Quién? ¿Hombre o mujer? . hombre . mujer

b. ¿Qué puesto tenía la persona? (explique) _____

14. ¿Alguna vez se han dirigido a usted de una manera grosera cuando a las personas del sexo opuesto se dirigieron amablemente?

. Sí . No (pase a la pregunta 15)

a. ¿Quién? ¿Hombre o mujer? . hombre . mujer

b. ¿Qué puesto tenía la persona? (explique) _____

15. ¿Alguna vez ha sido usted objeto de comentarios con respecto a su manera de vestir o apariencia debido a su género?

. Sí . No (pase a la pregunta 16)

a. ¿Quién? ¿Hombre o mujer? . hombre . mujer

b. ¿Qué puesto tenía la persona? (explique) _____

16. ¿Alguna vez ha sido usted objeto de comentarios sexuales o le han tocado de una manera que usted pensó que no era apropiada?

. Sí . No (pase a la pregunta 17)

a. ¿Quién? ¿Hombre o mujer? . hombre . mujer

b. ¿Qué puesto tenía la persona? (explique) _____

17. ¿Alguna vez ha observado usted que testigos, acusados o partes de un caso de sexos opuestos hayan sido tratados con desigualdad en el tribunal?

. Sí . No (pase a la pregunta 18)

a. ¿Se trató mejor a un hombre o a una mujer?

. hombre . mujer . ambos

b. ¿Quién trató mejor a ese hombre o a esa mujer?

. un abogado . un asistente legal

. un jurado . el personal del tribunal

. un juez . un agente de policía

. otro (explique) _____

c. ¿La persona que trató mejor a ese hombre o a esa mujer era hombre o mujer? . hombre . mujer . ambos

d. ¿De qué manera se les trató diferente? (explique)

_____

_____

18. ¿Alguna vez ha observado usted que hayan tratado a un hombre o a una mujer diferente en un despacho de abogados o en otro ambiente legal?

. Sí . No (pase a la pregunta 19)

a. ¿Se trató mejor a un hombre o a una mujer?

. hombre . mujer . ambos

b. ¿Quién trató mejor a ese hombre o a esa mujer?

. un abogado . un asistente legal
. un jurado . el personal del tribunal
. un juez . un agente de policía
. otro (explique) _____

c. ¿La persona que trató mejor a ese hombre o a esa mujer era hombre o mujer? . hombre . mujer . ambos

d. ¿De qué manera se les trató diferente? (explique)

_____

_____

19. ¿De qué género son los jueces ante los cuales ha comparecido usted en el pasado?

. masculino (pase a la pregunta 23)
. femenino (pase a la pregunta 23)
. ambos, masculino y femenino

20. ¿Alguna vez ha observado usted que testigos, abogados u otras partes de un caso hayan tratado a los jueces en el tribunal de manera diferente, dependiendo de su género?

. Sí . No (pase a la pregunta 21)

a. ¿A quién se trató mejor, al juez o a la juez?

. aljuez . a la juez . a ambos

b. ¿Quién trató mejor a ese juez o a esa juez?

. un abogado . una abogada
. un testigo . una testigo
. un acusado . una acusada
. un agente de policía . una agente de policía
. un jurado . una jurada
. un participante de un caso . una participante de un caso
otro _____

c. ¿En qué consistió el trato diferente a los jueces? (explique)

_____

_____

_____

21. ¿Usted se comporta diferente cuando está ante un juez y cuando está ante una juez? . Sí . No (pase a la pregunta 23)

a. ¿De qué manera se comporta usted diferente? (explique)

_____

_____

_____

b. ¿Trata usted con más respeto a los jueces o a las jueces?
. a los jueces . a las jueces . no hay diferencia

22. ¿Quién lo trata a usted más respetuosamente, un juez o una juez?
. un juez . una juez . no hay diferencia

23. En general:

a. ¿Piensa usted que el resultado favorable de un caso es más seguro con un abogado o una abogada?
. abogado . abogada . no hay diferencia . depende
b. ¿Piensa usted que el resultado favorable de un caso es más seguro con un juez o una juez?
. un juez . una juez . no hay diferencia . depende
c. ¿Quién se piensa que tiene más credibilidad, un testigo o una testigo?
. un testigo . una testigo . no hay diferencia . depende

24. ¿El género de su abogado/a es importante para usted?
. Sí . No (pase a la pregunta 25)
a. ¿Alguna vez ha solicitado o tratado de contratar a un abogado/a de un género específico?
. Sí . No (pase a la pregunta 25)
b. ¿De qué género? . Masculino . Femenino
c. ¿Por qué quiso usted un abogado/a de ese género? (explique)

* Haga esta pregunta indefinidamente y marque la casilla apropiada.

. Pelean más duro por mí.
. Cuestan menos.
. He tenido una experiencia positiva con un abogado/a de ese género.
. He tenido una experiencia negativa en el pasado con un abogado/a del sexo opuesto.
. Debido a la naturaleza de los cargos en mi contra.
. Otro (explique) _____
_____
_____

La última serie de preguntas nos dará información general sobre los encuestados:

25. Género: . masculino . femenino

26. ¿Año de nacimiento? (escriba el año) _____

27. ¿A qué raza o etnicidad pertenece?
. Afro-americana . Hispana
. Nativo-americana . Blanca (no hispana)
. Asiática . De las islas del pacífico
. Mezclada (explique) _____
. Otra (explique) _____

28. ¿Cuál es su nivel de ingresos?

. $10,000 o menos . $35,001 - $50,000
. $10,0001 - $20,000 . $50,001 - $75,000
. $20,0001 - $35,000 . Más de $75,000

29. ¿Es usted incapacitado? . Sí . No (pase a la pregunta 30)

a. ¿Su incapacidad, o lo que usted percibe como incapacidad, es física, mental o ambas?
. Física . Mental . Ambas

b. ¿Se nota su incapacidad? . Sí . No

30. ¿Hay algo sobre usted que crea que afectó el resultado de su caso? Si es así, explique por favor:

_____

_____

_____

Muchas gracias por dar su tiempo para llenar esta encuesta. Le agradecemos y valoramos su contribución.

(**UTILICE ESTE ESPACIO PARA CUALQUIER INFORMACION ADICIONAL**)

Do not mark outside this line

Oregon Supreme Court/Oregon State Bar
Gender Fairness Task Force
INMATE SURVEY

The Oregon Supreme Court and Oregon State Bar are studying whether and, if so, how the Oregon judicial system and legal profession treat people unfairly on the basis of sex. One of the ways in which we are gathering information is by surveying people (like you) who have experience with lawyers, judges and the prison system. Please answer the questions based on your actual experiences in Oregon State (not Federal) Court. THIS SURVEY IS COMPLETELY ANONYMOUS -- we do not need (or want) to know your name. There is no way for us to know who completed a specific survey. Filling out this form will not affect your sentence in any way.

As a prison inmate, you have important information to share with us. We want to learn from you, so please fill out and return this survey. Answer each question by completely filling in the bubble with a #2 pencil. PLEASE DO NOT USE INK. Thank you for your help.

A. The following questions ask about your court experiences in the case for which you are NOW SERVING A SENTENCE (DOING TIME).

1. In the case for which you are now serving a sentence:
   a. Was your lawyer: a man
      a woman
      I did not have a lawyer (skip to question c)

   b. Would you want this lawyer to represent you again? Yes No

   c. Did you plead Guilty (or No Contest)? Yes No (skip to letter "d" below)

   d. Were you in custody when you entered your guilty plea? Yes No Does not apply

   e. How much TOTAL time (from the very beginning of your case) did your lawyer spend with you talking about your case, explaining your options and trying your case and/or reviewing the plea agreement before court?
      30 minutes or less
      More than 30 minutes, but less than an hour
      1 to 3 hours
      Between 3 and 5 hours
      Between 5 and 10 hours
      10 or more hours

2. When you were in court or meeting with your lawyer, did you need a foreign language interpreter? Yes No (skip to number 3)

   b. In what language? Spanish
      Russian
      Vietnamese
      Sign Language
      Other (please specify)_____

   c. Was an interpreter available? Yes No (skip to number 3)

   d. Could you understand the interpreter? Yes No

   e. Was the interpreter a male or female? Male Female

   f. Did/does the sex of your interpreter matter to you? Yes No (skip to number 3)

   g. Would you rather have a male or female interpreter? Male Female

   h. Why? (please explain)_____

   _____

3. When you were in court, did you want to say something to the judge? Yes No

   a. If yes, did the judge give you a chance to speak? Yes No

4. Were you treated respectfully:
   a. by the judge you appeared before? Yes No

   b. by the courthouse staff? Yes No

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	1	2	3	4 or more
5. For the case that resulted in this prison sentence, fill in the bubble to tell us how many counts of each crime you were charged with:				
Assault				
Attempted Assault				
Embezzlement				
Attempted Embezzlement				
Theft				
Attempted Theft				
Arson				
Attempted Arson				
Sexual Offense				
Attempted Sexual Offense				
Forgery				
Attempted Forgery				
Robbery				
Attempted Robbery				
Child Abuse				
Attempted Child Abuse				
Burglary				
Attempted Burglary				
Drug Offense (Possession, Manufacture or Delivery)				
Attempted PCS, MCS, or DCS				
Murder				
Manslaughter				
Attempted Murder				
Negligent Homicide				
Other (please specify) _____				
6. What crime(s) were you CONVICTED of (in the case that resulted in this prison sentence)?				
Assault				
Attempted Assault				
Embezzlement				
Attempted Embezzlement				
Theft				
Attempted Theft				
Arson				
Attempted Arson				
Sexual Offense				
Attempted Sexual Offense				
Forgery				
Attempted Forgery				
Robbery				
Attempted Robbery				
Child Abuse				
Attempted Child Abuse				
Burglary				
Attempted Burglary				
Attempted PCS, MCS, or DCS				
Attempted Murder				
Negligent Homicide				
Drug Offense (Possession, Manufacture or Delivery)				
Murder				
Manslaughter				
Other (please specify) _____				

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7. In the case for which you are now serving a sentence, did you want a lawyer of a specific sex?
☐ Yes ☐ No (skip to section B)

a. Did you want a male or female lawyer? ☐ a male lawyer ☐ a female lawyer

b. Why did you want a lawyer of that sex? (Mark all that apply)
☐ A lawyer of that sex would fight harder for me.
☐ A lawyer of that sex would spend more time on my case.
☐ A lawyer of that sex would be cheaper (I had to pay).
☐ Given the type of charge, I would have a better chance with a lawyer of that sex representing me.
☐ The judge or jury would like a lawyer of that sex better.
☐ I had a good experience with a lawyer of that sex in a case before.
☐ I had a bad experience with a lawyer of the other sex in a case before.
☐ Other (please explain)_____

_____

8. Was the victim of your crime male or female? ☐ male ☐ female ☐ both male and female

B. The next set of questions ask about your court experiences overall. When answering them, keep in mind every Oregon State court experience you have had.

1. How many different lawyers have you had represent you?
☐ 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4
☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 or more

2. Have you had both male and female lawyers represent you? ☐ Yes ☐ No (skip to number 3)

a. How many of your lawyers were male?
☐ 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4
☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 or more

b. Was there a difference in the way male and female lawyers treated you?
☐ Yes ☐ No (skip to number 3)

c. How did they treat you differently? (please specify)_____

_____

_____

3. Have you ever had a lawyer or anyone in a lawyer's office (secretary, paralegal, investigator, law clerk, another lawyer, etc.) call you by names such as "honey," "dear," sweetie," "babe," "girl," "son," or "boy" when you felt they should not have? ☐ Yes ☐ No (skip to number 4)

a. Was the person who said this to you (check all that apply):
☐ a male lawyer ☐ a female lawyer
☐ a male investigator ☐ a female investigator
☐ a male secretary ☐ a female secretary
☐ a male paralegal ☐ a female paralegal
☐ a male clerk ☐ a female clerk
☐ other (please specify) _____

4. Have you ever had a lawyer or anyone in a lawyer's office (secretary, paralegal, investigator, law clerk, another lawyer, etc.) touch you in a way that made you uncomfortable?
☐ Yes ☐ No (skip to number 5)

a. Was the person who touched you (check all that apply):
☐ a male lawyer ☐ a female lawyer
☐ a male investigator ☐ a female investigator
☐ a male secretary ☐ a female secretary
☐ a male paralegal ☐ a female paralegal
☐ a male clerk ☐ a female clerk
☐ other (please specify) _____

5 Have you ever had a lawyer or anyone in a lawyer's office (secretary, paralegal, investigator, law clerk, another lawyer, etc.) ask you for sexual favors? ☐ Yes No (skip to number 6)

a. Who asked you for sexual favors? (check all that apply):
☐ a male lawyer ☐ a female lawyer
☐ a male investigator ☐ a female investigator
☐ a male secretary ☐ a female secretary
☐ a male paralegal ☐ a female paralegal
☐ a male clerk ☐ a female clerk
☐ other (please specify) _____

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6. Do you believe that your gender (sex) has ever affected how you were treated in court?
☐ Yes ☐ No (skip to number 7)

a. How did your sex affect your treatment? (please be specific) _____

b. Who treated you differently in court (mark all that apply):
☐ a male lawyer ☐ a female lawyer
☐ a male judge ☐ a female judge
☐ a male secretary ☐ a female secretary
☐ male court personnel ☐ female court personnel
☐ a male law clerk ☐ a female law clerk
☐ male court security ☐ female court security
☐ other (please specify) _____

7. Have you ever observed males and females being treated differently from one another in court?
☐ Yes ☐ No (skip to number 8)

If Yes, in your experience:
a. Who was treated better? a male ☐ a female ☐ both a male and female

b. Who were they treated better by? (Mark all that apply)
☐ a male judge ☐ a female judge
☐ a male lawyer ☐ a female lawyer
☐ a male juror ☐ a female juror
☐ male court personnel ☐ female court personnel
☐ a male legal assistant ☐ a female legal assistant
☐ a male police officer ☐ a female police officer
☐ other _____

c. How was the person who was treated worse treated differently on the basis of their sex?
Were they: (Mark all that apply)
☐ Called by their first name or term of endearment?
☐ Addressed in a rude manner?
☐ Subjected to comments about their dress or appearance?
☐ Subjected to inappropriate touching or comments of a sexual nature?
☐ other _____

8. Have you ever observed men and women being treated unequally in a law office or other legal work environment? ☐ Yes ☐ No (skip to number 9)

If Yes, in your experience:
a. Who was treated better? ☐ a male ☐ a female ☐ both a male and a female

b. By whom was the (male/ female) treated better?
☐ By a male ☐ By a female ☐ By both a male and female

c. Who treated them better? (Mark all that apply)
☐ a male lawyer ☐ a female lawyer
☐ a male court paralegal ☐ a female court paralegal
☐ a male secretary ☐ a female secretary
☐ a male trial assistant ☐ a female trial assistant
☐ a male investigator ☐ a female investigator
☐ other _____

c. How was the person who was treated worse treated differently on the basis of their sex? Were they: (Mark all that apply)
☐ Called by their first name or term of endearment?
☐ Addressed in a rude manner?
☐ Subjected to comments about their dress or appearance?
☐ Subjected to inappropriate touching or comments of a sexual nature?
☐ other _____

9. Have you appeared before both a male and a female judge? ☐ Yes ☐ No (skip to number 13)

10. Have you ever observed male judges being treated differently from female judges in court?
☐ Yes ☐ No (skip to number 11)

PLEASE CONTINUE ON THE NEXT PAGE

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If Yes, in your experience:

a. Who was treated better? ☐ Male judge ☐ Female judge ☐ both

b. By whom was the (male/ female) judge treated better? (mark all that apply)

☐ By a male attorney ☐ By a female attorney
☐ By a male witness ☐ By a female witness
☐ By a male defendant ☐ By a female defendant
☐ By a male police officer ☐ By a female police officer
☐ By a male juror ☐ By a female juror
☐ By a male party in a case ☐ By a female party in a case
☐ Other_____

c. How were the judges treated differently from one another? _____

11. Have you ever acted differently in front of a male judge than you did in front of a female judge?
☐ Yes ☐ No (skip to number 12)

a. How did you act differently?_____

_____

b. Who did you treat more respectfully? ☐ A male judge ☐ A female judge ☐ No difference

12. Who treats you more respectfully? ☐ A male judge ☐ A female judge ☐ No difference

13. Do you think the outcome of a case is more likely to be favorable if :

a. The lawyer is: ☐ Male ☐ Female ☐ No Difference ☐ It Depends

b. The judge is: ☐ Male ☐ Female ☐ No Difference ☐ It Depends

c. The witness is: ☐ Male ☐ Female ☐ No Difference ☐ It Depends

C. Please select the answer which best reflects your experience of what services and programs are available at your institution (unless the question instructs you to do otherwise).

1. Is job training available at your institution?
☐ Available ☐ Available but limited ☐ Not Available ☐ Don't Know

a. Have you used this service? ☐ Yes ☐ No (skip to number 2)

b. Was this service helpful? ☐ Yes ☐ No

2. Are services available to help you receive a high school level education?
☐ Available ☐ Available but limited ☐ Not Available ☐ Don't Know

a. Have you used this service? ☐ Yes ☐ No (skip to number 3)

b. Was this service helpful? ☐ Yes ☐ No

3. Are services available to help you receive an education beyond the high school level?
☐ Available ☐ Available but limited ☐ Not Available ☐ Don't Know

a. Have you used this service? ☐ Yes ☐ No (skip to number 4)

b. Was this service helpful? ☐ Yes ☐ No

4. Are general health care services available?
☐ Available ☐ Available but limited ☐ Not Available ☐ Don't Know

a. Have you used this service? ☐ Yes ☐ No (skip to number 5)

b. Was this service helpful? ☐ Yes ☐ No

5. Are gynecological services available to women inmates?
☐ Available ☐ Available but limited ☐ Not Available ☐ Don't Know

a. Are you female? ☐ Yes ☐ No (skip to number 7)

b. Have you used this service? ☐ Yes ☐ No (skip to number 6)

c. Was this service helpful? ☐ Yes ☐ No

6. Are pre- and post-natal care services available?
☐ Available ☐ Available but limited ☐ Not Available ☐ Don't Know

a. Have you used this service? ☐ Yes ☐ No (skip to number 7)

b. Was this service helpful? ☐ Yes ☐ No

7. Are counseling services available?
☐ Available ☐ Available but limited ☐ Not Available ☐ Don't Know

a. Have you used this service? ☐ Yes ☐ No (skip to number 8)

b. Was this service helpful? ☐ Yes ☐ No

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8. Are alcohol and drug treatment programs available?
Available | Available but limited | Not Available | Don't Know

a. Have you used this service? Yes | No (skip to number 9)

b. Was this service helpful? Yes | No

9. Are sex offender services available?
Available | Available but limited | Not Available | Don't Know

a. Have you used this service? Yes | No (skip to the next section)

b. Was this service helpful? Yes | No

D. The following questions concern prosecutors' charging practices. Please tell us, based upon your ACTUAL EXPERIENCE(S), the frequency of the actions described.

1. How often are prosecutors' charging decisions influenced by a suspect's gender?
Never | Hardly ever | Sometimes | Often | Always

2. Generally, prosecutors are more likely to CHARGE female suspects than male suspects.
Never | Hardly ever | Sometimes | Often | Always

3. There are certain crimes for which prosecutors are more likely to charge female suspects than male suspects.
Never | Hardly ever | Sometimes | Often | Always

Please explain: _____

_____

4. Prosecutors are more likely to offer plea reductions to male than to female offenders.
Never | Hardly ever | Somewhat | Often | Always

5. To what extent is a prosecutor's willingness to reduce the charges influenced by a defendant's gender?
Never | Hardly ever | Somewhat | Often | Always

6. Prosecutors are more likely to reduce the charges for female defendants than they are for male defendants.
Not at all | Hardly ever | Somewhat | Quite a bit | Completely

7. Does admissible evidence of a female suspect's sexual history influence prosecution decisions?
Not at all | Hardly ever | Somewhat | Quite a bit | Completely

8. Does admissible evidence of a male suspect's sexual history influence prosecution decisions?
Not at all | Hardly ever | Somewhat | Quite a bit | Completely

E. Please indicate whether you strongly disagree, disagree, agree, or strongly agree with following statements.

1. Prosecutors are more likely to charge women with young children than women who do not have children.
Strongly Disagree | Disagree | Uncertain | Agree | Strongly Agree

2. Prosecutors are more likely to offer to reduce charges for women with young children than for women who do not have children.
Strongly Disagree | Disagree | Uncertain | Agree | Strongly Agree

3. Prosecutors are more likely to charge female suspects who use drugs when they are pregnant than they are to charge female suspects who use drugs but are not pregnant.
Strongly Disagree | Disagree | Uncertain | Agree | Strongly Agree

4. Prosecutors are more likely to recommend jail or prison time (or a longer sentence) for a pregnant substance abuser than for a substance abuser (with the same criminal history facing the same charges) who is not pregnant.
Strongly Disagree | Disagree | Uncertain | Agree | Strongly Agree

5. Prosecutors are more likely to offer a plea reduction to female repeat offenders than to male repeat offenders.
Strongly Disagree | Disagree | Uncertain | Agree | Strongly Agree

6. There is no significant gender bias in the court system today.
Strongly Disagree | Disagree | Uncertain | Agree | Strongly Agree

7. A father who batters his children's mother should have the same rights to custody and/or visitation of the children.
Strongly Disagree | Disagree | Uncertain | Agree | Strongly Agree

8. Husbands who force intercourse on their wives are inconsiderate, even cruel, but not criminals.
Strongly Disagree | Disagree | Uncertain | Agree | Strongly Agree

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YEAR OF BIRTH Do not mark outside this line

F. GENERAL BACKGROUND INFORMATION

Please answer the following questions which will help us understand what factors, if any, might affect people's experiences with gender issues in the justice system and the legal profession.

1. What is your sex? Male Female

2. In what year were you born? (write in year and fill in bubbles at top of page) _____

3. Which prison are you in?
   - Columbia River (CRCI)
   - Oregon Women's Correctional Center (OWCC)
   - Powder River
   - Snake River
   - Oregon State Penitentiary (OSP)
   - Oregon State Correctional Institute (OSCI)

4. What is your ethnicity/race?
   - African-American
   - Native American
   - Asian
   - Hispanic
   - White (non-Hispanic)
   - Pacific Islander
   - Other (please specify)_____
   - Mixed (please specify)_____

5. What is your sexual orientation?
   Straight/Heterosexual Gay/lesbian Bi-sexual Other_____

6. What is your current relationship status?
   - Single and never married
   - Married/living with domestic partner
   - Currently divorced
   - Previously divorced (now remarried)
   - Widowed
   - Other (please specify)_____

7. Do you have any children under the age of 18? Yes No (skip to number 7)
   a. With whom do your children live? (please specify) _____

8. Do you have a disability and/or do others regard you as having a disability?
   Yes No (you are done with the survey)
   a. What is your disability or the disability others regard you as having? (check all that apply)
   Physical disability Mental Disability
   b. Is the disability noticeable? Yes No

THANK YOU FOR YOUR HELP!

Additional comments: (use the back of this form or additional sheets of paper if you need more room)

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PERSONS INTERVIEWED BY THE WORK GROUP ON CRIMINAL LAW and JUVENILE JUSTICE

1. Department of Corrections

Gary Field - Manager, Alcohol and Drug Programs
Shannon DeLateur - Educational/Vocation Programs
Catherine Knox - Health Services
Ray Ferns - Cognitive Training
Wayne Etherly, Greg Morton - Training and Development
Michael Taafe - Work Programs
Randy Ireson - Research Programs
Ginger Martin, Barbara McGuire - Community Corrections
Lou Allen, Jim Maras - Women's Correctional Center
Chris Duval - Shutter Creek Program Services
Alice Sigmunds - Columbia River program Manager
Paula Southwick - Powder River Program Services
John Perry - Snake River Program Services
Jim Muranaka - Correctional Institution Program Services
Diane Long -Santiam and Mill Creek Program Services
Pat McKeone - Eastern Oregon Correctional Institution Program Services

2. County Jail Managers or Program Managers: Holly Russell, Benton county; Rob Gordon, Washington; Tammy Fox, Lane; Bill O'Neal and Virginia Roberg, Marion; Jeri Griffin, Josephine; Liz Stalbird, Jackson; Curt Gilbert, Yamhill; and Malheur, Baker, Deschutes, Umatilla, Union, Wallowa and Harney. Bill Garland, Director Education and Andrea Sloan Director of Legal Services, BPSST; Capt. Don Balk, Oregon State Police, Training and Education; Yvonne Iwasa, Treasure Valley Community College; Vic Sims, Southern Oregon University; Jerry Phillips, Linn-Benton Community College, Dr. Annette Jolin, Portland State University.

SERVICES AND PROGRAMS AT JUVENILE FACILITIES

MACLAREN

Secure Intensive Program/Geer	This is a self-contained secure long-term "treatment" unit for the most violent offenders. Among the treatment modalities are: offender groups, anger management groups, social skills groups, victim groups, survivor groups, gang issues, substance abuse and cultural awareness. This program also uses "marathon" groups which last from 12 to 16 hours straight and are designed to teach the offender empathy. On-site education and recreation is provided in this unit.
Geer IV	Secure structured program for angry, acting-out impulsive youth. Treatment centered on anger management. Behavior modification modality along with group and individual counseling. On-site education and recreation.
Geer V	Individual cottage for youth with diagnosed psychiatric illness. Individual treatment plans are developed and carried out with close supervision. On-site education and work experience program.
Dunbar and Kincaid	These are two cottage-based sex offender treatment programs using group and individual treatment. The young men in these cottages attend school on campus and are involved in work and vocational programs.
Hall, Holmes and McBride	These are general population cottages.

Grover	This is a cottage that deals with the most seriously affected drug and alcohol youth. According to some statistics, at least 88% of the male youth involved in juvenile justice have drug and alcohol involvement and there is other drug and alcohol treatment and usually a waiting list for Grover.
Smith	This is a criminal thinking errors confrontation form of treatment.
McKay	This cottage is self-described as serving "emotionally immature, impulsive" youth with a limited attention span. These youth are involved in a work outreach program in state and federal parks. They attend school and are involved in other work experience on the campus.
Thayer Intake	This cottage is for evaluation and assessment.
Geer III	Parole Violators. This cottage is where youth returned after parole violations are placed crisis intervention unit. By self-description, this is a secure, structured specialized unit which provides mental health services including screenings, intake evaluations on those transferred from adult corrections and youth who are homicide-related commitments, suicide assessments, discipline, and time-out.
Camps	
Boot Camp	

HILLCREST

Alpha (boys)	Alcohol and drug treatment program certified by DHR; these programs include the 12 step program, children of substance abusers groups and substance abuse education.
Iota (girls)	Alcohol and drug treatment program certified by DHR; these programs include the 12 step program, children of substance abusers groups and substance abuse education.
Kappa (boys)	Sex offender treatment[1]; be- havior modification.
Sigma (boys)	Sex offender treatment.
Theta (girls)	Intake assessment for young women.
Omega (boys)	Violent offenders and property offenders.
Delta (boys)	Violent offenders and property offenders; behavior modification.
Gamma (boys)	Young offenders, ages 12-14, including sex offenders and arsonists; fire-setter treatment.
Zeta (co-ed by wing)	Violent offenders and severely emotionally disturbed offenders.
Chi (boys)	Arson treatment and youth who present safety or security risks on other cottages; fire-setter treatment.
Epsilon (boys)	Violent offenders.

[1] Girls are provided sex offender treatment on an individual basis. Hillcrest has between 1 and 6 female sex offenders.

SERVICES & SANCTIONS/MALE & FEMALE/BY COUNTIES/PURCHASED BY DEPT. OF CORRECTIONS MONIES 93-95 BIENNIUM)

County	Cog Skills	Comm. Service	Day Reporting	DROP	Education	Electronics	Employm't	Home Custody	Housing	Jail Sanctions	ISP	Mental Health
BAKER		10				2				32		Y
BENT		Y				20	16	Y	8	Y		
CLAC	Y	1440		Y	Y	35	Y		Y		Y	Y
CLAT		100	12			4			3	2		
COLU		30	35	1		4				1		
COOS			25	Y	Y	Y	Y		14	Y	25	5
CROOK/JEFF	20	40				20	4			2		
CURRY	15	100				Y						
DESC	30	85		3		40						6
DOUG		Y	20			Y		7	5	Y		50
GRANT		Y										5
HARN												
JACK		Y	40	Y		26				30		31
JOSE	40	300				20					30	40
KLAMATH/LAKE		50				25				24		
LANE	20	40				39	30		24	Y		200
LINC		275				22	Y			10	50	
LINN		228	50			50				3	50	
MALH			75			10						40
MARI	15	60	25	Y	10	25	Y		Y	13	75	50
MULT		3800	180		40		40				250	50
NORTH CENTRAL*	10	80				15				2		
POLK			15			4				4		
TILL		20	15	20		4				1		
UMAT		200	30	Y	Y	40	Y		Y			
MORR												
UNION/WALLOWA	30	Y				Y	Y	Y	Y			Y
WASH	10	250					100	20	16	6	35	20
YAHM		Y	20				Y		7	Y		5

***North Central includes Hood River, Gilliam, Sherman, Wasco & Wheeler Counties**
Y: program available, but slots/beds unknown or not indicated.
Program Capacity is identified as number of slots/beds available at any one time.
Data is from Counties' 1993-95 Biennium Plans, Plan Amendments, Utilization Reports & Site Review Reports through Sept. 1994.

INVALLCO WP128 Nov

SERVICES & SANCTIONS/MALE & FEMALE/BY COUNTIES/PURCHASED BY DEPT. OF CORRECTIONS MONIES 93-95 BIENNIUM)

County	Pretrial	Rest./Prob./ Viol. Center	Sub Abuse Outpatient	Sub Abuse Inpatient	Transiton	Women Services	Work Crew	Work Release	Sex Off Supv	Sex Off Tx
BAKER			10	1	2		8	2		20
BENT			45	25		5+	15		70	20
CLAC	Y	80	99	7	280	210		12	180	15
CLAT			20	6	5			4		26
COLU			25	3						20
COOS			30					7		30
CROOK/JEFF			30	2	20		15			20
CURRY			70				6	1		10
DESC			20		15				20	
DOUG			220	2	5		10	5		
GRANT			20							
HARN										
JACK			126	7	10			Y		30
JOSE		40	30				10			Y
KLAMATH/LAKE			16		40		12	2		Y
LANE	80	76	Y	20	12	5		10	60	70
LINC			Y					Y		
LINN			31	7	20		10		50	140
MALH			50				18			50
MARI	7	76	115		50			6		14
MULT	700	80	135	120	46	50	28			15
NORTH CENTRAL*			29	5	25		30			3
POLK	4		60	2				1		15
TILL			20	2	10		6			20
UMAT		3	70		Y					50
MORR										
UNION/WALLOWA			Y	2				Y		
WASH		20	64	9	70			10	240	100
YAHM			Y		10		15	20		30

***North Central includes Hood River, Gilliam, Sherman, Wasco & Wheeler Counties**
Y: program available, but slots/beds unknown or not indicated.
Program Capacity is identified as number of slots/beds available at any one time.
Data is from Counties' 1993-95 Biennium Plans, Plan Amendments, Utilization Reports and Site Review Reports through Sept. 1994.

WOMEN SPECIFIC SERVICES AND SANCTIONS

County	Program Name	Program Type	Area Served	Resid. or Non-Resid.	Tx, Serv., or Sanct.	Women w/ Child. Prog.	Pregnant Wom. Prog.	Program Capacity	Program Length
LANE	Sponsors, Inc.	Abuse Survivors	Lane Co.	Outp	Serv.	Childcare		15	On-going
MARI	Children's Program	Childcare	Marion Co.						
VARIOUS	Employment Dept./Corr. Clients Placem't Serv.	Employment	Wash., Mult., Clac., Yahm. Co.	Outp	Serv.			No Limit	On-going
MULT	Alcohol Treatment & Training Center	Gambling Addiction	Mult., Clack., Wash. Co.	Outp	Tx			8-10	Varies
ALL	INFOCUS @ OWCC	Life Skills	State of OR	Res.	Tx & Serv.			28	6-12 Months
BENT	Women's Issues Program-Turning Point	Life Skills/A & D Ed.	Benton County	Outp	Serv.			No Cap	6 weeks
LANE	Relief Nursery, Inc.	Parenting	Eugene/Springfield Area	Outp	Serv.	Yes		160 families yearly	On-going
MULT	Prostitution Alternatives	Prostitution	Mult. Co.	Outp	Tx			50	6-12 Months
ALL	LIFETRAC @ OWCC	Public Education	State of OR	Res.	Tx & Serv.			14	Min. 1 year
ALL	Turning Point @ CRCI	Sub Abuse	State of OR	Res.	Tx			50	6-15 Months
BAKER	Baker Co. Coun./ A & D Abuse	Sub Abuse	State of OR	Int. Res.	Tx			18	Varies
BAKER	Baker House	Sub Abuse	State of OR	Res.	Tx	Yes	Yes	11	6 Months
JACK	On Track, Inc. (HOME/Teen Program)	Sub Abuse	Roque Valley Area	Int. Outp	Tx	Yes	Yes		3-6 Months
JACK	On Track, Inc. (HOME/Teen Program)	Sub Abuse	Roque Valley Area	Res.	Tx	Yes	Yes		3-9 Months
JACK	On Track, Inc. (HOME/Teen Program)	Sub Abuse	Roque Valley Area	Aftercare	Tx	Yes	Yes		180 days
JOSE	Rogue Recovery Programs	Sub Abuse	So. Oregon	Res.	Tx			4	1-5 Days
JOSE	Rogue Recovery Programs	Sub Abuse	So. Oregon	Outp	Tx	Childcare		No Cap	Varies
JOSE	Rogue Recovery Programs	Sub Abuse	So. Oregon	Res.	Tx			23	30-60 Days
LANE	Couer De Lane	Sub Abuse	Lane Co.	Outp	Tx	Yes		15	Varies
LANE	Families in Recovery	Sub Abuse	State of OR	Res.	Tx	Yes	Yes	24 incl. Child.	5-6 Months
LANE	Families in Recovery	Sub Abuse	Lane Co.	Int. Outp	Tx	Yes	Yes	15	Varies
LANE	New Futures	Sub Abuse	Lane Co.	Aftercare	Tx	Yes		No Cap	Varies
LANE	New Hope-Serenity Lane	Sub Abuse	Lane Co.	Int. Outp	Tx	Childcare		8	6-8 wks +
LANE	Sunrise House & Sunrise House Annex	Sub Abuse	State of OR	Res.	Tx			16	5-6 Months
MARI	Bridgeway-Her Place Safehouse	Sub Abuse	Marion Co.	Both	Tx & Serv.	Yes	Yes	5	Min. 60 Days
MARI	Intensive Outpatient Program	Sub Abuse	Marion Co.	Outp	Tx	Yes		50+	Varies
MARI	Women's Treatment Services	Sub Abuse	Marion Co.	Both	Tx	Yes		50+	Varies
MULT	Addictions Recovery Association	Sub Abuse	State of OR	Int. Res.	Tx	Yes	Yes	19	6-9 Months
MULT	Alcohol Treatment & Training Center	Sub Abuse	Mult., Clack., Wash. Co.	Outp	Tx			20	
MULT	Alcohol Treatment & Training Center/SAFE	Sub Abuse	Mult., Clack., Wash. Co.	Int. Outp	Tx	Yes	Yes	18-23	Varies
MULT	Alpha Family Treatment Center (CODA)	Sub Abuse	Portland-Metro/SW Wash. St.	Res.	Tx	Yes	Yes	25	3-6 Months
MULT	ASAP Treatment Services	Sub Abuse	Mult Co.	Corr. Int. Outp	Tx	Childcare		30-50	6-9 Months
MULT	ASAP Treatment Services	Sub Abuse	Mult., Clack., Wash. Co.	Int. Outp	Tx	Childcare		30-50	6-9 Months
MULT	DePaul Treatment Centers	Sub Abuse	Mult. Co.	Outp/Int. Outp	Tx	Childcare		Unknown	Varies
MULT	DePaul Treatment Centers	Sub Abuse	Wash., Clac., Colu., Clat.,Till. Co.	Int. Res.	Tx			16	2-3 Months
MULT	Diversion Associates	Sub Abuse	Mult. Co.	Outp & Int. Outp	Tx	Childcare		No Cap	6-12 Months
MULT	NARA-Pregnant Wom. & Wom. w/ Child.	Sub Abuse	OR, WA	Both	Tx	Yes	Yes	45	Varies
MULT	New Directions Family Tx Ctr. (CODA)	Sub Abuse	Mult. Co.	Res.	Tx	Yes	Yes	15	6 Months
MULT	New Directions Family Tx Ctr. (CODA)	Sub Abuse	Mult. Co.	Outp	Tx		Yes	30	Varies
MULT	Volunteers of America, Inc./ Residential Ctr.	Sub Abuse	Mult. Co.	Res.	Tx	Yes		40/ 7 w/ children	6 Months
MULT	Women's Intensive Treatment	Sub Abuse	Mult. Co.	Outp	Tx	Childcare		16	3-6 Months
MULT	Women's Residential	Sub Abuse	Mult Co.	Res.	Tx			8	60 Days
WASH	Mountaindale Recovery Center	Sub Abuse	Wash., Clac., Colu., Clat.,Till. Co.	Res.	Tx	Yes		Unknown	3-6 Months
WASH	Project Cradle	Sub Abuse	Washington Co.	Outp	Tx	Yes	Yes	No Cap	Varies
WASH	Tualatin Valley Mental Health Center	Sub Abuse	Wash. Co.	Int. Outp	Tx	Yes		No Cap	6-12 Months
YAHM	Mother's in Treatment	Sub Abuse	Yamhill Co.	Outp	Tx	Yes			6-12 Months
MULT	APADT Program (Mult. Co. Comm. Corr.)	Sub Abuse/Case Mgt.	Mult. Co.	Outp	Tx & Serv.	Yes	Yes	100 (incl. w/ above)	18 Month Avg.
CLAC	Women's Team	Supervision	Clackamas Co.	Both	All			150-210	Varies
MARI	DROP & ISP	Supervision	Marion Co.	Outp	Tx & Sanc.			50+	Varies
MULT	House of Nia (African American)	Transition Housing/Sub Ab.	Mult. Co.	Res.	Tx & Serv.	Yes	Yes	5 Women w/child.	Varies
MULT	WICS	Transition/Life Skills	State of OR	Res.	Serv.			20	8 Weeks
MARI	Freedom In The Son	Transition/Prison Outreach	State of OR	Outp	Serv.	Yes		No Cap	On-going
BENT	Women's Issues Program/LivingSpace	Transition/Sub Abuse	Benton & Linn Co.	Res.	Tx			3	Min. 90 Days
MULT	Women's Transition Services (Comm. Corr.)	Transition/Sub Abuse	Mult. Co.	Res. & Outp	Tx & Serv.	Yes		100	18 Month Avg.
BENT	Stronghold Cottage	Transitional Housing	Linn, Bent,, Linc. Co.	Both	Tx & Serv.	Yes	Yes	5	3-12 Months
JOSE	Freedom House	Transitional Housing	So. Oregon	Res.	Serv.		Yes		
LANE	Sponsors, Inc.	Transitional Housing	Lane Co.	Res.	Serv.	Yes		5 women/6 children	3 Months
MULT	Trans. Opportunities Proj. (TOP)-YWCA	Work Release	Mult. Co. & Surr. Area	Res./Work Rel.	Serv. & Sanc.			30	30-365 Days

*mental health clinics/programs, domestic violence shelters, job/employment/vocational programs and substance abuse programs (coed) are available to women offenders throughout the State.

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WOMEN SPECIFIC SERVICES AND SANCTIONS

County	Program Name	Program Type	Area Served	Resid. or Non-Resid.	Tx, Serv., or Sanct.	Women w/ Child. Prog.	Pregnant Wom. Prog.	Program Capacity	Program Length
ALL	INFOCUS @ OWCC	Life Skills	State of OR	Res.	Tx & Serv.			28	6-12 Months
ALL	LIFETRAC @ OWCC	Public Education	State of OR	Res.	Tx & Serv.			14	Min. 1 year
ALL	Turning Point @ CRCI	Sub Abuse	State of OR	Res.	Tx			50	6-15 Months
BAKER	Baker Co. Coun./ A & D Abuse	Sub Abuse	State of OR	Int. Res.	Tx			18	Varies
BAKER	Baker House	Sub Abuse	State of OR	Res.	Tx	Yes	Yes	11	6 Months
BENT	Women's Issues Program-Turning Point	Life Skills/A & D Ed.	Benton County	Outp	Serv.			No Cap	6 weeks
BENT	Women's Issues Program/LivingSpace	Transition/Sub Abuse	Benton & Linn Co.	Res.	Tx			3	Min. 90 Days
BENT	Stronghold Cottage	Transitional Housing	Linn, Bent,, Linc. Co.	Both	Tx & Serv.	Yes	Yes	5	3-12 Months
CLAC	Women's Team	Supervision	Clackamas Co.	Both	All			150-210	Varies
JACK	On Track, Inc. (HOME/Teen Program)	Sub Abuse	Roque Valley Area	Res.	Tx	Yes	Yes		3-9 Months
JACK	On Track, Inc. (HOME/Teen Program)	Sub Abuse	Roque Valley Area	Aftercare	Tx	Yes	Yes		180 days
JACK	On Track, Inc. (HOME/Teen Program)	Sub Abuse	Roque Valley Area	Int. Outp	Tx	Yes	Yes		3-6 Months
JOSE	Rogue Recovery Programs	Sub Abuse	So. Oregon	Res.	Tx			4	1-5 Days
JOSE	Rogue Recovery Programs	Sub Abuse	So. Oregon	Res.	Tx			23	30-60 Days
JOSE	Rogue Recovery Programs	Sub Abuse	So. Oregon	Outp	Tx	Childcare		No Cap	Varies
JOSE	Freedom House	Transitional Housing	So. Oregon	Res.	Serv.		Yes		
LANE	Sponsors, Inc.	Abuse Survivors	Lane Co.	Outp	Serv.	Childcare		15	On-going
LANE	Relief Nursery, Inc.	Parenting	Eugene/Springfield Area	Outp	Serv.	Yes		160 families yearly	On-going
LANE	Couer De Lane	Sub Abuse	Lane Co.	Outp	Tx	Yes		15	Varies
LANE	Families in Recovery	Sub Abuse	Lane Co.	Int. Outp	Tx	Yes	Yes	15	Varies
LANE	Families in Recovery	Sub Abuse	State of OR	Res.	Tx	Yes	Yes	24 incl. Child.	5-6 Months
LANE	New Futures	Sub Abuse	Lane Co.	Aftercare	Tx	Yes		No Cap	Varies
LANE	New Hope-Serenity Lane	Sub Abuse	Lane Co.	Int. Outp	Tx	Childcare		8	6-8 wks +
LANE	Sunrise House & Sunrise House Annex	Sub Abuse	State of OR	Res.	Tx			16	5-6 Months
LANE	Sponsors, Inc.	Transitional Housing	Lane Co.	Res.	Serv.	Yes		5 women/6 children	3 Months
MARI	DROP & ISP	Supervision	Marion Co.	Outp	Tx & Sanc.			50+	Varies
MARI	Children's Program	Childcare	Marion Co.						
MARI	Bridgeway-Her Place Safehouse	Sub Abuse	Marion Co.	Both	Tx & Serv.	Yes	Yes	5	Min. 60 Days
MARI	Intensive Outpatient Program	Sub Abuse	Marion Co.	Outp	Tx	Yes		50+	Varies
MARI	Women's Treatment Services	Sub Abuse	Marion Co.	Both	Tx	Yes		50+	Varies
MARI	Freedom In The Son	Transition/Prison Outreach	State of OR	Outp	Serv.	Yes		No Cap	On-going
MULT	Alcohol Treatment & Training Center	Gambling Addiction	Mult., Clack., Wash. Co.	Outp	Tx			8-10	Varies
MULT	Prostitution Alternatives	Prostitution	Mult. Co.	Outp	Tx			50	6-12 Months
MULT	Addictions Recovery Association	Sub Abuse	State of OR	Int. Res.	Tx	Yes	Yes	19	6-9 Months
MULT	Alcohol Treatment & Training Center	Sub Abuse	Mult., Clack., Wash. Co.	Outp	Tx			20	
MULT	Alcohol Treatment & Training Center/SAFE	Sub Abuse	Mult., Clack., Wash. Co.	Int. Outp	Tx	Yes	Yes	18-23	Varies
MULT	Alpha Family Treatment Center (CODA)	Sub Abuse	Portland-Metro/SW Wash. St.	Res.	Tx	Yes	Yes	25	3-6 Months
MULT	ASAP Treatment Services	Sub Abuse	Mult., Clack., Wash. Co.	Int. Outp	Tx	Childcare		30-50	6-9 Months
MULT	ASAP Treatment Services	Sub Abuse	Mult. Co.	Corr. Int. Outp	Tx	Childcare		30-50	6-9 Months
MULT	DePaul Treatment Centers	Sub Abuse	Mult. Co.	Outp/Int. Outp	Tx	Childcare		Unknown	Varies
MULT	DePaul Treatment Centers	Sub Abuse	Wash., Clac., Colu., Clat.,Till. Co.	Int. Res.	Tx			16	2-3 Months
MULT	Diversion Associates	Sub Abuse	Mult. Co.	Outp & Int. Outp	Tx	Childcare		No Cap	6-12 Months
MULT	NARA-Pregnant Wom. & Wom. w/ Child.	Sub Abuse	OR, WA	Both	Tx	Yes	Yes	45	Varies
MULT	New Directions Family Tx Ctr. (CODA)	Sub Abuse	Mult. Co.	Outp	Tx		Yes	30	Varies
MULT	New Directions Family Tx Ctr. (CODA)	Sub Abuse	Mult. Co.	Res.	Tx	Yes	Yes	15	6 Months
MULT	Volunteers of America, Inc./ Residential Ctr.	Sub Abuse	Mult. Co.	Res.	Tx	Yes		40/ 7 w/ children	6 Months
MULT	Women's Intensive Treatment	Sub Abuse	Mult. Co.	Outp	Tx	Childcare		16	3-6 Months
MULT	Women's Residential	Sub Abuse	Mult. Co.	Res.	Tx			8	60 Days
MULT	APADT Program (Mult. Co. Comm. Corr.)	Sub Abuse/Case Mgt.	Mult. Co.	Outp	Tx & Serv.	Yes	Yes	100 (incl. w/ above)	18 Month Avg.
MULT	WICS	Transition/Life Skills	State of OR	Res.	Serv.			20	8 Weeks
MULT	Women's Transition Services (Comm. Corr.)	Transition/Sub Abuse	Mult. Co.	Res. & Outp	Tx & Serv.	Yes		100	18 Month Avg.
MULT	Trans. Opportunities Proj. (TOP)-YWCA	Work Release	Mult. Co. & Surr. Area	Res./Work Rel.	Serv. & Sanc.			30	30-365 Days
MULT	House of Nia (African American)	Transition Housing/Sub Ab.	Mult. Co.	Res.	Tx & Serv.	Yes	Yes	5 Women w/child.	Varies
VARIOUS	Employment Dept./Corr. Clients Placem't Serv.	Employment	Wash., Mult., Clac., Yahm. Co.	Outp	Serv.			No Limit	On-going
WASH	Mountaindale Recovery Center	Sub Abuse	Wash., Clac., Colu., Clat.,Till. Co.	Res.	Tx	Yes		Unknown	3-6 Months
WASH	Project Cradle	Sub Abuse	Washington Co.	Outp	Tx	Yes	Yes	No Cap	Varies
WASH	Tualatin Valley Mental Health Center	Sub Abuse	Wash. Co.	Int. Outp	Tx	Yes		No Cap	6-12 Months
YAHM	Mother's in Treatment	Sub Abuse	Yamhill Co.	Outp	Tx	Yes			6-12 Months

*mental health clinics/programs, domestic violence shelters, job/employment/vocational programs and substance abuse programs (coed) are available to women offenders throughout the State.

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Sort by County/Program Type/Program Name

TOTAL SERVICE & SANCTION SLOTS/BEDS MALE & FEMALE PURCHASED BY DOC & COUNTY MONIES (1993-95 BIENNIUM)

INSTITUTIONS

Service Area	Program Name	Program Type	Slots or Beds	Other Services
ALL	CRCI	Minimum Security Prison	407 M/F	Release/Work Release
ALL	OR ST. HOSPITAL	Medium Security	120 M/F	SO/MED/Social Skills/Cornerstone
ALL	OWCC	Medium Security Prison	210 F	Vocational Prog./Prison Industries
ALL	SHUTTER CREEK	Minimum Security Prison	200 M/F	Boot Camp

Service Area	Program Type	Slots or Beds
	SANCTIONS	
STATE	COMMUNITY SERVICE	7,079
STATE	DAY REPORTING	570-613
STATE	ELECTRONICS	371-398
STATE	HOUSE ARREST	40
STATE	ISP	2,106
STATE	JAIL SANCTION BEDS	121
STATE	WORK CREW	180-398
STATE	WORK/REST. CTR.	443-480
	TREATMENT & SERVICES	
STATE	ANGER MANAGEMENT	147
STATE	COGNITIVE RESTRUCT	255
STATE	EDUCATION	225
STATE	EMPLOYMENT	N/A
STATE	INST. WORK RELEASE	117
STATE	MENTAL HEALTH	757
STATE	SEX OFFENDER TX	664
STATE	SUB ABUSE AFTERCARE	108
STATE	SUB ABUSE INPT	125
STATE	SUB ABUSE OUTP	1,485
STATE	TRANSITION HOUSING	128
STATE	TRANSITION SERVICES	843
	OTHER SERVICES	
STATE	ANTABUSE SUPPORT	N/A
STATE	POLYGRAPH	N/A
STATE	SUBSIDY	N/A
STATE	URINALYSIS	N/A

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Oregon Supreme Court/Oregon State Bar Task Force on Gender Fairness
Criminal and Juvenile Law Workgroup -- Charging Practices Survey

The Oregon Supreme Court-Oregon State Bar Task Force is studying whether and, if so, how the Oregon judicial system and legal profession treat people unfairly on the basis of gender. The Task Force will recognize fair treatment where it exists, and make recommendations for change where it does not.

As part of its data gathering effort, the Task Force's Criminal and Juvenile law work group is studying prosecutors' charging practices. We ask that you take a few moments and answer the following questions, based upon your experiences as a criminal defense or deputy district attorney in Oregon state courts. Please completely fill in the bubble to select the best answer. We also invite you to submit additional comments wherever you think they are necessary. Thank you for assisting us with this project. Unless instructed otherwise, please return this questionnaire to Dr. Annette Jolin, School of Urban and Public Affairs, PO Box 751, Portland State University, Portland, OR 97207-0751.

A. Workplace and Background.

1. How many prosecutors are there in your county (include those in juvenile court)?
   1 | 2-5 | 6-10 | 11-15 | 16 or more

2. Is the county where you practice: Primarily rural | Primarily urban | Mixed rural/urban

3. For how many years have you been a lawyer?
   0-1 | 1-2 | 2-4 | 4-6 | 6-8 | 8-10 | 10-12 | 12-15 | 15 +

4. How many years have you been a lawyer in active practice in Oregon?
   0-1 | 1-2 | 2-4 | 4-6 | 6-8 | 8-10 | 10-12 | 12-15 | 15 +

B. The next set of questions pertain to your prosecutors' charging practices. Please select the one best answer based upon your experience.

1. How often are prosecutors' charging decisions influenced by a suspect's gender?
   Never | Hardly ever | Sometimes | Often | Always

Please explain: _____

2. Generally, prosecutors are more likely to charge female suspects than male suspects.
   Never | Hardly ever | Sometimes | Often | Always

Please explain: _____

3. There are certain crimes for which prosecutors are more likely to charge female suspects than male suspects.
   Never | Hardly ever | Sometimes | Often | Always

Please explain: _____

4. Prosecutors are more likely to offer plea reductions to male than to female offenders.
   Never | Hardly ever | Somewhat | Often | Always

Please explain: _____

5. To what extent is a prosecutor's willingness to reduce the charges influenced by a defendant's gender?
   Never | Hardly ever | Somewhat | Often | Always

Please explain: _____

6. Prosecutors are more likely to reduce the charges for female defendants than they are for male defendants.
   Not at all | Hardly ever | Somewhat | Quite a bit | Completely

Please explain: _____

7. Does admissible evidence of a female suspect's sexual history influence prosecution decisions?
   Not at all | Hardly ever | Somewhat | Quite a bit | Completely

Please explain: _____

8. Does admissible evidence of a male suspect's sexual history influence prosecution decisions?
   Not at all | Hardly ever | Somewhat | Quite a bit | Completely

Please explain: _____

Please indicate whether you strongly disagree, disagree, agree, strongly agree, or are uncertain about the following statem

9. Prosecutors are more likely to charge women with young children than women who do not have children.
   Strongly Disagree | Disagree | Uncertain | Agree | Strongly Agree

Please explain: _____

PAGE 1 PLEASE CONTINUE ON THE BACK OF THIS FORM

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YEAR OF BIRTH Do not mark outside this line

10. Prosecutors are more likely to offer to reduce charges for women with young children than for women who do not have children.
Strongly Disagree Disagree Uncertain Agree Strongly Agree

Please explain:_____

11. Prosecutors are more likely to charge female suspects who use drugs when they are pregnant than they are to charge female suspects who use drugs but are not pregnant.
Strongly Disagree Disagree Uncertain Agree Strongly Agree

Please explain:_____

12. Prosecutors are more likely to recommend jail or prison time (or a longer sentence) for a pregnant substance abuser than for a substance abuser (with the same criminal history facing the same charges) who is not pregnant.
Strongly Disagree Disagree Uncertain Agree Strongly Agree

Please explain:_____

13. Prosecutors are more likely to offer a plea reduction to female repeat offenders than to male repeat offenders.
Strongly Disagree Disagree Uncertain Agree Strongly Agree

Please explain:_____

14. There is no significant gender bias in the court system today.
Strongly Disagree Disagree Uncertain Agree Strongly Agree

Please explain:_____

15. A father who batters his children's mother should have the same rights to custody and/or visitation of the children.
Strongly Disagree Disagree Uncertain Agree Strongly Agree

Please explain:_____

C. This final set of questions is demographic in nature. Your answers to these questions will help us better analyze our data.

1. Sex: Male Female

2. Year of birth (Also please enter it in the bubbles at top of page)_____

3. Ethnic/Racial identity: Black/African-American Asian
Native American Hispanic/Latino/Chicano
Pacific Islander White (non-Hispanic)
Mixed_____ Other_____

4. Sexual Orientation:
Heterosexual/straight Gay/lesbian Bi-sexual Other_____

5. Relationship Status: Single and never married Married/living with domestic partner
Currently divorced Previously divorced (now remarried)
Widowed Other_____

6. Number of years you have worked as a prosecutor:
0-1 1-2 2-4 4-6 6-8 8-10 10-12 12-15 15 +

7. Do you have a disability and/or do others regard you as having a disability?
Always Often Sometimes Never

8. If you answered "always," "often" or "sometimes" to question #7, is your disability or the disability others regard you as having (mark all that apply): Physical disability Mental Disability
Is the disability noticeable? Yes No

If there is anything you wish to tell us regarding gender fairness and prosecutors' charging practices, or any other gender fairness issues in the justice system and/or legal professsion, please feel free to use additional sheets of paper.

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INTERACTIONS BETWEEN LAWYERS, CLIENTS, and STAFF
Topic Questions

I. Lawyers and Clients

1. Does gender matter in a client's selection of a lawyer?
If yes, does it vary with subject area or with the client's gender?

2. Does gender matter in a client's satisfaction with the lawyer?
If yes, does it vary with the client's gender, the lawyer's or both?

3. Does gender affect the working relationship between lawyer and client?

4. Is there sexual harassment of clients by lawyers or of lawyers by clients?
If yes, does it vary with the client's or lawyer's gender?

II. Lawyers and Staff

1. Are employment opportunities for legal secretaries, paralegals (legal assistants) and other support staff affected by gender?
If yes, is it the same in all types of legal employment?

2. Are advancement opportunities for legal secretaries, paralegals (legal assistants) and other support staff affected by gender?
If yes, is it the same in all types of legal employment?

3. Do lawyers, or their staff, subject their employees to sexual harassment?

4. Do lawyers, as employers, have policies against sexual harassment?
If yes, are such policies enforced?

III. Lawyers and Other Professionals

1. Are lawyers' decisions to hire court reporters and experts (consultants or witnesses) affected by gender?

2. Are the fees lawyers pay to such professionals affected by gender?

3. Is the relationship between lawyers and other professionals affected by gender?

4. Do other professionals experience sexual harassment by the lawyers with whom they work?

VI. Staff and Clients

1. Are the relationships between clients and staff affected by gender?

2. Do staff persons employed by lawyers experience sexual harassment by clients?

3. Do clients experience sexual harassment by staff persons employed by lawyers?

V. Clients and Other Professionals

1. Are the relationships between clients and other professionals affected by gender?

2. Do other professionals employed by lawyers experience sexual harassment by staff employees of lawyers?

3. Do staff members experience sexual harassment by other professionals employed by lawyers?

VI. Gender Fairness at the Office of the Oregon State Bar (OSB)

1. Are employment opportunities affected by gender?
If yes, does it relate to whether the position is "professional" or clerical?

2. Are advancement opportunities affected by gender?
If yes, does it relate to whether the position is "professional" or clerical?

3. Do employees experience sexual harassment at work?

4. Does the OSB have a policy on sexual harassment?
If yes, is it enforced?

May 21, 1997

Judy Snyder
Hoevet & Snyder
900 SW Fifth Avenue, Suite 2100
Portland, Oregon 97204

RE: Client Survey for Oregon Supreme Court / Oregon State Bar Task Force on Gender Fairness

Dear Ms. Snyder:

Recently, Steve Lawrence spoke to you regarding a client survey being conducted by a work group of the Oregon Supreme Court / Oregon State Bar Task Force on Gender Fairness. Your firm graciously agreed to participate.

The survey instrument and a cover letter from Justice Susan Graber are enclosed. Please make 50 copies and send them to the last 50 clients whose cases or matters have been closed by your firm. Please do not attempt to sort, screen or select clients to whom the survey is sent. If you find it necessary to exclude a client, please let us know that you have done so, and why, so that we can make the necessary adjustments in our analysis.

If the client was not an individual (*e.g.*, a corporation, partnership or association), please send the survey to the person who had the most contact with your firm. In some cases, that will *not* be the same person as the one to whom billings were sent.

Please also send a pre-addressed, postage-paid return envelope with each survey. A #10 envelope should be used, with the proper postage. Because we promise the survey respondents (and you) anonymity, both the return *and* mailing address on the envelope should be as follows -

Jessica Mindlin, Coordinator
Task Force on Gender Fairness
Supreme Court Building
1163 State Street
Salem, OR 97310

Time is of the essence. You will see that the survey document requests that it be returned by June 13, 1997. ***Please mail it to your clients no later than May 30th.***

Thank you again for your participation in this survey and your commitment to the pursuit of gender fairness in Oregon.

Sincerely,

JANICE R. WILSON
Chair, Work Group on Interactions

JRW:svb
enclosures

THE SUPREME COURT
SUSAN P. GRABER
ASSOCIATE JUSTICE

May 23, 1997

1163 STATE STREET
SALEM, OREGON 97310
Telephone: (503) 378-6024
FAX: (503) 373-7536
New telephone (503) 986-5721
New FAX (503) 986-5730

Dear Client Survey Respondent:

You are one of a select group of people being asked to participate in a survey of clients conducted by the Task Force on Gender Fairness. We deeply appreciate your taking the time to help us.

The Task Force on Gender Fairness was appointed in December 1995 by the Chief Justice of the Oregon Supreme Court and the President of the Oregon State Bar. Our goal is to study whether and, if so, how the Oregon judicial system and legal profession treat people unfairly on the basis of gender, to recognize fair treatment where it exists, and to make recommendations for change where it does not.

As part of our study, we are trying to learn whether gender plays a role in the client's selection of a lawyer and in the interaction between lawyer and client. The enclosed survey is an essential part of that effort and should take only about 10 minutes to complete.

Your answers to this survey are anonymous. The firm that has sent this survey to you has not revealed your identity to us. There is no way we can trace or link a particular questionnaire to a particular client, lawyer, or law firm.

Because a limited number of clients are being surveyed, your response is very important. An envelope with postage paid is enclosed for your convenience in returning it. **Please mail the survey back to Jessica Mindlin by June 13, 1997.**

Thank you for your help.

Sincerely,

Susan P. Graber

Susan P. Graber, Co-chair
Task Force on Gender Fairness

Enc.

CIRCUIT COURT OF THE STATE OF OREGON
for MULTNOMAH COUNTY
MULTNOMAH COUNTY COURTHOUSE
1021 SW FOURTH AVENUE
PORTLAND, OR 97204-1123
(503) 248-3069

JANICE R. WILSON
JUDGE

DEPARTMENT 12
COURTROOM 216

March 7, 1997

Sample letter
to indigent
defense contractors.

Al Karpinski, Esq.
621 SW Morrison, Suite 315
Portland, Oregon 97205

RE: Gender Fairness Task Force

Dear Mr. Karpinski:

The Oregon Supreme Court and Oregon State Bar Task Force on Gender Fairness has several "work groups" studying various issues. I chair the work group charged with investigating, among other things, the effect of gender on interactions between lawyer and client.

Our work group is gathering data on the role (if any) of gender on the client's *selection* of a lawyer, or the assignment of a case. As part of that investigation, we would appreciate your sending us a brief description of how cases and clients are assigned to lawyers in your firm, whether gender is ever a factor, and, if so, in what circumstances.

Please respond by letter addressed to me at the courthouse. Thank you, in advance, for your assistance with this important project.

Sincerely,

JANICE R. WILSON
Circuit Court Judge

JRW:svb

Memorandum

7/30/97

TO: Judge Wilson
FROM: Andrew M. Kohlmetz
RE: Indigent Defense Case Assignment Survey

In April, 1997, we sent letters to forty-six law offices throughout Oregon requesting information on how cases and clients were assigned to lawyers within each firm. Specifically, we asked if gender was ever a factor in the assignment process, and, if so, under what circumstances. A sample of this letter is attached as an appendix. In Multnomah County, the letter was sent to all law firms which have a contract with the State of Oregon to provide indigent defense services. For other parts of the state, we sent a letter to all indigent defense contractors which had at least one female and one male attorney. This list of firms was provided by Ann Christian, Director of the Indigent Defense Services Division. As of July 30, 1997, we had received thirty-six responses.

Of all thirty-six respondents, only one indicated that gender played a role in the initial attorney appointment. Metropolitan Public Defender of Washington County indicated that in rare case, primarily when a court juvenile counselor files a delinquency petition but does not set the matter for a preliminary hearing or when an attorney has previously withdrawn on a case, the gender of an attorney might then play a role in the initial internal appointment. However, gender is not a factor in the initial court appointments in juvenile cases in Washington County.

In all cases, participating firms, consortiums, and individual attorneys were assigned cases on a strict rotational basis (ten firms), or on a modified rotational basis taking into account factors such as an attorney's case load, level of experience, and type of case (twenty three firms). One two-attorney firm stated that each attorney handled all appointments from a specific county. (Bettis & Associates, Umatilla and Morrow Counties.) Two respondents were sole practitioners and handled all of their own appointments. (Amanda Burnett in Coos County, and Geoffrey Silver in Multnomah County.)

Of the thirty-six respondents, twenty-five indicated that no exceptions were made in the assignment process based on the gender of either the attorney or the client. However, two of these twenty-five respondents indicated that the *assistance* of

an attorney or staff member of the opposite gender was sometimes required after the initial appointment.

*Liebowitz and Associates (Multnomah County) indicated that if a client has trouble accepting advice from a male or female attorney, an attorney of the other gender will meet with the client in order to give advice and assist the primary attorney. However, reassignment does not occur based on gender issues.

*Public Defender Services of Lane County (Lane County) indicated that a male investigator may be present if a female attorney feels physically threatened by a male client during the client interview.

REASONS GIVEN FOR GENDER-BASED EXCEPTIONS

The eleven respondents who indicated that gender did play a role in the assignment process gave three rationales for taking gender into consideration: because of inappropriate conduct (aggressive and/or sexual) on the part of the client; by the specific request of the client; and based on the subject matter or facts underlying the case.

Three firms made exceptions in the standard appointment process based on a client's inappropriate conduct:

*McKeown & Brindle, P.C. (Multnomah County) indicated that since 1989, two male clients inappropriately fixated on a female attorney. When the attorneys brought it to the attention of the firm, the client was reassigned to a male attorney. There have also been several times when a male client "fixated" on non-attorney female staff. Male staff were then assigned to replace the female(s) in such cases.

*Washington County Indigent Defenders (Clackamas County) indicated that gender becomes an issue only when the court indicates to the firm that a particular client is hostile towards female attorneys, or if he or she is known to act inappropriately towards female attorneys.

*Metropolitan Public Defender (Washington County) indicated that, on an extremely rare basis, they are asked to assign an attorney of a particular gender to an adult case when it is clear that the client has an adversity to a male or female attorney.

Four firms indicated that they would honor a gender-specific request made by a client:

*Southwestern Oregon Public Defender Services, Inc. (Coos and Curry Counties) indicated that although they honor such requests, they are very rare.

*Jackson Juvenile Consortium (Jackson County) indicated that while such a request has never been made, they assume that they might be able to accommodate the client.

*District Court Defenders (Deschutes County) indicated that on rare occasions clients ask for an attorney of a specific gender. These requests are honored.

*Metropolitan Public Defender (Washington County) indicated that in juvenile court appointments, juvenile counselors sometimes request an attorney of a particular gender. When such a request is made it is generally honored.

Five firms indicated that they make gender-based assignments because of the subject matter or facts underlying the case:

*Saxon, Marquoit, Bertoni & Todd (Multnomah County) indicated that gender plays a role only in a small percentage of cases where it is determined that the case allegations or facts suggest that the client would be more comfortable with an attorney of the same gender.

*Benton County Legal Defense Corporation (Benton County) indicated that gender-based exceptions were made only when a juvenile worker specifically requests a female attorney for a young female client when sensitive or sexual subject matter is involved.

*Lane Juvenile Lawyers Association (Lane County) indicated that in rare cases, usually involving a replacement attorney, consideration is given to gender. The responding attorney related a specific instance involving a female juvenile client who had been molested by a male who bore a physical semblance to the male attorney originally appointed on the case. Based on the request of the child's guardian, the male attorney withdrew and a female attorney was appointed.

*Olsen, Huffman & Horn (Columbia County) indicated that if a female client were to request a female attorney, due to the sensitive nature of the case, they would likely honor the request.

*Independent Defenders, Inc. (Clackamas County) indicated that they will attempt to appoint a female attorney only when a teenage girl is the victim of sexual abuse.

GENDER-BASED EXCEPTIONS: ADULT AND JUVENILE CASES

All eleven responses which indicated that gender may play a role in the assignment process were further examined to determine whether gender-based exceptions were made in adult cases, in juvenile cases, or in all cases. We also looked to see if such exceptions occurred only when the client was female, or if they were made regardless of the client's gender.

A) Juvenile Cases:

Four respondents make gender based exceptions for *female* clients in juvenile cases. (Lane Juvenile Lawyers Association, Benton County Legal Defense Corp., Metropolitan Public Defender of Washington County, and Independent Defenders Inc.)

One respondent would make gender-based exceptions for clients of either gender in juvenile cases, although they have yet to do so. (Jackson Juvenile Consortium.)

B) Adult Cases:

Two respondents make gender-based exceptions for *female* adult clients. (McKeown & Brindle P.C., and Washington County Indigent Defenders.)

Two respondents make gender-based exceptions for clients of either gender in adult cases. (District Court Defenders, and Southwestern Oregon Public Defender.)

C) Adult and Juvenile Cases:

One respondent makes gender-based exceptions for *female* clients in both juvenile and adult cases. (Saxon, Marquoit & Bertoni.)[1]

GENDER BASED EXCEPTIONS BY PRACTICE TYPE

The eleven responses which indicated that gender may play a role in the assignment process were then broken down by practice type, *i.e.* whether they handled adult, juvenile, or both types of cases.

A) Adult Cases:

One respondent indicated that their firm handled only adult cases. This firm would replace a *female* attorney with a male one due to inappropriate conduct on the part of the client. (Washington County Indigent Defenders.)

B) Juvenile Cases:

Three respondents indicated that they handled only juvenile cases. Two of these indicated that they would replace a *male* attorney with a female one either upon the client's request, or due to the facts of the case. (Lane Juvenile Lawyers Association, and Independent Defenders Inc., respectively.) The third respondent indicated that they would replace an attorney of either gender based upon the request of the client. (Jackson Juvenile Consortium.)

C) Adult and Juvenile Cases:

Seven respondents indicated that they handled both adult and juvenile cases. Of these seven, four indicated that they will replace an attorney for gender related reasons in both adult and juvenile cases. Of these four, three indicated that they replace attorneys of either gender. (Southwestern Oregon Public Defender Services, District Court Defenders, and Metropolitan Public Defender of Washington

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[1] One respondent makes gender based exceptions for *female* clients, but does not indicate whether they do so in adult, juvenile, or both types of cases. The firm does handle both adult and juvenile cases. (Olsen, Huffman & Horn.)

County.) The last would only replace a *male* attorney with a female one based on the facts of the case. (Olsen, Huffman & Horn.)

Two of the firms which handled both adult and juvenile cases make gender related attorney replacements only in juvenile cases. Both indicate that they will replace a *male* attorney with a female one based on the facts of the case. (Benton County Legal Defense Corp., and Independent Defenders Inc.)

Finally, one firm that handles both adult and juvenile cases indicated that they make gender related attorney replacements only in adult cases. This firm indicates that it will replace a female attorney with a male one based upon the inappropriate conduct of a male client. (McKeown & Brindle P.C.)

MEMORANDUM

To: Donna Richardson

From: Kay Pulju

Re: LRS requests for female attorneys

Date: October 7, 1996

~ ~ ~

Statistics Male/Female

	Active Members	%
Total	9,351	100.0
Male	6,924	74.0
Female	2,427	26.0
	Private Practice	%
Total	6,011	100.0
Male	4,793	79.7
Female	1,218	20.3
	Government Employees	%
	PLF Exempt	
Total	1,413	100.0
Male	937	66.3
Female	476	33.7
	Legal Aid Attorneys + Criminal Defense	%
Total	67	100.0
Male	30	44.8
Female	37	55.2
	Fee Arbitration Claims*	%
Total	212	100.0
Male	188	88.7
Female	24	11.3
	Client Security Fund Claims	%
Total	359	100.0
Male	336	93.6
Female	23	6.4

* last 2 yrs, only

Discipline Statistics by Male/Female

3/13/97

Complaints Filed		
	1996	**%**
Total	1732	100.0
Male	1457	84.1
Female	275	18.9
# of Attorneys Disciplined		
	1996	**%**
Total	58	100.0
Male	51	87.9
Female	7	12.1

OREGON STATE BAR
1935

February 24, 1997

5200 S.W. Meadows Road, P.O. Box 1689, Lake Oswego, Oregon 97035-0889
(503) 620-0222 or WATS 1-800-452-8260, FAX: (503) 684-1366

Hon Janice R Wilson
Circuit Court Judge
Multnomah Co Courthouse
1021 SW 4th Ave
Portland, OR 97204

Dear Judge Wilson:

After our meeting last week, I contacted Bob Flick from Flikirs Professional Services, the group that conducted the most recent Economic Survey. I asked Bob if he could break down billing practices (page 23 of report, attached) by sex. Mr. Flick was kind enough to provide that information at no charge. I did not ask for the breakdown by location in the state.

Hours Billed per Month	**Male**	**Female**
Average	107	98
Median	120	110

Hourly Billing Rate	**Male**	**Female**
Low	10	20
Average	126	111
Median	125	110
High	265	225

By copy of this letter, I am providing this information to Judge Maurer, Chair of Opportunities in the Legal Profession Work Group and Diane Rynerson, OWLS.

Very truly yours,

Donna J. Richardson
Executive Services Administrator

cc: Judge Jean Maurer
Diane Rynerson

Drichardson/djr/gftf.wilson.letter

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SAMPLE SEXUAL HARASSMENT POLICY

- CHAPTER 5 -

PERSONNEL

5.1 Nondiscrimination and Harassment. It is the policy of to grant equal opportunity to all qualified persons without regard to race, creed, color, sex, age, national origin, religion, physical or mental disability or veteran status, or any other protected classification. We believe that denying or limiting a person's contribution to our efforts because he or she is a member of a protected category is an injustice to the individual and to this firm. It is our intent and desire that equal opportunity shall be provided in employment, promotions, wages, benefits, and all other privileges, terms, and conditions of employment.

It is also our policy that employees should be able to work in an environment free from all forms of discrimination and harassment, including, but not limited to, sexual and gender harassment, religious harassment, and national origin harassment. We consider all forms of harassment to be intimidating misconduct which undermines the integrity of the employment relationship, damages morale and interferes with work effectiveness. Such conduct is prohibited and will not be tolerated.

Harassment on the basis of sex is a violation of federal and state law. It is discrimination related to or because of an individual's gender. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when such conduct is directed toward an individual because of that individual's gender, and:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Any employee or applicant for employment who believes himself or herself to be subjected to harassment is encouraged to bring any such incidents to the immediate attention of the

Any such complaints will be immediately investigated.

Legal Secretaries Survey
Task Force on Gender Fairness
Interactions Work Group

The Task Force on Gender Fairness was appointed in January of 1996 by Chief Justice Wallace Carson and then OSB President Dennis Karnopp. Its charge is to investigate and report on gender issues in Oregon's justice system and legal profession. The Task Force is co-chaired by Oregon Supreme Court Justice Susan Graber and past President of the Oregon State Bar, Robert Fraser. The study is to be conducted in a way to ensure that it is unbiased and is thorough in its documentation. The Task Force was divided into Work Groups. Multnomah County Circuit Court Judge Janice R. Wilson chairs the Interactions Work Group charged with investigating gender fairness, as well as the role of gender in interaction between attorneys, clients, staff and other professionals.

It is important that all people who receive the survey respond. It should only take 10 minutes to complete. Because the survey questions can be personal or sensitive in nature, **your answers and comments are strictly anonymous and voluntary**. There is no way to identify who completed a particular questionnaire. Thank you for helping the Interactions Work Group of the Task Force on Gender Fairness by answering this survey.

If you wish to comment upon questions or qualify any answers, please feel free to write in the margins. Your comments will be read and taken into account.

Please return the completed survey in the enclosed envelope by **Friday, May 16, 1997**.

As a legal secretary, you are in a unique position to help us evaluate how you and others have been treated by the Oregon justice system and the legal community.

Section I *The following questions deal with your overall perception of gender bias issues. Please check the box for each question.*

A. Which of the following statements best describes your overall perception of gender bias against women in your workplace at the present time?

(Please check one)

- ❑ 1. There is no gender bias against women.
- ❑ 2. Gender bias against women exists, but only in a few areas and with certain individuals.
- ❑ 3. Gender bias against women is widespread, but subtle and hard to detect.
- ❑ 4. Gender bias against women is widespread and readily apparent.

B. Which of the following statements best describes your overall perception of gender bias against men in your workplace at the present time?

(Please check one)

- ❑ 1. There is no gender bias against men.
- ❑ 2. Gender bias against men exists, but only in a few areas and with certain individuals.
- ❑ 3. Gender bias against men is widespread, but subtle and hard to detect.
- ❑ 4. Gender bias against men is widespread and readily apparent.

C. In your opinion, how has gender bias changed over the past few years?

(Please check one)

- ❑ 1. There is less gender bias now than in the past.
- ❑ 2. There is more gender bias now than in the past.
- ❑ 3. There is the same amount of gender bias now as in the past.
- ❑ 4. There has never been any gender bias, now or in the past.

Comments from Questions A,B,C: _____

_____

_____

_____

	Always	Often	Sometimes	Rarely	Never	No Basis for Judgment
D. Are you asked to perform duties that would **not** be asked of a person of the opposite sex?	❑	❑	❑	❑	❑	❑
E. Are there duties that you are **not** allowed to perform because of your gender?	❑	❑	❑	❑	❑	❑
F. Are **men's** opportunities for job advancement in your workplace limited because of gender?	❑	❑	❑	❑	❑	❑
G. Are **women's** opportunities for job advancement in your workplace limited because of gender?	❑	❑	❑	❑	❑	❑
H. Are **men** given preference in appointments to **supervisory** positions?	❑	❑	❑	❑	❑	❑
I. Are **men** given preference in appointments to **management** positions?	❑	❑	❑	❑	❑	❑
J. Are **men** given preference in appointments to **support** positions?	❑	❑	❑	❑	❑	❑
K. Are **women** given preference in appointments to **supervisory** positions?	❑	❑	❑	❑	❑	❑
L. Are **women** given preference in appointments to **management** positions?	❑	❑	❑	❑	❑	❑
M. Are **women** given preference in appointments to **support** positions?	❑	❑	❑	❑	❑	❑
N. Are your opinions on work-related matters given less weight than those of a person of the opposite gender?	❑	❑	❑	❑	❑	❑
O. Have you been given special work duties because of your gender **and** some characteristic you have (example: race, age, sexual orientation, disability)?	❑	❑	❑	❑	❑	❑

P. Have you been discriminated against in your **current** place of employment on the basis of gender? ❑ Yes ❑ No

Q. Were you discriminated against at a **previous** place of empoyment in the legal field on the basis of gender? ❑ Yes ❑ No

R. If the answer to **P** or **Q** is "yes," did you take any action (e.g., file a complaint) as a result? ❑ Yes ❑ No

S. Have you been discriminated against because of your age? ❑ Yes ❑ No

T. Have you experienced different treatment of men and women who hold similar positions regarding family care issues? ❑ Yes ❑ No

U. Check your preference for working for: ❑ Man ❑ Woman ❑ No Preference

Section II. *The following questions deal with gender issues and interaction in the Oregon justice system and the legal community. You will be asked to answer each question with "always," "often," "sometimes," "rarely," "never," or "no basis for judgment."*

	Always	Often	Sometimes	Rarely	Never	No Basis for Judgment
A. Are **female attorneys** addressed by first names when **male attorneys** are not?	❑	❑	❑	❑	❑	❑
B. Are **female attorneys** addressed by terms of endearment (e.g. honey, dear, sweetie, babe, girl) when **male attorneys** are not?	❑	❑	❑	❑	❑	❑
C. Are **female legal secretaries** addressed by first names when **male legal secretaries** members are not?	❑	❑	❑	❑	❑	❑
D. Are **female legal secretaries** addressed by terms of endearment (e.g., honey, dear, dear, sweetie, babe, girl) when **male legal secretaries** are not?	❑	❑	❑	❑	❑	❑
E. Are **male attorneys** addressed by first names when **female attorneys** are not?	❑	❑	❑	❑	❑	❑
F. Are **male attorneys** addressed by terms of endearment (e.g., honey, dear, sweetie, son, young man, boy) when **female attorneys** are not?	❑	❑	❑	❑	❑	❑
G. Are **male legal secretaries** addressed by first names when **female legal secretaries** are not?	❑	❑	❑	❑	❑	❑
H. Are **male legal secretaries** addressed by terms of endearment (e.g., honey, dear, sweetie, son, young man, boy) when **female legal secretaries** are not?	❑	❑	❑	❑	❑	❑
I. Are comments made about the physical appearance or apparel of **women** more often than such comments are made about men?.	❑	❑	❑	❑	❑	❑
J. Are comments made about the physical appearance or apparel of **men** more often than such comments are made about women?	❑	❑	❑	❑	❑	❑
K. Have you been addressed by your first name or terms of endearment (e.g., honey, dear, sweetie, babe, girl, son, young man, boy) when members of the opposite sex were not?	❑	❑	❑	❑	❑	❑
	[go to question L]			*[go to Section III]*		
L. If you answered "always", "often," or "sometimes" to **K**, did you find it objectionable to:						
1. Be addressed by your first name?	❑	❑	❑	❑	❑	❑
2. Be addressed by terms of endearment (e.g., honey, dear, sweetie, babe, girl, son, young man, boy)?	❑	❑	❑	❑	❑	❑

Section III. *The following questions deal with issues of sexual harassment. Answer "yes" or "no." Please comment where appropriate.*

A. Does your workplace have a policy on sexual harassment? . . . . . ❑ Yes *(go to question B)* ❑ No *(go to question C)*

B. If the answer to **A** is yes, is it enforced? . . . . . ❑ Yes ❑ No

C. Does your workplace provide formal training regarding sexual harassment? . . . . . ❑ Yes ❑ No

D. Have you been harassed on the basis of gender at your **current** place of employment? ❑ Yes ❑ No

E. Were you harassed on the basis of gender at a **previous** place of employment in the legal field? . . . . . ❑ Yes ❑ No

Section IV. *The last set of questions asks about your knowledge of sexual harassment in your workplace and at your previous places of employment. For each behavior listed, please indicate by checking the appropriate box whether:*

- You have personally experienced such behavior
- You have heard that other staff experienced such behavior although you yourself were not the object; or
- You have never experienced, seen or heard about such behavior occurring.

[Check all that apply]	In Your Current Workplace			In Previous Workplaces		
	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced
A. Have you been asked for sexual favors in exchange for employment security or opportunity?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑
B. Have you experienced requests for unwelcome sexual activity?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑
C. Have you experienced unwelcome physical touching of a sexual nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑

	In Your Current Workplace			In Previous Workplaces		
	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced
D. Have you experienced unwelcome verbal jokes or comments of a sexual nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑
E. Have you been subjected to unwelcome objects, pictures, or calendars of a sexually explicit nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑

Section V. *General Background*

Please answer the following questions which deal with demographics. In order to determine what factors. if any, might affect people's experiences with gender issues in the justice system and the legal community, we are asking for more detailed information than do most surveys. Although responses are **optional**, *having this information will make the survey more meaningful.*

1. Sex:
- ❑ Male
- ❑ Female

2. Year of Birth:
[ ]

3. Number of years in your current position?
- ❑ 2 years or less
- ❑ 3-7 years
- ❑ Over 8

4. Is your job?
- ❑ Legal Secretary/Legal Assistant
- ❑ Professional/Technical Support
- ❑ Other (please indicate position _____)

5. Do you have supervisory responsibilities?
- ❑ Yes
- ❑ No

6. Ethnicity/Race:
- ❑ African-American
- ❑ Asian
- ❑ Hispanic
- ❑ Native American
- ❑ Pacific Islander
- ❑ White (non-Hispanic)
- ❑ Other _____

7. Sexual Orientation:
- ❑ Straight/heterosexual
- ❑ Gay/Lesbian
- ❑ Bisexual
- ❑ Other _____

8. Current marital status (check all that apply):
- ❑ Single, never married
- ❑ Divorced
- ❑ Married/living as married
- ❑ Widowed
- ❑ Separated

❑ Other _____

9. Do you have children?
- ❑ Yes
- ❑ No

10. If yes, number of children living at home?

[ ]

11. Do you have disabilities?
- ❑ Always
- ❑ Often
- ❑ Sometimes
- ❑ Never

a. Check all that apply:
- ❑ Physical Disability
- ❑ Mental Disability

b. Is the disability visible or noticeable?
- ❑ Yes
- ❑ No

12. Do you ❑own or ❑rent your home?

13. Level of education (check highest level completed):
- ❑ some high school (no diploma and no GED)
- ❑ GED or high school (diploma)
- ❑ some college
- ❑ college degree
- ❑ post-graduate work
- ❑ post-graduate degree

14. Date of highest degree?

[ ]

15. What language do you speak most at home?
- ❑ English
- ❑ Spanish
- ❑ Russian
- ❑ Korean
- ❑ Vietnamese
- ❑ American Sign Language
- ❑ Other _____

Additional Comments.

Thank you for taking the time to fill out this survey. Please mail in the enclosed envelope and **return by May 16, 1997**

Oregon State Bar Survey
Task Force on Gender Fairness
Interactions Work Group

The Task Force on Gender Fairness was appointed in January of 1996 by Chief Justice Wallace Carson and then OSB President Dennis Karnopp. Its charge is to investigate and report on gender issues in Oregon's justice system and legal profession. The Task Force is co-chaired by Oregon Supreme Court Justice Susan Graber and past President of the Oregon State Bar, Robert Fraser. The study is to be conducted in a way to ensure that it is unbiased and is thorough in its documentation. The Task Force was divided into Work Groups. Multnomah County Circuit Court Judge Janice R. Wilson chairs the Interactions Work Group charged with investigating gender fairness for employees of the Oregon State Bar, as well as the role of gender in interaction between attorneys, clients, staff and other professionals.

It is important that all people who receive the survey respond. It should only take 10 minutes to complete. Because the survey questions can be personal or sensitive in nature, your answers and comments are strictly anonymous and voluntary. There is no way to identify who completed a particular questionnaire. Thank you for helping the Interactions Work Group of the Task Force on Gender Fairness by answering this survey.

If you wish to comment upon questions or qualify any answers, please feel free to write in the margins. Your comments will be read and taken into account.

Please return the completed survey in the box located in the lunchroom marked "GFTF Surveys."

As an employee of the Oregon State Bar, you are in a unique position to help us evaluate how you and others have been treated by the Oregon State Bar and the legal system.

Section I *The following questions deal with your overall perception of gender bias issues. Please check the box for each question.*

A. Which of the following statements best describes your overall perception of gender bias against women at the Oregon State Bar at the present time?

(Please check one)

- ❑ 1. There is no gender bias against women.
- ❑ 2. Gender bias against women exists, but only in a few areas and with certain individuals.
- ❑ 3. Gender bias against women is widespread, but subtle and hard to detect.
- ❑ 4. Gender bias against women is widespread and readily apparent.

B. Which of the following statements best describes your overall perception of gender bias against men at the Oregon State Bar at the present time?

(Please check one)

- ❑ 1. There is no gender bias against men.
- ❑ 2. Gender bias against men exists, but only in a few areas and with certain individuals.
- ❑ 3. Gender bias against men is widespread, but subtle and hard to detect.
- ❑ 4. Gender bias against men is widespread and readily apparent.

C. In your opinion, how has gender bias changed over the past few years?

(Please check one)

- ❑ 1. There is less gender bias now than in the past.
- ❑ 2. There is more gender bias now than in the past.
- ❑ 3. There is the same amount of gender bias now as in the past.
- ❑ 4. There has never been any gender bias, now or in the past.

Comments from Questions A,B,C: _____

_____

_____

_____

	Always	Often	Sometimes	Rarely	Never	No Basis for Judgment
D. Are you asked to perform duties that would **not** be asked of a person of the opposite sex?	❑	❑	❑	❑	❑	❑
E. Are there duties that you are **not** allowed to perform because of your gender?	❑	❑	❑	❑	❑	❑
F. Are **men's** opportunities for job advancement at the Oregon State Bar limited because of gender?	❑	❑	❑	❑	❑	❑
G. Are **women's** opportunities for job advancement at the Oregon State Bar limited because of gender?	❑	❑	❑	❑	❑	❑
H. Are **men** given preference in appointments to **supervisory** positions?	❑	❑	❑	❑	❑	❑
I. Are **men** given preference in appointments to **management** positions?	❑	❑	❑	❑	❑	❑
J. Are **men** given preference in appointments to **support** positions?	❑	❑	❑	❑	❑	❑
K. Are **women** given preference in appointments to **supervisory** positions?	❑	❑	❑	❑	❑	❑
L. Are **women** given preference in appointments to **management** positions?	❑	❑	❑	❑	❑	❑
M. Are **women** given preference in appointments to **support** positions?	❑	❑	❑	❑	❑	❑
N. Are your opinions on work-related matters given less weight than those of a person of the opposite gender?	❑	❑	❑	❑	❑	❑
O. Have you been given special work duties because of your gender **and** some characteristic you have (example: race, age, sexual orientation, disability)?	❑	❑	❑	❑	❑	❑

P. Have you ever been discriminated against on the basis of gender? ❑ Yes ❑ No

Q. If the answer to **P** is "yes," did you take any action (e.g., file a complaint) as a result of this? ❑ Yes ❑ No

R. Have you been discriminated against because of your age? ❑ Yes ❑ No

S. Have you experienced different treatment of men and women who hold similar positions regarding family care issues? ❑ Yes ❑ No

T. Check your preference for working for: ❑ Man ❑ Woman ❑ No Preference

Section II. *The following questions deal with gender issues and interaction at the Oregon State Bar. You will be asked to answer each question with "always," "often," "sometimes," "rarely," "never," or "no basis for judgment."*

	Always	Often	Sometimes	Rarely	Never	No Basis for Judgment
A. Are **female attorneys** addressed by first names when **male attorneys** are not?	❑	❑	❑	❑	❑	❑
B. Are **female attorneys** addressed by terms of endearment (e.g. honey, dear, sweetie, babe, girl) when **male attorneys** are not?	❑	❑	❑	❑	❑	❑
C. Are **female staff** members addressed by first names when **male staff** members are not?	❑	❑	❑	❑	❑	❑
D. Are **female staff** members addressed by terms of endearment (e.g., honey, dear, dear, sweetie, babe, girl) when **male staff** members are not?	❑	❑	❑	❑	❑	❑
E. Are **male attorneys** addressed by first names when **female attorneys** are not?	❑	❑	❑	❑	❑	❑
F. Are **male attorneys** addressed by terms of endearment (e.g., honey, dear, sweetie, son, young man, boy) when **female attorneys** are not?	❑	❑	❑	❑	❑	❑
G. Are **male staff** members addressed by first names when **female staff** members are not?	❑	❑	❑	❑	❑	❑
H. Are **male staff** members addressed by terms of endearment (e.g., honey, dear, sweetie, son, young man, boy) when **female staff** members are not?	❑	❑	❑	❑	❑	❑
I. Are comments made about the physical appearance or apparel of **women** more often than such comments are made about men?.	❑	❑	❑	❑	❑	❑
J. Are comments made about the physical appearance or apparel of **men** more often than such comments are made about women?	❑	❑	❑	❑	❑	❑
K. Have you been addressed by your first name or terms of endearment (e.g., honey, dear, sweetie, babe, girl, son, young man, boy) when members of the opposite sex were not?	❑	❑	❑	❑	❑	❑
	[go to question L]			*[go to Section III]*		
L. If you answered "always", "often," or "sometimes" to #K, did you find it objectionable to:						
1. Be addressed by your first name?	❑	❑	❑	❑	❑	❑
2. Be addressed by terms of endearment (e.g., honey, dear, sweetie, babe, girl, son, young man, boy)?	❑	❑	❑	❑	❑	❑

Section III. *The following questions deal with issues of sexual harassment. Answer "yes" or "no." Please comment where appropriate.*

A. Does the Oregon State Bar have a policy on sexual harassment? . . . . . ❑ Yes *(go to question B)*
❑ No *(go to question C)*

B. If the answer to **A** is yes, is it enforced? . . . . . ❑ Yes ❑ No

C. Does the Oregon State Bar provide formal training regarding sexual harassment? . . . . . ❑ Yes ❑ No

D. Have you ever been harassed on the basis of gender? . . . . . ❑ Yes ❑ No

Section IV. *The last set of questions asks about your knowledge of sexual harassment at the Oregon State Bar and at your previous places of employment. For each behavior listed, please indicate by checking the appropriate box whether:*

- You have personally experienced such behavior
- You have heard that other staff experienced such behavior although you yourself were not the object; or
- You have never experienced, seen or heard about such behavior occurring.

	At the Oregon State Bar			At Previous Places of Employment		
[Check all that apply]	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced
A. Have you been asked for sexual favors in exchange for employment security or opportunity?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
B. Have you experienced requests for unwelcome sexual activity?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
C. Have you experienced unwelcome physical touching of a sexual nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
D. Have you experienced unwelcome verbal jokes or comments of a sexual nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
E. Have you been subjected to unwelcome objects, pictures, or calendars of a sexually explicit nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑

Section V. *General Background*

Please answer the following questions which deal with demographics. Although responses are **optional**, *having this information will make the survey more meaningful.*

1. Sex:
- ❑ Male
- ❑ Female

2. Year of Birth:

[ ]

3. Number of years in your current position?
- ❑ 2 years or less
- ❑ 3-7 years
- ❑ Over 8

4. Is your position: (If you are an attorney and manager/administrator, please check both.)
- ❑ Administrative Support
- ❑ Attorney
- ❑ Program Manager
- ❑ Senior Administrator
- ❑ Professional/Technical Support
- ❑ Other (please indicate position _____)

5. Ethnicity/Race:
- ❑ African-American
- ❑ Asian
- ❑ Hispanic
- ❑ Native American
- ❑ Pacific Islander
- ❑ White (non-Hispanic)
- ❑ Other _____

6. Sexual Orientation:
- ❑ Straight/heterosexual
- ❑ Gay/Lesbian
- ❑ Bisexual
- ❑ Other _____

7. Current marital status (check all that apply):
- ❑ Single, never married
- ❑ Divorced
- ❑ Married/living as married
- ❑ Widowed
- ❑ Separated
- ❑ Other _____

8. Do you have children?
- ❑ Yes
- ❑ No

9. If yes, number of children living at home?

[ ]

10. Do you have disabilities?
- ❑ Always
- ❑ Often
- ❑ Sometimes
- ❑ Never

a. Check all that apply:
- ❑ Physical Disability
- ❑ Mental Disability

b. Is the disability visible or noticeable?
- ❑ Yes
- ❑ No

11. Do you ❑own or ❑rent your home?

12. Level of education (check highest level completed):
- ❑ some high school (no diploma and no GED)
- ❑ GED or high school (diploma)
- ❑ some college
- ❑ college degree
- ❑ post-graduate work
- ❑ post-graduate degree

13. Date of highest degree?

[ ]

14. What language do you speak most at home?
- ❑ English
- ❑ Spanish
- ❑ Russian
- ❑ Korean
- ❑ Vietnamese
- ❑ American Sign Language
- ❑ Other _____

Thank you for taking the time to fill out this survey. Please fold and place in the box located in the lunchroom marked "GFTF Surveys." Surveys will be delivered directly to the GFTF. **Please return by April 11, 1997**

Additional Comments? Go to page 6.

Additional Comments.

Professional Liability Fund Survey
Task Force on Gender Fairness
Interactions Work Group

The Task Force on Gender Fairness was appointed in January of 1996 by Chief Justice Wallace Carson and then OSB President Dennis Karnopp. Its charge is to investigate and report on gender issues in Oregon's justice system and legal profession. The Task Force is co-chaired by Oregon Supreme Court Justice Susan Graber and past President of the Oregon State Bar, Robert Fraser. The study is to be conducted in a way to ensure that it is unbiased and is thorough in its documentation. The Task Force was divided into Work Groups. Multnomah County Circuit Court Judge Janice R. Wilson chairs the Interactions Work Group charged with investigating gender fairness for employees of the Oregon State Bar, as well as the role of gender in interaction between attorneys, clients, staff and other professionals.

It is important that all people who receive the survey respond. It should only take 10 minutes to complete. Because the survey questions can be personal or sensitive in nature, your answers and comments are strictly anonymous and voluntary. There is no way to identify who completed a particular questionnaire. Thank you for helping the Interactions Work Group of the Task Force on Gender Fairness by answering this survey.

If you wish to comment upon questions or qualify any answers, please feel free to write in the margins. Your comments will be read and taken into account.

Please return the completed survey in the box located in the PLF lunchroom marked "GFTF Surveys."

As an employee of the Professional Liability Fund, you are in a unique position to help us evaluate how you and others have been treated by the Professional Liability Fund and the legal system.

Section I *The following questions deal with your overall perception of gender bias issues. Please check the box for each question.*

A. Which of the following statements best describes your overall perception of gender bias against women at the Professional Liability Fund at the present time?

(Please check one)

❑ 1. There is no gender bias against women.
❑ 2. Gender bias against women exists, but only in a few areas and with certain individuals.
❑ 3. Gender bias against women is widespread, but subtle and hard to detect.
❑ 4. Gender bias against women is widespread and readily apparent.

B. Which of the following statements best describes your overall perception of gender bias against men at the Professional Liability Fund at the present time?

(Please check one)

❑ 1. There is no gender bias against men.
❑ 2. Gender bias against men exists, but only in a few areas and with certain individuals.
❑ 3. Gender bias against men is widespread, but subtle and hard to detect.
❑ 4. Gender bias against men is widespread and readily apparent.

C. In your opinion, how has gender bias changed over the past few years?

(Please check one)

❑ 1. There is less gender bias now than in the past.
❑ 2. There is more gender bias now than in the past.
❑ 3. There is the same amount of gender bias now as in the past.
❑ 4. There has never been any gender bias, now or in the past.

Comments from Questions A,B,C: _____

_____

_____

_____

	Always	Often	Sometimes	Rarely	Never	No Basis for Judgment
D. Are you asked to perform duties that would **not** be asked of a person of the opposite sex?	❑	❑	❑	❑	❑	❑
E. Are there duties that you are **not** allowed to perform because of your gender?	❑	❑	❑	❑	❑	❑
F. Are **men's** opportunities for job advancement at the Professional Liability Fund limited because of gender?	❑	❑	❑	❑	❑	❑
G. Are **women's** opportunities for job advancement at the Professional Liability Fund limited because of gender?	❑	❑	❑	❑	❑	❑
H. Are **men** given preference in appointments to **supervisory** positions?	❑	❑	❑	❑	❑	❑
I. Are **men** given preference in appointments to **management** positions?	❑	❑	❑	❑	❑	❑
J. Are **men** given preference in appointments to **support** positions?	❑	❑	❑	❑	❑	❑
K. Are **women** given preference in appointments to **supervisory** positions?	❑	❑	❑	❑	❑	❑
L. Are **women** given preference in appointments to **management** positions?	❑	❑	❑	❑	❑	❑
M. Are **women** given preference in appointments to **support** positions?	❑	❑	❑	❑	❑	❑
N. Are your opinions on work-related matters given less weight than those of a person of the opposite gender?	❑	❑	❑	❑	❑	❑
O. Have you been given special work duties because of your gender **and** some characteristic you have (example: race, age, sexual orientation, disability)?	❑	❑	❑	❑	❑	❑

P. Have you been discriminated against in your **current** place of employment on the basis of gender? ❑ Yes ❑ No

Q. Were you discriminated against at a **previous** place of empoyment in the legal field on the basis of gender? ❑ Yes ❑ No

R. If the answer to **P** or **Q** is "yes," did you take any action (e.g., file a complaint) as a result? ❑ Yes ❑ No

S. Have you been discriminated against because of your age? ❑ Yes ❑ No

T. Have you experienced different treatment of men and women who hold similar positions regarding family care issues? ❑ Yes ❑ No

U. Check your preference for working for: ❑ Man ❑ Woman ❑ No Preference

Section II. *The following questions deal with gender issues and interaction* **at the Professional Liability Fund.** *You will be asked to answer each question with "always," "often," "sometimes," "rarely," "never," or "no basis for judgment."*

	Always	Often	Sometimes	Rarely	Never	No Basis for Judgment
A. Are **female attorneys** addressed by first names when **male attorneys** are not?	❑	❑	❑	❑	❑	❑
B. Are **female attorneys** addressed by terms of endearment (e.g. honey, dear, sweetie, babe, girl) when **male attorneys** are not?	❑	❑	❑	❑	❑	❑
C. Are **female staff** members addressed by first names when **male staff** members are not?	❑	❑	❑	❑	❑	❑
D. Are **female staff** members addressed by terms of endearment (e.g., honey, dear, dear, sweetie, babe, girl) when **male staff** members are not?	❑	❑	❑	❑	❑	❑
E. Are **male attorneys** addressed by first names when **female attorneys** are not?	❑	❑	❑	❑	❑	❑
F. Are **male attorneys** addressed by terms of endearment (e.g., honey, dear, sweetie, son, young man, boy) when **female attorneys** are not?	❑	❑	❑	❑	❑	❑
G. Are **male staff** members addressed by first names when **female staff** members are not?	❑	❑	❑	❑	❑	❑
H. Are **male staff** members addressed by terms of endearment (e.g., honey, dear, sweetie, son, young man, boy) when **female staff** members are not?	❑	❑	❑	❑	❑	❑
I. Are comments made about the physical appearance or apparel of **women** more often than such comments are made about men?	❑	❑	❑	❑	❑	❑
J. Are comments made about the physical appearance or apparel of **men** more often than such comments are made about women?	❑	❑	❑	❑	❑	❑
K. Have you been addressed by your first name or terms of endearment (e.g., honey, dear, sweetie, babe, girl, son, young man, boy) when members of the opposite sex were not?	❑	❑	❑	❑	❑	❑
	[go to question L]			*[go to Section III]*		
L. If you answered "always", "often," or "sometimes" to #K, did you find it objectionable to:						
1. Be addressed by your first name?	❑	❑	❑	❑	❑	❑
2. Be addressed by terms of endearment (e.g., honey, dear, sweetie, babe, girl, son, young man, boy)?	❑	❑	❑	❑	❑	❑

Section III. *The following questions deal with issues of sexual harassment. Answer "yes" or "no." Please comment where appropriate.*

A. Does the Professional Liability Fund have a policy on sexual harassment? . . . ❑ Yes *(go to question B)* ❑ No *(go to question C)*

B. If the answer to **A** is yes, is it enforced? . . . . . ❑ Yes ❑ No

C. Does the Professional Liability Fund provide formal training regarding sexual harassment? . . . . . ❑ Yes ❑ No

D. Have you been harassed on the basis of gender at your **current** place of employment? . . . . . ❑ Yes ❑ No

E. Were you harassed on the basis of gender at a **previous** place of employment in the legal field? . . . . . ❑ Yes ❑ No

Section IV. *The last set of questions asks about your knowledge of sexual harassment at the Professional Liability Fund and at your previous places of employment. For each behavior listed, please indicate by checking the appropriate box whether:*

- You have personally experienced such behavior
- You have heard that other staff experienced such behavior although you yourself were not the object; or
- You have never experienced, seen or heard about such behavior occurring.

[Check all that apply]	At the PLF			At Previous Places of Employment		
	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced
A. Have you been asked for sexual favors in exchange for employment security or opportunity?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
B. Have you experienced requests for unwelcome sexual activity?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
C. Have you experienced unwelcome physical touching of a sexual nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
D. Have you experienced unwelcome verbal jokes or comments of a sexual nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑

	At the PLF			At Previous Places of Employment		
	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced
E. Have you been subjected to unwelcome objects, pictures, or calendars of a sexually explicit nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑

Section V. *General Background*

Please answer the following questions which deal with demographics. In order to determine what factors. if any, might affect people's experiences with gender issues in the justice system and the legal community, we are asking for more detailed information than do most surveys. Although responses are **optional**, *having this information will make the survey more meaningful.*

1. Sex:
- ❑ Male
- ❑ Female

2. Year of Birth:
[ ]

3. Number of years in your current position?
- ❑ 2 years or less
- ❑ 3-7 years
- ❑ Over 8

4. Is your position: (If you are an attorney and director, please check both.)
- ❑ Administrative Support
- ❑ Attorney
- ❑ Director
- ❑ Advisor
- ❑ Professional/Technical Support
- ❑ Other (please indicate position _____)

5. Ethnicity/Race:
- ❑ African-American
- ❑ Asian
- ❑ Hispanic
- ❑ Native American
- ❑ Pacific Islander
- ❑ White (non-Hispanic)
- ❑ Other_____

6. Sexual Orientation:
- ❑ Straight/heterosexual
- ❑ Gay/Lesbian
- ❑ Bisexual
- ❑ Other _____

7. Current marital status (check all that apply):
- ❑ Single, never married
- ❑ Divorced
- ❑ Married/living as married
- ❑ Widowed
- ❑ Separated
- ❑ Other _____

8. Do you have children?
- ❑ Yes
- ❑ No

9. If yes, number of children living at home?
[ ]

10. Do you have disabilities?
- ❑ Always
- ❑ Often
- ❑ Sometimes
- ❑ Never

a. Check all that apply:
- ❑ Physical Disability
- ❑ Mental Disability

b. Is the disability visible or noticeable?
- ❑ Yes
- ❑ No

11. Do you ❑own or ❑rent your home?

12. Level of education (check highest level completed):

- ❑ some high school (no diploma and no GED)
- ❑ GED or high school (diploma)
- ❑ some college
- ❑ college degree
- ❑ post-graduate work
- ❑ post-graduate degree

13. Date of highest degree?

[ ]

14. What language do you speak most at home?

- ❑ English
- ❑ Spanish
- ❑ Russian
- ❑ Korean
- ❑ Vietnamese
- ❑ American Sign Language
- ❑ Other _____

Additional Comments.

Thank you for taking the time to fill out this survey. Please fold and place in the box located in the PLF lunchroom marked "GFTF Surveys." Surveys will be delivered directly to the GFTF. **Please return by May 9, 1997**

Court Reporters Survey
Task Force on Gender Fairness
Interactions Work Group

The Task Force on Gender Fairness was appointed in January of 1996 by Chief Justice Wallace Carson and then OSB President Dennis Karnopp. Its charge is to investigate and report on gender issues in Oregon's justice system and legal profession. The Task Force is co-chaired by Oregon Supreme Court Justice Susan Graber and past President of the Oregon State Bar, Robert Fraser. The study is to be conducted in a way to ensure that it is unbiased and is thorough in its documentation. The Task Force was divided into Work Groups. Multnomah County Circuit Court Judge Janice R. Wilson chairs the Interactions Work Group charged with investigating gender fairness, as well as the role of gender in interaction between attorneys, clients, staff and other professionals.

It is important that all people who receive the survey respond. It should only take 10 minutes to complete. Because the survey questions can be personal or sensitive in nature, **your answers and comments are strictly anonymous and voluntary**. There is no way to identify who completed a particular questionnaire. Thank you for helping the Interactions Work Group of the Task Force on Gender Fairness by answering this survey.

If you wish to comment upon questions or qualify any answers, please feel free to write in the margins. Your comments will be read and taken into account.

Please return the completed survey in the enclosed envelope by **Friday, May 9, 1997**.

As a court reporter, you are in a unique position to help us evaluate how you and others have been treated by the Oregon justice system and the legal community.

Section I *The following questions deal with your overall perception of gender bias issues. Please check the box for each question.*

A. Which of the following statements best describes your overall perception of gender bias against women in your workplace at the present time?

(Please check one)

- ❑ 1. There is no gender bias against women.
- ❑ 2. Gender bias against women exists, but only in a few areas and with certain individuals.
- ❑ 3. Gender bias against women is widespread, but subtle and hard to detect.
- ❑ 4. Gender bias against women is widespread and readily apparent.

B. Which of the following statements best describes your overall perception of gender bias against men in your workplace at the present time?

(Please check one)

- ❑ 1. There is no gender bias against men.
- ❑ 2. Gender bias against men exists, but only in a few areas and with certain individuals.
- ❑ 3. Gender bias against men is widespread, but subtle and hard to detect.
- ❑ 4. Gender bias against men is widespread and readily apparent.

C. In your opinion, how has gender bias changed over the past few years?

(Please check one)

- ❑ 1. There is less gender bias now than in the past.
- ❑ 2. There is more gender bias now than in the past.
- ❑ 3. There is the same amount of gender bias now as in the past.
- ❑ 4. There has never been any gender bias, now or in the past.

Comments from Questions A,B,C: _____

_____

_____

_____

	Always	Often	Sometimes	Rarely	Never	No Basis for Judgment
D. Are you asked to perform duties that would **not** be asked of a person of the opposite sex?	❑	❑	❑	❑	❑	❑
E. Are there duties that you are **not** allowed to perform because of your gender?	❑	❑	❑	❑	❑	❑
F. Are **men's** opportunities for job advancement in your workplace limited because of gender?	❑	❑	❑	❑	❑	❑
G. Are **women's** opportunities for job advancement in your workplace limited because of gender?	❑	❑	❑	❑	❑	❑
H. Are **men** given preference in appointments to **supervisory** positions?	❑	❑	❑	❑	❑	❑
I. Are **men** given preference in appointments to **management** positions?	❑	❑	❑	❑	❑	❑
J. Are **men** given preference in appointments to **support** positions?	❑	❑	❑	❑	❑	❑
K. Are **women** given preference in appointments to **supervisory** positions?	❑	❑	❑	❑	❑	❑
L. Are **women** given preference in appointments to **management** positions?	❑	❑	❑	❑	❑	❑
M. Are **women** given preference in appointments to **support** positions?	❑	❑	❑	❑	❑	❑
N. Are your opinions on work-related matters given less weight than those of a person of the opposite gender?	❑	❑	❑	❑	❑	❑
O. Have you been given special work duties because of your gender **and** some characteristic you have (example: race, age, sexual orientation, disability)?	❑	❑	❑	❑	❑	❑

P. Have you been discriminated against in your **current** place of employment on the basis of gender? ❑ Yes ❑ No

Q. Were you discriminated against at a **previous** place of empoyment in the legal field on the basis of gender? ❑ Yes ❑ No

R. If the answer to **P** or **Q** is "yes," did you take any action (e.g., file a complaint) as a result? ❑ Yes ❑ No

S. Have you been discriminated against because of your age? ❑ Yes ❑ No

T. Have you experienced different treatment of men and women who hold similar positions regarding family care issues? ❑ Yes ❑ No

U. Check your preference for working for: ❑ Man ❑ Woman ❑ No Preference

Section II. *The following questions deal with gender issues and interaction in the Oregon justice system and the legal community. You will be asked to answer each question with "always," "often," "sometimes," "rarely," "never," or "no basis for judgment."*

	Always	Often	Sometimes	Rarely	Never	No Basis for Judgment
A. Are **female attorneys** addressed by first names when **male attorneys** are not?	❑	❑	❑	❑	❑	❑
B. Are **female attorneys** addressed by terms of endearment (e.g. honey, dear, sweetie, babe, girl) when **male attorneys** are not?	❑	❑	❑	❑	❑	❑
C. Are **female court reporters** addressed by first names when **male court reporters** members are not?	❑	❑	❑	❑	❑	❑
D. Are **female court reporters** addressed by terms of endearment (e.g., honey, dear, dear, sweetie, babe, girl) when male court reporters are not?	❑	❑	❑	❑	❑	❑
E. Are **male attorneys** addressed by first names when **female attorneys** are not?	❑	❑	❑	❑	❑	❑
F. Are **male attorneys** addressed by terms of endearment (e.g., honey, dear, sweetie, son, young man, boy) when **female attorneys** are not?	❑	❑	❑	❑	❑	❑
G. Are **male court reporters** addressed by first names when **female court reporters** are not?	❑	❑	❑	❑	❑	❑
H. Are **male court reporters** addressed by terms of endearment (e.g., honey, dear, sweetie, son, young man, boy) when **female court reporters** are not?	❑	❑	❑	❑	❑	❑
I. Are comments made about the physical appearance or apparel of **women** more often than such comments are made about men?.	❑	❑	❑	❑	❑	❑
J. Are comments made about the physical appearance or apparel of **men** more often than such comments are made about women?	❑	❑	❑	❑	❑	❑
K. Have you been addressed by your first name or terms of endearment (e.g., honey, dear, sweetie, babe, girl, son, young man, boy) when members of the opposite sex were not?	❑	❑	❑	❑	❑	❑
	[go to question L]			*[go to Section III]*		
L. If you answered "always", "often," or "sometimes" to **K**, did you find it objectionable to:						
1. Be addressed by your first name?	❑	❑	❑	❑	❑	❑
2. Be addressed by terms of endearment (e.g., honey, dear, sweetie, babe, girl, son, young man, boy)?	❑	❑	❑	❑	❑	❑

Section III. *The following questions deal with issues of sexual harassment. Answer "yes", "no", or "does not apply." Please comment where appropriate.*

A. Does your workplace have a policy on sexual harassment? . . . . . ❑ Yes *(go to question B)*
❑ No *(go to question C)*
❑ Does not apply

B. If the answer to **A** is yes, is it enforced? . . . . . ❑ Yes ❑ No ❑ Does not apply

C. Does your workplace provide formal training regarding sexual harassment? ❑ Yes ❑ No ❑ Does not apply

D. Have you been harassed on the basis of gender at your **current** place of employment? . . . . . ❑ Yes ❑ No ❑ Does not apply

E. Were you harassed on the basis of gender at a **previous** place of employment in the legal field? . . . . . ❑ Yes ❑ No ❑ Does not apply

Section IV. *The last set of questions asks about your knowledge of sexual harassment on the job and at your previous places of employment. For each behavior listed, please indicate by checking the appropriate box whether:*

- You have personally experienced such behavior
- You have heard that other staff experienced such behavior although you yourself were not the object; or
- You have never experienced, seen or heard about such behavior occurring.

[Check all that apply]	In Your Current Job			In Previous Jobs		
	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced
A. Have you been asked for sexual favors in exchange for employment security or opportunity?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑
B. Have you experienced requests for unwelcome sexual activity?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑
C. Have you experienced unwelcome physical touching of a sexual nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑

	In Your Current Job			In Previous Jobs		
	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced
3. From an attorney?	❑	❑	❑	❑	❑	❑
D. Have you experienced unwelcome verbal jokes or comments of a sexual nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑
E. Have you been subjected to unwelcome objects, pictures, or calendars of a sexually explicit nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑

Section V. *General Background*

Please answer the following questions which deal with demographics. In order to determine what factors. if any, might affect people's experiences with gender issues in the justice system and the legal community, we are asking for more detailed information than do most surveys. Although responses are **optional**, *having this information will make the survey more meaningful.*

1. Sex:
- ❑ Male
- ❑ Female

2. Year of Birth:
[ ]

3. Number of years in your current position?
- ❑ 2 years or less
- ❑ 3-7 years
- ❑ Over 8

4. Is your job:
- ❑ Official Court Reporter
- ❑ Freelance Firm Owner
- ❑ Freelance FirmEmployee
- ❑ Independent Contractor
- ❑ Other (please indicate position _____)

5. Do you have supervisory responsibilities?
- ❑ Yes
- ❑ No

6. Ethnicity/Race:
- ❑ African-American
- ❑ Asian
- ❑ Hispanic
- ❑ Native American
- ❑ Pacific Islander
- ❑ White (non-Hispanic)
- ❑ Other _____

7. Sexual Orientation:
- ❑ Straight/heterosexual
- ❑ Gay/Lesbian
- ❑ Bisexual
- ❑ Other _____

8. Current marital status (check all that apply):
- ❑ Single, never married
- ❑ Divorced
- ❑ Married/living as married
- ❑ Widowed
- ❑ Separated
- ❑ Other _____

9. Do you have children?
- ❑ Yes
- ❑ No

10. If yes, number of children living at home?

[ ]

11. Do you have disabilities?
- ❑ Always
- ❑ Often
- ❑ Sometimes
- ❑ Never

a. Check all that apply:
- ❑ Physical Disability
- ❑ Mental Disability

b. Is the disability visible or noticeable?
- ❑ Yes
- ❑ No

12. Do you ❑own or ❑rent your home?

13. Level of education (check highest level completed):
- ❑ some high school (no diploma and no GED)
- ❑ GED or high school (diploma)
- ❑ some college
- ❑ college degree
- ❑ post-graduate work
- ❑ post-graduate degree

14. Date of highest degree?

[ ]

15. What language do you speak most at home?
- ❑ English
- ❑ Spanish
- ❑ Russian
- ❑ Korean
- ❑ Vietnamese
- ❑ American Sign Language
- ❑ Other _____

Additional Comments.

Thank you for taking the time to fill out this survey. Please mail in the enclosed envelope and **return by May 9, 1997**

Paralegal/Legal Assistants Survey
Task Force on Gender Fairness
Interactions Work Group

The Task Force on Gender Fairness was appointed in January of 1996 by Chief Justice Wallace Carson and then OSB President Dennis Karnopp. Its charge is to investigate and report on gender issues in Oregon's justice system and legal profession. The Task Force is co-chaired by Oregon Supreme Court Justice Susan Graber and past President of the Oregon State Bar, Robert Fraser. The study is to be conducted in a way to ensure that it is unbiased and is thorough in its documentation. The Task Force was divided into Work Groups. Multnomah County Circuit Court Judge Janice R. Wilson chairs the Interactions Work Group charged with investigating gender fairness, as well as the role of gender in interaction between attorneys, clients, staff and other professionals.

It is important that all people who receive the survey respond. It should only take 10 minutes to complete. Because the survey questions can be personal or sensitive in nature, **your answers and comments are strictly anonymous and voluntary**. There is no way to identify who completed a particular questionnaire. Thank you for helping the Interactions Work Group of the Task Force on Gender Fairness by answering this survey.

If you wish to comment upon questions or qualify any answers, please feel free to write in the margins. Your comments will be read and taken into account.

Please return the completed survey in the enclosed envelope by **Friday, May 9, 1997**.

As a paralegal/legal assistant, you are in a unique position to help us evaluate how you and others have been treated by the Oregon justice system and the legal community.

Section I *The following questions deal with your overall perception of gender bias issues. Please check the box for each question.*

A. Which of the following statements best describes your overall perception of gender bias against women in your workplace at the present time?

(Please check one)

- ❑ 1. There is no gender bias against women.
- ❑ 2. Gender bias against women exists, but only in a few areas and with certain individuals.
- ❑ 3. Gender bias against women is widespread, but subtle and hard to detect.
- ❑ 4. Gender bias against women is widespread and readily apparent.

B. Which of the following statements best describes your overall perception of gender bias against men in your workplace at the present time?

(Please check one)

- ❑ 1. There is no gender bias against men.
- ❑ 2. Gender bias against men exists, but only in a few areas and with certain individuals.
- ❑ 3. Gender bias against men is widespread, but subtle and hard to detect.
- ❑ 4. Gender bias against men is widespread and readily apparent.

C. In your opinion, how has gender bias changed over the past few years?

(Please check one)

- ❑ 1. There is less gender bias now than in the past.
- ❑ 2. There is more gender bias now than in the past.
- ❑ 3. There is the same amount of gender bias now as in the past.
- ❑ 4. There has never been any gender bias, now or in the past.

Comments from Questions A,B,C: _____

_____

_____

_____

	Always	Often	Sometimes	Rarely	Never	No Basis for Judgment
D. Are you asked to perform duties that would **not** be asked of a person of the opposite sex?	❑	❑	❑	❑	❑	❑
E. Are there duties that you are **not** allowed to perform because of your gender?	❑	❑	❑	❑	❑	❑
F. Are **men's** opportunities for job advancement in your workplace limited because of gender?	❑	❑	❑	❑	❑	❑
G. Are **women's** opportunities for job advancement in your workplace limited because of gender?	❑	❑	❑	❑	❑	❑
H. Are **men** given preference in appointments to **supervisory** positions?	❑	❑	❑	❑	❑	❑
I. Are **men** given preference in appointments to **management** positions?	❑	❑	❑	❑	❑	❑
J. Are **men** given preference in appointments to **support** positions?	❑	❑	❑	❑	❑	❑
K. Are **women** given preference in appointments to **supervisory** positions?	❑	❑	❑	❑	❑	❑
L. Are **women** given preference in appointments to **management** positions?	❑	❑	❑	❑	❑	❑
M. Are **women** given preference in appointments to **support** positions?	❑	❑	❑	❑	❑	❑
N. Are your opinions on work-related matters given less weight than those of a person of the opposite gender?	❑	❑	❑	❑	❑	❑
O. Have you been given special work duties because of your gender **and** some characteristic you have (example: race, age, sexual orientation, disability)?	❑	❑	❑	❑	❑	❑

P. Have you been discriminated against in your **current** place of employment on the basis of gender? ❑ Yes ❑ No

Q. Were you discriminated against at a **previous** place of empoyment in the legal field on the basis of gender? ❑ Yes ❑ No

R. If the answer to **P** or **Q** is "yes," did you take any action (e.g., file a complaint) as a result? ❑ Yes ❑ No

S. Have you been discriminated against because of your age? ❑ Yes ❑ No

T. Have you experienced different treatment of men and women who hold similar positions regarding family care issues? ❑ Yes ❑ No

U. Check your preference for working for: ❑ Man ❑ Woman ❑ No Preference

Section II. *The following questions deal with gender issues and interaction in the Oregon justice system and the legal community. You will be asked to answer each question with "always," "often," "sometimes," "rarely," "never," or "no basis for judgment."*

	Always	Often	Sometimes	Rarely	Never	No Basis for Judgment
A. Are **female attorneys** addressed by first names when **male attorneys** are not?	❑	❑	❑	❑	❑	❑
B. Are **female attorneys** addressed by terms of endearment (e.g. honey, dear, sweetie, babe, girl) when **male attorneys** are not?	❑	❑	❑	❑	❑	❑
C. Are **female paralegals/legal assistants** addressed by first names when **male paralegals/legal assistants** members are not?	❑	❑	❑	❑	❑	❑
D. Are **female paralegals/legal assistants** addressed by terms of endearment (e.g., honey, dear, dear, sweetie, babe, girl) when male paralegals/legal assistants are not?	❑	❑	❑	❑	❑	❑
E. Are **male attorneys** addressed by first names when **female attorneys** are not?	❑	❑	❑	❑	❑	❑
F. Are **male attorneys** addressed by terms of endearment (e.g., honey, dear, sweetie, son, young man, boy) when **female attorneys** are not?	❑	❑	❑	❑	❑	❑
G. Are **male paralegals/legal assistants** addressed by first names when **female paralegals/legal assistants** are not?	❑	❑	❑	❑	❑	❑
H. Are **male paralegals/legal assistants** addressed by terms of endearment (e.g., honey, dear, sweetie, son, young man, boy) when **female paralegals/legal assistants** are not?	❑	❑	❑	❑	❑	❑
I. Are comments made about the physical appearance or apparel of **women** more often than such comments are made about men?.	❑	❑	❑	❑	❑	❑
J. Are comments made about the physical appearance or apparel of **men** more often than such comments are made about women?	❑	❑	❑	❑	❑	❑
K. Have you been addressed by your first name or terms of endearment (e.g., honey, dear, sweetie, babe, girl, son, young man, boy) when members of the opposite sex were not?	❑	❑	❑	❑	❑	❑
	[go to question L]			*[go to Section III]*		
L. If you answered "always", "often," or "sometimes" to **K**, did you find it objectionable to:						
1. Be addressed by your first name?	❑	❑	❑	❑	❑	❑
2. Be addressed by terms of endearment (e.g., honey, dear, sweetie, babe, girl, son, young man, boy)?	❑	❑	❑	❑	❑	❑

Section III. *The following questions deal with issues of sexual harassment. Answer "yes" or "no." Please comment where appropriate.*

A. Does your workplace have a policy on sexual harassment? . . . . . ❑ Yes *(go to question B)* ❑ No *(go to question C)*

B. If the answer to **A** is yes, is it enforced? . . . . . ❑ Yes ❑ No

C. Does your workplace provide formal training regarding sexual harassment? . . . . . ❑ Yes ❑ No

D. Have you been harassed on the basis of gender at your **current** place of employment? ❑ Yes ❑ No

E. Were you harassed on the basis of gender at a **previous** place of employment in the legal field? . . . . . ❑ Yes ❑ No

Section IV. *The last set of questions asks about your knowledge of sexual harassment in your workplace and at your previous places of employment. For each behavior listed, please indicate by checking the appropriate box whether:*

- You have personally experienced such behavior
- You have heard that other staff experienced such behavior although you yourself were not the object; or
- You have never experienced, seen or heard about such behavior occurring.

[Check all that apply]	In Your Current Workplace			In Previous Workplaces		
	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced
A. Have you been asked for sexual favors in exchange for employment security or opportunity?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑
B. Have you experienced requests for unwelcome sexual activity?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑
C. Have you experienced unwelcome physical touching of a sexual nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑

	In Your Current Workplace			In Previous Workplaces		
	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced	Personally Experienced	Happened to Others	Nothing Witnessed or Experienced
D. Have you experienced unwelcome verbal jokes or comments of a sexual nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑
E. Have you been subjected to unwelcome objects, pictures, or calendars of a sexually explicit nature?						
1. From a co-worker (including subordinates)?	❑	❑	❑	❑	❑	❑
2. From a supervisor?	❑	❑	❑	❑	❑	❑
3. From an attorney?	❑	❑	❑	❑	❑	❑

Section V. *General Background*

Please answer the following questions which deal with demographics. In order to determine what factors. if any, might affect people's experiences with gender issues in the justice system and the legal community, we are asking for more detailed information than do most surveys. Although responses are **optional**, *having this information will make the survey more meaningful.*

1. Sex:
- ❑ Male
- ❑ Female

2. Year of Birth:
[ ]

3. Number of years in your current position?
- ❑ 2 years or less
- ❑ 3-7 years
- ❑ Over 8

4. What is your employment status?
- ❑ employed by a law firm
- ❑ employed by governmental agency
- ❑ employed by private employer
- ❑ freelance/independent contractor
- ❑ work through a temporary employment agency
- ❑ non-profit
- ❑ Other (please indicate position _____)

5. Do you have supervisory responsibilities?
- ❑ Yes
- ❑ No

6. Ethnicity/Race:
- ❑ African-American
- ❑ Asian
- ❑ Hispanic
- ❑ Native American
- ❑ Pacific Islander
- ❑ White (non-Hispanic)
- ❑ Other _____

7. Sexual Orientation:
- ❑ Straight/heterosexual
- ❑ Gay/Lesbian
- ❑ Bisexual
- ❑ Other _____

8. Current marital status (check all that apply):
- ❑ Single, never married
- ❑ Divorced
- ❑ Married/living as married
- ❑ Widowed
- ❑ Separated
- ❑ Other _____

9. Do you have children?
- ❑ Yes
- ❑ No

10. If yes, number of children living at home?

[ ]

11. Do you have disabilities?

- ❑ Always
- ❑ Often
- ❑ Sometimes
- ❑ Never

a. Check all that apply:

- ❑ Physical Disability
- ❑ Mental Disability

b. Is the disability visible or noticeable?

- ❑ Yes
- ❑ No

12. Do you ❑own or ❑rent your home?

13. Level of education (check highest level completed):

- ❑ some high school (no diploma and no GED)
- ❑ GED or high school (diploma)
- ❑ some college
- ❑ college degree
- ❑ post-graduate work
- ❑ post-graduate degree

14. Date of highest degree?

[ ]

15. What language do you speak most at home?

- ❑ English
- ❑ Spanish
- ❑ Russian
- ❑ Korean
- ❑ Vietnamese
- ❑ American Sign Language
- ❑ Other _____

Additional Comments.

Thank you for taking the time to fill out this survey. Please mail in the enclosed envelope and **return by May 9, 1997**

CLIENT SURVEY

Task Force on Gender Fairness
Work Group on Interactions Between Clients, Attorneys, Staff and Others

The Task Force on Gender Fairness was appointed in January of 1996 by the Chief Justice of the Oregon Supreme Court and the President of the Oregon State Bar. Its charge is to investigate and report on gender fairness issues in the Oregon justice system and legal profession. The Task Force is co-chaired by Oregon Supreme Court Justice Susan Graber and past President of the Oregon State Bar, Robert Fraser. The study is to be conducted in a way that ensures that it is unbiased and is thorough in its documentation. The Task Force is divided into Work Groups. Multnomah County Circuit Court Judge Janice R. Wilson chairs the Interactions Work Group, charged with investigating gender fairness and the role of gender in interactions between attorneys, clients, staff and other professionals.

Only a small group of clients was selected to be surveyed. It is important that all people who receive the survey respond. It should take only about 10 minutes to answer the questions.

Because some of the survey questions can be personal or sensitive in nature, your answers and comments are voluntary and will be kept strictly anonymous. There is no way to identify who completed a particular questionnaire.

If you wish to comment on a question or qualify any answers, please feel free to write in the margins. Your comments will be taken into account.

Please return the survey in the enclosed, postage-paid envelope by **Friday, June 13, 1997**.

As the client of an Oregon lawyer or law firm, you are in a unique position to help us evaluate whether (and, if so, how) gender affects fairness in the Oregon legal system. Thank you for your help.

I. Lawyer Selection and Client Satisfaction

A. In how many cases or matters have you had a lawyer represent you? (Write in number.)

[ ]

B. In the most recent case in which you were a client, were you: (Check one)

- ❑ acting only on your own behalf
- ❑ acting on behalf of another person as guardian, conservator or personal representative of an estate
- ❑ acting on behalf of a business in Oregon
  - ❑ as corporate counsel
  - ❑ in a non-legal capacity
- ❑ acting on behalf of a business outside Oregon
  - ❑ as corporate counsel
  - ❑ in a non-legal capacity
- ❑ other _____

C. Was the matter in which you were most recently a client: (Check one)

- ❑ Personal injury litigation
- ❑ Business litigation
- ❑ Business transaction
- ❑ Civil Rights (including employment discrimination)
- ❑ Domestic relations (divorce, support, child custody, etc.)
- ❑ Estate planning/Probate
- ❑ Administrative law (involving a government agency)
- ❑ Criminal
- ❑ Other _____

D. 1. In the matter most recently concluded, did you ask for or try to get:

- ❑ a male lawyer
- ❑ a female lawyer
- ❑ didn't specify gender

D. 2. If you specifically wanted a male lawyer or a female lawyer, what was the reason for your preference? (Check **ALL** that apply.)

- ❑ A lawyer of that gender would fight harder for me.
- ❑ A lawyer of that gender would spend more time on my case.
- ❑ A lawyer of that gender would understand me better.
- ❑ A lawyer of that gender would charge less.
- ❑ Given the type of case, I would have a better chance with a lawyer of that gender representing me.
- ❑ The judge or jury would like a lawyer of that gender better.
- ❑ I had a good experience with a lawyer of that gender in a case before.
- ❑ I had a bad experience with a lawyer of the other gender in a case before.
- ❑ Other reasons: _____

_____

_____

E. What was the gender of the main lawyer representing you in the matter most recently concluded?

- ❑ Male
- ❑ Female
- ❑ Both (Multiple lawyers)

F. 1. Has gender **ever** been a factor in your selection of a lawyer?

- ❑ Yes
- ❑ No

F. 2. If yes, why was it a factor?

_____

_____

_____

G. How would you rate your level of satisfaction with your lawyer in the matter most recently concluded? (Check **ONE**.)

- ❑ Very satisfied
- ❑ Somewhat satisfied
- ❑ Somewhat dissatisfied
- ❑ Very dissatisfied

H. 1. Do you think the gender of your lawyer had anything to do with how satisfied or dissatisfied you were?

- ❑ Yes
- ❑ No

H. 2. If yes, why was it a factor?

_____

_____

_____

I. 1. Do you think that either your gender or the gender of your lawyer affected the outcome of your case?

- ❑ Yes
- ❑ No

I. 2. If yes, in what way do you think it made a difference?

_____

_____

_____

II. Interactions Between Client, Lawyer, and Other Staff

A. 1. Have you had both men and women as lawyers representing you before?

- ❑ Yes
- ❑ No

A. 2. If yes, was there a difference in the way they treated you?

- ❑ Yes
- ❑ No

A. 3. If yes, what was the difference?

_____

_____

_____

The following questions (B through E) relate to your experience at any time, not just the most recent case in with you had a lawyer.

B. 1. Did your lawyer or anyone in your lawyer's office (secretary, paralegal, investigator, law clerk, another lawyer, etc.) ever **call you by your first name** when you felt it was not appropriate?

- ❑ Yes
- ❑ No

B. 2. If yes, who did it? (Check **ALL** that apply.)

❑ male lawyer	❑ female lawyer
❑ male investigator	❑ female investigator
❑ male secretary	❑ female secretary
❑ male paralegal	❑ female paralegal
❑ male clerk	❑ female clerk

❑ other_____

C. 1. Did your lawyer or anyone in your lawyer's office (secretary, paralegal, investigator, law clerk, another lawyer, etc.) ever **call you by names such as "honey," "dear," "sweetie," "babe," "girl," "young lady," "son," "young man," or "boy"** when you felt it was not appropriate?

- ❑ Yes
- ❑ No

C. 2. If yes, who said it? (Check **ALL** that apply.)

- ❑ male lawyer
- ❑ female lawyer
- ❑ male investigator
- ❑ female investigator
- ❑ male secretary
- ❑ female secretary
- ❑ male paralegal
- ❑ female paralegal
- ❑ male clerk
- ❑ female clerk
- ❑ other_____

D. 1. Did your lawyer or anyone in your lawyer's office (secretary, paralegal, investigator, law clerk, another lawyer, etc.) ever **touch you** in a way that you didn't like?

- ❑ Yes
- ❑ No

D. 2. If yes, who did it? (Check **ALL** that apply.)

- ❑ male lawyer
- ❑ female lawyer
- ❑ male investigator
- ❑ female investigator
- ❑ male secretary
- ❑ female secretary
- ❑ male paralegal
- ❑ female paralegal
- ❑ male clerk
- ❑ female clerk
- ❑ other_____

E. 1. Did your lawyer or anyone in your lawyer's office (secretary, paralegal, investigator, law clerk, another lawyer, etc.) ever **ask you for sexual favors**?

- ❑ Yes
- ❑ No

E. 2. If yes, who did it? (Check ALL that apply.)

- ❑ male lawyer
- ❑ female lawyer
- ❑ male investigator
- ❑ female investigator
- ❑ male secretary
- ❑ female secretary
- ❑ male paralegal
- ❑ female paralegal
- ❑ male clerk
- ❑ female clerk
- ❑ other_____

III. General Background

Please answer the following questions which deal with demographics. In order to determine what factors, if any, might affect people's experiences with gender issues in the justice system and the legal community, we are asking for more detailed information than most surveys do. Although responses are **optional**, *having this information will make the survey more meaningful.*

A. Sex:

- ❑ Male
- ❑ Female

B. Year of Birth:

[ ]

C. Ethnicity/Race:

- ❑ African-American
- ❑ Asian
- ❑ Hispanic
- ❑ Native American
- ❑ Pacific Islander
- ❑ White (non-Hispanic)
- ❑ Other _____

D. Sexual Orientation:

- ❑ Straight/heterosexual
- ❑ Bisexual
- ❑ Gay/Lesbian
- ❑ Other_____

E. Current Marital Status (check **ALL** that apply):

- ❑ Single, never married
- ❑ Divorced
- ❑ Married/living as married
- ❑ Widowed
- ❑ Separated
- ❑ Other_____

F. 1. Do you have children?

- ❑ Yes
- ❑ No

F. 2. If yes, how many children are living at home? (Write in number.)

[ ]

G. 1. Do you have disabilities?

- ❑ Always
- ❑ Often
- ❑ Sometimes
- ❑ Never

G. 2. If you checked "always," "often," or "sometimes," check all that apply:

- ❑ Physical disability
- ❑ Mental disability

G. 3. Is the disability visible or noticeable?

- ❑ Yes
- ❑ No

H. Do you ❑own or ❑rent your home? (Check one.)

I. Level of education (check highest level completed):

- ❑ some high school (no diploma or GED)
- ❑ GED or high school diploma
- ❑ some college
- ❑ college degree
- ❑ some post-graduate work
- ❑ post-graduate degree

J. Date of highest degree.

[ ]

K. What language do you use most at home?

- ❑ English
- ❑ Spanish
- ❑ Russian
- ❑ Korean
- ❑ Vietnamese
- ❑ American Sign Language
- ❑ Other_____

Other Comments *(Attach additional sheets, if necessary.)*

Thank You

Please return to:
Jessica Mindlin, Gender Fairness Task Force, 1163 State Street, Salem, OR 97310

Do not mark outside this line

GENDER FAIRNESS TASK FORCE

Law Student Survey

The Oregon Supreme Court/Oregon State Bar Task Force on Gender Fairness is conducting this survey to assess the effects, if any, of gender on students' experiences in law school. The information gathered from this survey will be part of the Task Force s report. Your answers and comments are strictly anonymous and voluntary. There is no way to identify who completed a particular questionnaire. All results will be reported in aggregate form only.

The objective questions are to be answered by using a #2 pencil to fill in the appropriate answer or answers to each question. Please fill in the appropriate bubble COMPLETELY. Please do NOT use ink. In addition to this survey, you have been provided with a separate page on which we encourage you to give us any narrative comments you may have. You may hand the narrative page in with the survey, or hand it in at the place designated by your law school by the designated date.

Many law students enter law school with a set of expectations about legal education. The next few questions concern your expectations.

1. Which one of the reasons set out below was the most important factor in your decision to go to law school? (Mark only one box.)
   (1) Best career option
   (2) Family pressure/expectations
   (3) Desire to earn a lot of money
   (4) Interest in helping others
   (5) Prestige/power
   (6) Other_____

How well has your law school experience matched your original expectations about law school?

COURSEWORK

2. Level of difficulty	(1) Less difficult	(2) About as expected	(3) More difficult
3. Amount of study time required	(1) Less time	(2) About as expected	(3) More time
4. Teaching style or method	(1) Less intimidating	(2) About as expected	(3) More intimidating
5. Relates to issues you care about	(1) Less than expected	(2) About as expected	(3) More than expected

THE SCHOOL

6. Accessibility of faculty	(1) Less accessible	(2) About as expected	(3) More accessible
7. Supportiveness of the faculty	(1) Less supportive	(2) About as expected	(3) More supportive
8. Supportiveness of the law administration	(1) Less supportive	(2) About as expected	(3) More supportive
9. Supportiveness of the other students	(1) Less supportive	(2) About as expected	(3) More supportive

Many law students enter law school with expectations of what areas of law practice would be desirable. How do the expectations you had prior to entering law school concerning certain areas of law practice compare with your current views?

10. Small Law Firm	(1) More desirable now	(2) No difference	(3) Less desirable now	(4) Don't know
11. Mid-Sized Law Firm	(1) More desirable now	(2) No difference	(3) Less desirable now	(4) Don't know
12. Large Law Firm	(1) More desirable now	(2) No difference	(3) Less desirable now	(4) Don't know
13. Government Agency or Legislature	(1) More desirable now	(2) No difference	(3) Less desirable now	(4) Don't know
14. Public Interest	(1) More desirable now	(2) No difference	(3) Less desirable now	(4) Don't know
15. Prosecutor's or Public Defender's Office	(1) More desirable now	(2) No difference	(3) Less desirable now	(4) Don't know
16. Private Business	(1) More desirable now	(2) No difference	(3) Less desirable now	(4) Don't know

17. Do you plan to do law-related work for pay within the first year after graduation? If "yes" skip to question 19. (1) Yes (2) No
18. Instead of law-related work for pay within the first year after graduation, what do you plan to do? Skip questions 19 and 20.
   (1) Unpaid law-related work
   (2) Nonlaw work for pay
   (3) Unpaid nonlaw work
   (4) Continue in school
   (5) Full-time stay-at-home parent
   (6) Other_____
19. If you answered "yes" to question 17, how many hours of law-related work for pay WOULD YOU PREFER to do weekly after graduation? (1) 20 or less (2) 21-40 (3) 41-60 (4) More than 60
20. If you answered "yes" to question 17, how many hours of law-related work for pay DO YOU EXPECT to do weekly after graduation? (1) 20 or less (2) 21-40 (3) 41-60 (4) More than 60

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Law students have heavy workloads. The next few questions concern time allocation and certain law school activities and measures of achievement.

At present, approximately how many hours do/did you spend during a TYPICAL WEEK, including weekends, on each of the following activities?

21. Attending class
(1) None (2) 1-5 (3) 6-12 (4) 13-20 (5) 21+

22. Studying
(1) None (2) 1-5 (3) 6-12 (4) 13-20 (5) 21+

23. Law-related extra curricular activities
(1) None (2) 1-5 (3) 6-12 (4) 13-20 (5) 21+

24. Working at a job for pay
(1) None (2) 1-5 (3) 6-12 (4) 13-20 (5) 21+

25. Doing community or religious service or unpaid law work
(1) None (2) 1-5 (3) 6-12 (4) 13-20 (5) 21+

26. Taking care of personal and family responsibilities
(1) None (2) 1-5 (3) 6-12 (4) 13-20 (5) 21+

27. Relaxation and recreation
(1) None (2) 1-5 (3) 6-12 (4) 13-20 (5) 21+

If you are a first year student, skip to question 33.

28. Are you on law review? If you answered "yes" or "no, I wasn't selected" skip to question 30.
(1) Yes (2) No, I wasn't selected (3) No, I didn't apply/try out

29. If you answered "I didn't apply/try out" to question 28, what was your most compelling reason? (Mark only one box.)
(1) Too competitive
(2) Too time-consuming
(3) Not relevant to my career goals
(4) Too much work for educational value
(5) Other_____

30. Are you on a moot court? If you answer "yes" or "no, I wasn't selected", skip to question 32.
(1) Yes (2) No, I wasn't selected (3) No, I didn't apply/try out

31. If you answered "No, I didn't apply/try out" to question 30, what was your most compelling reason? (Mark only one box.)
(1) Too competitive
(2) Too time-consuming
(3) Not relevant to my career goals
(4) Too much work for educational value
(5) Other_____

32. The academic ability of my classmates is
(1) Lower than expected (2) About as expected (3) Higher than expected

33. My own academic performance is
(1) Lower than expected (2) About as expected (3) Higher than expected

34. Are you satisfied with your academic performance? (1) Yes (2) No

The next few questions focus on teaching methods and perceptions of classroom behavior by students and professors.

What is your opinion of the following teaching styles?

35. Pure Socratic method (professor asks questions of students and does little or no lecturing)
(1) Dislike (2) Neutral (3) Like

36. Mixed Socratic method and lecture
(1) Dislike (2) Neutral (3) Like

37. Lecture interspersed with questions
(1) Dislike (2) Neutral (3) Like

38. Straight lecture
(1) Dislike (2) Neutral (3) Like

39. Which teaching style do you most prefer?
(1) Pure Socratic method
(2) Mixed Socratic and lecture
(3) Lecture interspersed with questions
(4) Straight lecture

40. How often do you ask questions in class?
(1) Never (2) Rarely (3) Sometimes (4) Frequently

41. How often do you volunteer answers in class?
(1) Never (2) Rarely (3) Sometimes (4) Frequently

42. How comfortable are you with your level of voluntary participation in class?
(1) Very uncomfortable
(2) Somewhat uncomfortable
(3) Comfortable
(4) Very Comfortable

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43. In your experience, do law students of one gender ask more questions than law students of the other gender? If you answer "n'", skip to question 45. (1) Yes (2) No

44. If you answered "yes" to question 43, which gender asks more questions? (1) Male (2) Female

45. In your experience do law students of one gender volunteer more answers than law students of the other gender? If you answer "no" skip to question 47. (1) Yes (2) No

46. If you answered "yes" to question 45, which gender volunteers more answers? (1) Male (2) Female

47. In your experience how do female law students react to in-class comments by other law students?
(1) More tolerant of female students' comments
(2) Equally tolerant of female and male students' comments
(3) More tolerant of male students' comments

48. In your experience how do male law students react to in-class comments by other law students?
(1) More tolerant of female students' comments
(2) Equally tolerant of female and male students' comments
(3) More tolerant of male students' comments

49. In your experience are law students of one gender called on more frequently than law students of the other gender? If you answer "no" skip to question 51. (1) Yes (2) No

50. If you answered "yes" to question 49, which gender is called on more frequently? (1) Male (2) Female

51. In your experience do female law professors give one gender preferential treatment in class? If you answer "no" skip to question 53. (1) Yes (2) No

52. If you answered "yes" to question 51, to students of which gender do female law professors give preferential treatment? (1) Male (2) Female

53. In your experience do male law professors give one gender more preferential treatment in class? If you answer "no" skip to question 55. (1) Yes (2) No

54. If you answered "yes" to question 53, to students of which gender do male law professors give preferential treatment? (1) Male (2) Female

55. In your experience does the gender of the law professor make a difference to overall participation by members of the class? If you answer "no" skip to question 57. (1) Yes (2) No

56. If you answered "yes" to question 55, which gender encourages greater overall participation by members of the class? (1) Male (2) Female

The next few questions concern any bias or adverse treatment you may have experienced as a law student.

57. As a law student, have you experienced any bias or adverse treatment because of your gender? If you answer "no" skip to question 59. (1) Yes (2) No

58. If you answered "yes" to question 57, from which of the following was the bias or adverse treatment experienced? (Mark all that apply.)
(1) From other law students
(2) From law instructors
(3) From law school administrators
(4) During job recruitment
(5) In class materials or curriculum
(6) Other_____

59. As a law student, have you experienced sexual harassment? If you answer "no" skip to question 61. (1) Yes (2) No

60. If you answered "yes" to question 59, from which of the following was the sexual harassment experienced? (Mark all that apply.)
(1) From other law students
(2) From law instructors
(3) From law school administrators
(4) During job recruitment
(5) Other_____

61. As a law student, have you experienced any bias or adverse treatment because of your race or ethnicity? If you answer "no" skip to question 63. (1) Yes (2) No

62. If you answered "yes" to question 61, from which of the following was the bias or adverse treatment experienced? (Mark all that apply.)
(1) From other law students
(2) From law instructors
(3) From law school administrators
(4) During job recruitment
(5) In class materials or curriculum
(6) Other_____

63. As a law student, have you experienced any bias or adverse treatment due to your age? If you answered "no" skip to question 65. (1) Yes (2) No

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64. If you answered "yes" to question 63, from which of the following was the bias or adverse treatment experienced? (Mark all that apply.)
(1) From other law students
(2) From law instructors
(3) From law school administrators
(4) During job recruitment
(5) In class material or curriculum
(6) Other_____

65. As a law student, have you experienced any bias or adverse treatment because of your disability? If you answer "no" skip to question 67. (1) Yes (2) No

66. If you answered "yes" to question 65, from which of the following was the bias or adverse treatment experienced? (Mark all that apply.)
(1) From other law students
(2) From law instructors
(3) From law school administrators
(4) During job recruitment
(5) In class material or curriculum
(6) Other_____

67. As a law student, have you experienced any bias or adverse treatment because of your sexual orientation? If you answered "no" skip to question 69. (1) Yes (2) No

68. If you answered "yes" to question 67, from which of the following was the bias or adverse treatment experienced? (Mark all that apply.)
(1) From other law students
(2) From law instructors
(3) From law school administrators
(4) During job recruitment
(5) In class material or curriculum
(6) Other_____

How would you rate yourself on each of the following traits. (Mark one box for each item.)

69. Cooperativeness	(1) Above average	(2) Average	(3) Below Average
70. Academic ability	(1) Above average	(2) Average	(3) Below Average
71. Competitiveness	(1) Above average	(2) Average	(3) Below Average
72. Public speaking ability	(1) Above average	(2) Average	(3) Below Average
73. Self-confidence	(1) Above average	(2) Average	(3) Below Average

74. Compared to the quality of your life before coming to law school, are you more or less satisfied with the quality of your life as a law student?
(1) More satisfied (2) Unchanged (3) Less satisfied

75. How do you think non-lawyers perceive most members of the legal profession?
(1) Very trustworthy
(2) Trustworthy
(3) Untrustworthy
(4) Very untrustworthy
(5) Don't know

76. How do you perceive most members of the legal profession?
(1) Very trustworthy (2) Trustworthy (3) Untrustworthy (4) Very Untrustworthy

77. How has your perception of the legal profession changed since coming to law school?
(1) Much more positive
(2) More positive
(3) Unchanged
(4) Less positive
(5) Much less positive

78. How satisfied are you with your law school experience as preparing you for law practice?
(1) Very satisfied (2) Satisfied (3) Unsatisfied (4) Very unsatisfied

Your answers to the following demographic questions will greatly assist in the analysis of our survey.

79. What year of law school are you in? (1) 1st (2) 2d (3) 3d (4) 4th

80. What kind of law school program are you in? (1) Full-time (2) Part-time (3) Other

81. How old are you? (1) 20-25 (2) 26-30 (3) 31-40 (4) 41 or more

82. What is your gender? (1) Female (2) Male

83. What is your racial or ethnic identity?
(1) American Indian/Alaskan native
(2) Asian/Pacific Islander
(3) Black/African American
(4) Hispanic/Latino/Chicano
(5) White/Caucasian
(6) Other_____
(7) Mixed Race or Ethnicity

84. What is your current relationship status? (1) Single (2) Married/partnered

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85. How many minor children (under 18) do you have living with you full or part time? Please include natural-born children, adopted children, and stepchildren who live with you. If your answer is "0" skip to question 87. (1) 0 (2) 1 (3) 2 (4) 3 (5) 4 or more

86. Would you characterize yourself as the primary caretaker of your children?
(1) Yes (2) No (3) Uncertain

87. Concerning ADULTS you reside with, what is your current living arrangement?
(1) By yourself
(2) With nonrelated peers/roommates
(3) With a spouse/partner who is not employed full time
(4) With a spouse/partner who is employed full time
(5) With parents or other relatives

88. What is your sexual identity? (1) Heterosexual (2) Gay/lesbian (3) Bisexual (4) Other

89. Do you have a disability and/or do others regard you as having a disability? If your answer is "no" skip to question 92. (1) Yes (2) No

90. If you answered "yes" to question 89, is your disability or the disability others regard you as having visible? (1) Yes (2) No

91. If you answered "yes" to question 89, which type of disability do you have or are you regarded as having? (Mark all that apply.)
(1) Mobility
(2) Visual
(3) Hearing
(4) Learning
(5) Mental/psychological
(6) Other_____

92. What is your current class rank?
(1) Top 10% (2) Top 25% (3) Top 50% (4) Top 75% (5) Other (6) Unknown

93. As of January 1, 1997, how much did you owe for educational expenses? Give the total amount of all those loans that you are LEGALLY obligated to pay back and as of January 1 had not paid back. Include loans from educational institutions, banks, credit unions, loan companies, loan programs, family, friends, and other sources. PLEASE GIVE YOUR BEST ESTIMATE.
(1) $-$5,000
(2) $5,001-$30,000
(3) $30,001-$50,000
(4) $50,001-$75,000
(5) $75,001-$100,000
(6) Over $100,000

94. How much do you expect to owe for educational expenses upon law school graduation? PLEASE GIVE YOUR BEST ESTIMATE.
(1) $-$5,000
(2) $5,001-$30,000
(3) $30,001-$50,000
(4) $50,001-$75,000
(5) $75,001-$100,000
(6) Over $100,000

THIS IS THE END OF THE QUESTIONNAIRE!!!
THANK YOU FOR TAKING THE TIME TO FILL IT OUT.

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GENDER FAIRNESS TASK FORCE

Law Faculty Survey

The Oregon Supreme Court/Oregon State Bar Task Force on Gender Fairness is conducting this survey to assess the effects, if any, of gender on the experiences of the faculty at the three law schools in Oregon. Your answers and comments are strictly anonymous and voluntary. There is no way to identify who completed a particular survey. All results will be reported in aggregate form (University of Oregon, Willamette, and Lewis and Clark combined) as part of the Task Force report. It is estimated that this survey will take approximately 20 minutes to complete.

Please return this survey in the envelope provided <u>no later than May 21, 1997.</u>

In addition to the objective questions, there are several questions where space is provided for narrative comments. Please answer the questions based upon your experience teaching at this law school.

SECTION I: CLASSROOM ENVIRONMENT

These questions focus on teaching methods, perceptions of classroom behavior, and relationships with students.

1. What is your teaching style in large (50+ students) classes?
   (Please check all that apply)
   (1) Pure Socratic method (professor asks questions of students and does little or no lecturing)
   (2) Mixed Socratic method and lecture
   (3) Predominantly lecture interspersed with questions
   (4) Straight lecture
   (5) The problem approach
   (6) Simulation or "hands on" approach
   (7) Other _____

2. Is the nature or content of classroom interactions between you and the students affected by the gender of the student?
   (1) Yes
   (2) No
   Please Explain:

3. In your experience, do students of one gender ask more questions than students of the other gender in proportion to their numbers in the classroom?
(1) Male students ask more questions
(2) Female students ask more questions
(3) Neither group asks more questions

4. In your experience, do students of one gender volunteer more answers than students of the other gender in proportion to their numbers in the classroom?
(1) Male students volunteer more answers
(2) Female students volunteer more answers
(3) Neither group volunteers more answers

5. In your experience, are students more accepting of in-class comments made by students of one gender than in-class comments made by students of the other gender?
(1) Students are more accepting of comments made by males
(2) Students are more accepting of comments made by females
(3) Students are not more accepting of either group

6. In your experience, do students of one gender take more class time than students of the other gender asking questions or volunteering answers in proportion to their numbers in the classroom?
(1) Male students take more class time
(2) Female students take more class time
(3) Neither group takes more class time

7. Do students of one gender respond more quickly to your questions than students of the other gender?
(1) Male students respond more quickly
(2) Female students respond more quickly
(3) Neither group responds more quickly

8. Do you think your gender affects overall class participation by students of your same gender?
(1) My gender encourages greater participation by same-gender students
(2) My gender discourages participation by same-gender students
(3) My gender doesn't affect participation by same-gender students

9. Do you feel that students of either gender treat you with less respect?
(1) Students of my same gender treat me with less respect
(2) Students of the opposite gender treat me with less respect
(3) All students treat me the same

10. How important is the use of gender-neutral language to you?
(1) Important
(2) Somewhat important
(3) Unimportant

11. Do you habitually use gender-neutral language in the law school setting?
(1) Yes
(2) No

12. Does your use of language (regarding gender) change when you are outside the law school setting?
(1) Yes
(2) No

13. Do you use a textbook that has gender-neutral language?
(1) Yes
(2) No
(3) Not sure

14. Are your contacts with students outside of class more frequent with students of one gender in proportion to their numbers in the law school?
(1) I spend more time with male students outside of class
(2) I spend more time with female students outside of class
(3) I spend equal amounts of time with both groups

15. In your interactions with students outside of class, are you more comfortable with students of one gender?
(1) I am more comfortable with male students
(2) I am more comfortable with female students
(3) I am equally comfortable with both groups

16. If you hire research assistants, have you hired more students of one gender in the past five years?
(1) I have hired more male research assistants
(2) I have hired more female research assistants
(3) I have hired more or less equal numbers of males and female
(4) I have not hired any research assistants

17. Do you believe you can sometimes determine the gender of students based on their handwriting on exams?
(1) Yes
(2) No (if no, skip to question #19)

18. If you answered yes to #17, do you think this influences your grading?
(1) Yes
(2) No
Please explain.

19. How many male students have you mentored (both informally and formally) at your law school in a typical academic year?_____

20. How many female students have you mentored (both informally and formally) at your law school in a typical academic year?_____

21. Do you feel that mentoring takes up too much of your time?
(1) Yes
(2) No
Please explain:

22. **Please rate the following factors in order of their importance to you in being an effective teacher. (Use a scale of 1-5, with 1 being the most important.)**
___Instructor's knowledge of the subject matter
___Instructor's ability to convey information clearly
___Instructor's ability to stimulate the student's interest
___Instructor's communication of values (ethics, diversity issues, etc.)
___Instructor's availability for one-on-one communications with students outside the classroom
___Other (please specify) _____

SECTION II: JOB SATISFACTION

Law professors work many hours a week during the academic year. The next questions concern time allocations to various personal and professional activities and job satisfaction issues.

1. At present, approximately how many hours do you spend during a TYPICAL WEEK (including weekends) during the academic year on each of the following activities?

   ____ Teaching and teaching preparation
   ____ Research
   ____ Service to the school and university
   ____ Mentoring students
   ____ Service to the profession
   ____ Service to the community (including local, state, national, international)
   ____ Outside consulting
   ____ Child (or family) care responsibilities
   ____ Household activities other than child care
   ____ Sleep
   ____ Leisure

2. How satisfied are you with the balance between your professional and personal life?
   (1) Very satisfied
   (2) Somewhat satisfied
   (3) Not satisfied

3. **Rate the importance of the following factors in your decision to teach law. (Use a scale of 1-8, with 1 being the most important.)**

   ___ Autonomy
   ___ Benefits (sabbatical, medical, retirement, etc.)
   ___ Like teaching students
   ___ Like research
   ___ Like flexible hours
   ___ Time to reflect on bigger issues
   ___ Not client driven
   ___ Like to help affect change in the law
   ___ Other (Please specify)

4. Compared to the quality of your life before becoming a faculty member of your school, are you more or less satisfied with the quality of your life?
   (1) More satisfied
   (2) Unchanged
   (3) Less satisfied

5. How much personal affinity do you feel for the content and subject matter of what you teach?
   (1) Strong affinity
   (2) Some affinity
   (3) Little affinity

6. How do you perceive most members of the legal profession (including attorneys, public officials, etc.) ?
   (1) As very trustworthy
   (2) As trustworthy
   (3) As untrustworthy
   (4) As very untrustworthy

7. How do you feel the general public perceives the legal profession?
   (1) As very trustworthy
   (2) As trustworthy
   (3) As untrustworthy
   (4) As very untrustworthy

SECTION III: PROFESSIONAL RELATIONSHIPS

The next questions concern your relationships with colleagues, administrators, and staff.

1. How often do you interact socially with other law professors?
   (1) Frequently
   (2) Some
   (3) Very little

2. How satisfied are you with the quality of that social interaction?
   (1) Very satisfied
   (2) Satisfied
   (3) Not satisfied

3. Do you spend more time with colleagues of one gender?
   (1) I spend more time with my male colleagues
   (2) I spend more time with my female colleagues
   (3) I spend roughly equal amounts of time with both groups
   (4) I spend little time with my colleagues

4. Does the gender of your friends within the law school differ from the gender of your friends outside of law school?
   (1) No difference between the two
   (2) More of my friends outside the law school are male
   (3) More of my friends outside the law school are female
   (4) I do not maintain friendships within the law school

5. How competitive are the professors at your law school?
   (1) Very competitive
   (2) Somewhat competitive
   (3) Not competitive

6. Are colleagues of one gender more competitive than colleagues of the other gender?
   (1) My male colleagues are more competitive
   (2) My female colleagues are more competitive
   (3) Neither group is more competitive

7. How sensitive to gender issues are most of your colleagues?
   (1) Very sensitive
   (2) Somewhat sensitive
   (3) Not sensitive

8. How hard do you think that the administration of your school has worked to develop an atmosphere of gender equality?
   (1) Very hard
   (2) Somewhat hard
   (3) Not very hard
   (4) Not hard at all

9. Does the administration of your law school support efforts to foster or maintain a gender-fair environment (both in the classroom and outside the classroom)?
   (1) Yes
   (2) No
   Please explain.

10. Do your colleagues treat classified staff at your law school with respect?
    (1) Yes
    (2) No
    Please explain:

11. Does the gender of classified staff members affects their treatment?
    (1) Yes
    (2) No
    Please explain:

12. How often do you interact socially with classified staff?
    (1) Frequently
    (2) Some
    (3) Very little

13. How satisfied are you with this level of social interaction?
    (1) Very satisfied
    (2) Satisfied
    (3) Not satisfied

SECTION IV: FAIRNESS ISSUES

The next questions concern any bias or adverse treatment you may have experienced as a faculty member.

1. Have administrators at your law school, in any context, treated you inappropriately based on your gender?
   (1) Yes
   (2) No
   Please Explain:

2. Have your colleagues, in any context, treated you inappropriately based on your gender?
   (1) Yes
   (2) No
   Please Explain:

3. Have students, in any context, treated you inappropriately based on your gender?
   (1) Yes
   (2) No
   Please explain:

4. As a faculty member, have you experienced any bias or adverse treatment because of your race or ethnicity? If you answer "no" skip to question #6.
(1) Yes
(2) No

5. If you answered yes to question #4, from which of the following was the bias or adverse treatment experienced, and what was the nature of the bias or adverse treatment? *(Mark as many as applicable.)*
(1) From administrators
(2) From colleagues
(3) From law students
(4) Other (please specify)_____
Please describe the nature of the experience:

6. As a faculty member, have you experienced any bias or adverse treatment because of your disability? If you answer "no" skip to question 8.
(1) Yes
(2) No

7. If you answered yes to question #6, from which of the following was the bias or adverse treatment experienced, and what was the nature of the bias or adverse treatment? *(Mark as many as are applicable.)*

(1) From administrators
(2) From colleagues
(3) From law students
(4) Other (please specify)_____
Please describe the nature of the experience:

8. As a faculty member, have you experienced any bias or adverse treatment because of your sexual orientation? If you answer "no" skip to question #10.
(1) Yes
(2) No

9. If you answered yes to question #8, from which of the following was the bias or adverse treatment experienced, and what was the nature of the bias or adverse treatment? *(Mark as many as applicable.)*

(1) From administrators
(2) From colleagues
(3) From law students
(4) Other (please specify)_____
Please describe the nature of the experience:

10. Are the needs of faculty with families adequately addressed by your law school (and the parent institution)? (Parental leave policies, flexible work schedules, etc.)
(1) Yes
(2) No
Please explain:

11. If you have a family, do you downplay your family responsibilities to administrators, colleagues, or students?
(1) Yes
(2) No
Please explain:

12. Do you have more non-teaching commitments than your colleagues of the opposite gender (committee work, mentoring, family responsibility, etc.)?
(1) Yes
(2) No

13. Has family planning (pregnancy planning, parental responsibilities) ever been a significant issue in your career as a professor at this school ?
(1) Yes
(2) No
Please explain:

14. Is the participation on law school committees proportionately greater for one gender than that which represents their numbers on the faculty?
(1) Male faculty members participate more
(2) Female faculty members participate more
(3) Neither group participates more
(4) Don't know

15. At your law school, do faculty members of one gender tend to hold leadership positions on these committees in proportionately greater numbers than that which represents their numbers on the faculty?
(1) Male faculty hold more leadership positions
(2) Female faculty hold more leadership positions
(3) Neither group holds more leadership positions
(4) Don't know

16. Are there certain committees that are more appealing to professors of one gender?
(1) Yes
(2) No
Please explain:

17. Is it more difficult for men or women to gain tenure at your school?
(1) More difficult for men
(2) More difficult for women
(3) Equally difficult
Please explain.

18. If you are not tenured (or when you were untenured), do (did) you believe you must "tone down" your opinions/beliefs in order to gain tenure?
(1) Yes
(2) No
Please explain.

19. If you are not tenured (or when you were untenured), do (did) you participate in discussion of controversial matters at faculty meetings?
(1) Yes
(2) No

20. If you are tenured, have the topics of your scholarship changed much since you gained tenure?
(1) Changed
(2) Changed somewhat
(3) Not at all
Please explain:

21. Do you believe the topics of your scholarship are marginalized or devalued? If you answer yes, please explain.
(1) Yes
(2) No
Explanation:

22. Do you believe that you receive (have received) a lower salary than other faculty members because of your gender?
(1) Yes
(2) No

23. Are you satisfied with your salary?
(1) Very satisfied
(2) Satisfied
(3) Not satisfied

24. Do you feel you have lost opportunities for advancement or positions of responsibility because of your gender?
(1) Yes, more than once
(2) Yes, once
(3) No

25. Have you ever informally discussed gender issues (equitable pay, sexual harassment, pregnancy , other) with administrators in the law school or parent institution?
(1) Yes
(2) No
Please explain:

26. Have you ever filed a grievance due to an issue based on your gender (equitable pay, sexual harassment, pregnancy, other)?
(1) Yes
(2) No
Please Explain:

27. Have you ever helped a student (counseled, aided in other ways) deal with a gender discrimination issue that occurred at your school?
(1) Yes
(2) No

28. Does your law school (and the parent institution) adequately address the needs of students with families? (Flexible exam schedules, part-time status, etc.)
(1) Yes
(2) No
Please explain:

29. **When interviewing for your faculty position by your current law school employer, did the interviewers inquire into, discuss or take into account your personal relationships, family obligations or other personal commitments, or sexual orientation? Please explain.**

(a) Personal relationships:
(1) Very often
(2) Sometimes
(3) Rarely or never
Please explain:

(b) Family obligations:
(1) Very often
(2) Sometimes
(3) Rarely or never
Please explain:

(c) Other personal commitments:
(1) Very often
(2) Sometimes
(3) Rarely or never
Please explain:

(d) Sexual orientation:
(1) Very often
(2) Sometimes
(3) Rarely or never
Please explain:

30. **In considering candidates for faculty positions in the law school, have you or other interviewers inquired into or discussed applicants' personal relationships, family obligations or other personal commitments, or sexual orientation?**

(a) Personal relationships:
(1) Very often
(2) Sometimes
(3) Rarely or never
Please explain:

(b) Family obligations:
(1) Very often
(2) Sometimes
(3) Rarely or never
Please explain:

(c) Other personal commitments:
(1) Very often
(2) Sometimes
(3) Rarely or never
Please explain:

(d) Sexual orientation:
(1) Very often
(2) Sometimes
(3) Rarely or never
Please explain:

SECTION V: DEMOGRAPHICS

Your answers to the following demographic questions will greatly assist in the analysis of your previous answers to the substantive questions.

1. How old are you?
   (1) 20–30
   (2) 31–40
   (3) 41–50
   (4) 51–60
   (5) Over 60

2. What is your gender?
   (1) Female
   (2) Male

3. What is your racial or ethnic identity?
   (1) American Indian/Alaskan native
   (2) Asian/Pacific Islander
   (3) Black/African American
   (4) Hispanic/Latino/Chicano
   (5) White/Caucasian
   (6) Mixed Race or Ethnicity
   (7) Other(please specify)_____

4. What is your current relational status?
   (1) Single (including separated, divorced and widowed)
   (2) Married/partnered

5. What is your sexual orientation?
   (1) Heterosexual
   (2) Gay/Lesbian
   (3) Bisexual
   (4) Other_____

6. Do you have a disability, or do others regard you as having, a disability? If your answer is "no," skip to question 8.
(1) Yes
(2) No

7. If you answered "yes" to question #6, is your disability or the disability others regard you to have visible?
(1) Yes
(2) No

8. How many dependents (minor children or elderly parents) do you have? Please include natural-born children, adopted children, and stepchildren who live with you full- or part-time. If your answer is "0," skip to question #10.
(1) 0
(2) 1
(3) 2
(4) 3
(5) 4 or more

9. Who takes care of the day-to-day needs of your dependents?
(1) I, primarily
(2) Primarily spouse/partner
(3) Share responsibility equally with spouse/partner
(4) Paid care
(5) Other (please specify)_____

10. What is your current living arrangement?
(1) By yourself
(2) With unrelated peers/roommates
(3) With a spouse/partner who is not employed full-time
(4) With a spouse/partner who is employed full-time
(5) With parents or other relatives

11. What year did you graduate from law school?
(1) 1940–1950
(2) 1951–1960
(3) 1961–1965
(4) 1965–1970
(5) 1971–1975
(6) 1976–1980
(7) 1981–1985
(8) 1986–1990
(9) 1990–1996

12. Are you tenure-track?
(1) Yes
(2) No

13. Are you tenured?
(1) Yes
(2) No

14. If yes to question 13, what is your rank?
(1) Assistant professor
(2) Associate professor
(3) Full professor
(4) Other (please specify):

15. If tenured, how long (include tenure at other schools)?

(1) Less than 5 years	(5) 21–25 years
(2) 5–10 years	(6) 26–30 years
(3) 11–15 years	(7) 31–35 years
(4) 16–20 years	(8) More than 35 years

16. During the academic year, what are your primary duties (more than half of your time)?
(1) Clinical
(2) Administration
(3) Research and writing
(4) Classroom
(5) Other (please specify): _____

17. What will be your annual salary (gross amount) based on 1997-98 academic year pay levels?

(1) Under $30,000	(5) $60,001-70,000
(2) $30,000–40,000	(6) $70,001-80,000
(3) $40,001–50,000	(7) $80,001-90,000
(4) $50,001-60,000	(8) $90,001 or more

18. If you occupy an endowed chair, how much extra compensation do you receive annually?

(1 $0–5,000	(5) $20,001–25,000
(2) $5,000–10,000	(6) $25,001–30,000
(3) $10,001–15,000	(7) $30,001-35,000
(4) $15,001–20,000	(8) $35,001 or more

PLEASE USE THIS SPACE OR ADDITIONAL PAGES TO PROVIDE ANY OTHER INFORMATION THAT YOU BELIEVE IS IMPORTANT. IF YOU WANT TO EXPAND ON YOUR ANSWERS TO ANY OF THE PREVIOUS QUESTIONS, PLEASE IDENTIFY THE NUMBER OF THE QUESTION YOU ARE DISCUSSING. WE STRONGLY ENCOURAGE YOU TO PROVIDE SOME NARRATIVE COMMENTS. THANK YOU FOR YOUR PARTICIPATION.

PLEASE RETURN THIS SURVEY IN THE ENVELOPE PROVIDED.

Classified Staff Questionnaire on Gender Fairness in the Legal Education System

Circle the number of the response that best represents your answer. After voluntarily completing this survey, return it in the postage paid envelope provided and mail it by November 18. All responses will be kept strictly confidential.

Work Environment

These questions ask for your observations and perceptions of your work environment.

1. Generally, I am satisfied with my job.
   1. Strongly Agree 2. Agree 3. Neutral 4. Disagree 5. Strongly Disagree

2. Generally, I am satisfied with my working relationships with co-workers.
   1. Strongly Agree 2. Agree 3. Neutral 4. Disagree 5. Strongly Disagree

3. Generally, I am satisfied with the way that I am treated by others, besides my co-workers.
   1. Strongly Agree 2. Agree 3. Neutral 4. Disagree 5. Strongly Disagree

4. Generally, I feel that my supervisor clearly communicates job expectations to me.
   1. Strongly Agree 2. Agree 3. Neutral 4. Disagree 5. Strongly Disagree

5. Do you feel that you are included by others in the decisions that directly affect you?
   1. Yes
   2. No

6. Who do you come in contact with on a regular basis at work? ***(circle all that apply)***
   1. Alumni 3. Classified Staff 5. Students
   2. Administrators 4. Faculty 6. Other, please specify_____

7. Do you feel there is a clearly defined hierarchy at work?
   1. Yes
   2. No ***(go to question #10)***

8. Where do you place yourself in this hierarchy?
   1. Top
   2. Middle
   3. Bottom

9. Do you feel that your place in the hierarchy is affected by: ***(circle all that apply)***
   1. Gender 3. Age
   2. Job classification 4. Other, please specify_____

10. When conflicts occur at work, would you say that they are: ***(circle all that apply)***
    1. Based on performance expectations 3. Based on personality differences
    2. Caused by miscommunication 4. Other, please specify_____
    _____

11. How often do these conflicts occur?
    1. Always 2. Frequently 3. Seldom 4. Never

12. Are these conflicts generally:
    1. Between females
    2. Between males
    3. Between males and females
    4. All of the above
    5. Does not apply

13. What are the major causes of stress in your work? ***(circle all that apply)***
    1. Insufficient time to complete tasks
    2. Lack of directions for tasks
    3. Lack of resources for tasks
    4. Unreasonable expectations
    5. Inflexible hours
    6. Uncomfortable physical environment (such as furniture, poor lighting, lack of privacy)
    7. Other, please specify_____

14. Have you ever been criticized by others at work concerning matters that are not job related?
    1. Yes
    2. No ***(go to question #16)***

15. What are the sources of this criticism? ***(circle all that apply)***
    1. Age
    2. Gender
    3. Personal appearance
    4. Political views
    5. Religious beliefs
    6. Sexual orientation
    7. Smoking
    8. Other, please specify_____

16. Do you feel sexual harassment, in any form, is an issue at the law school?
    1. Yes
    2. No

17. Have you experienced sexual harassment on the job?
    1. Yes
    2. No ***(go to question #21)***

18. Did you file a complaint?
    1. Yes
    2. No ***(go to question #21)***

19. Was appropriate disciplinary action taken?
    1. Yes
    2. No

20. How satisfied were you with the way the situation was handled?
    1. Very Satisfied 2. Satisfied 3. Neutral 4. Dissatisfied 5. Very Dissatisfied

Gender Relations in the Workplace

These questions ask for your observations and perceptions of interactions in your workplace.

21. Are you expected to perform duties that you would consider gender based?
    1. Yes, please specify_____
    2. No

22. Do you feel that your gender affects your ability to make positive changes at work?
    1. Yes, please specify_____
    2. No

23. Have you ever felt that an administrator or faculty member, in any context, treated you inappropriately based on your gender?
    1. Yes, please specify_____
    2. No

24. Have you ever felt that a law student, in any context, treated you inappropriately based on your gender?
    1. Yes, please specify_____
    2. No

Classified Staff/Faculty

This section asks about interactions between Classified Staff and Faculty. Consider Administrators as Faculty when circling the ONE number that best represents your answer to each statement.

Generally I feel that	**Male Faculty**	**Female Faculty**	**Both**	**Neither**	**Not Applicable**
25. I am treated with respect by	1	2	3	4	5
26. I am unappreciated by	1	2	3	4	5
27. I have unreasonable expectations placed on me by	1	2	3	4	5
28. I am given credit when I exceed expectations by	1	2	3	4	5
29. I do not communicate well with	1	2	3	4	5
30. I am treated as an equal by	1	2	3	4	5
31. I deserve more consideration from	1	2	3	4	5
32. I work best with	1	2	3	4	5
33. I am often given tasks that are the responsibility of	1	2	3	4	5

Classified Staff/Students

This section asks about interactions between Classified Staff and Students. Circle the ONE number that best represents your answer to each statement.

Generally I feel that	**Male Students**	**Female Students**	**Both**	**Neither**	**Not Applicable**
34. I am treated with respect by	1	2	3	4	5
35. I am unappreciated by	1	2	3	4	5
36. I do not communicate well with	1	2	3	4	5
37. I am treated as an equal by	1	2	3	4	5
38. I deserve more consideration from	1	2	3	4	5
39. I work best with	1	2	3	4	5

Faculty/Faculty

This section asks about interactions between Faculty. Consider Administrators as Faculty when circling the ONE number that best represents your answer to each statement.

Generally I feel that *male faculty*	Male Faculty	Female Faculty	Both	Neither	Not Applicable
40. have more respect for	1	2	3	4	5
41. are unappreciated by	1	2	3	4	5
42. do not communicate well with	1	2	3	4	5
43. are treated as equals by	1	2	3	4	5
44. are insensitive to the needs of	1	2	3	4	5
45. work better with	1	2	3	4	5

Generally I feel that *female faculty*	Male Faculty	Female Faculty	Both	Neither	Not Applicable
46. have more respect for	1	2	3	4	5
47. are unappreciated by	1	2	3	4	5
48. do not communicate well with	1	2	3	4	5
49. are treated as equals by	1	2	3	4	5
50. are insensitive to the needs of	1	2	3	4	5
51. work better with	1	2	3	4	5

Student/Faculty

This section asks about interactions between Students and Faculty. Consider Administrators as Faculty when circling the ONE number that best represents your answer to each statement.

Generally I feel that *male students*	Male Faculty	Female Faculty	Both	Neither	Not Applicable
52. have more respect for	1	2	3	4	5
53. are unappreciated by	1	2	3	4	5
54. do not communicate well with	1	2	3	4	5
55. are insensitive to the needs of	1	2	3	4	5
56. work better with	1	2	3	4	5

Generally I feel that *female students*	Male Faculty	Female Faculty	Both	Neither	Not Applicable
57. have more respect for	1	2	3	4	5
58. are unappreciated by	1	2	3	4	5
59. do not communicate well with	1	2	3	4	5
60. are insensitive to the needs of	1	2	3	4	5
61. work better with	1	2	3	4	5

Student/Student

This section asks about interactions between Students. Circle the ONE number that best represents your answer to each statement.

Generally I feel that *male students*	Male Students	Female Students	Both	Neither	Not Applicable
62. have more respect for	1	2	3	4	5
63. are unappreciated by	1	2	3	4	5
64. do not communicate well with	1	2	3	4	5
65. are treated as equals by	1	2	3	4	5
66. are insensitive to the needs of	1	2	3	4	5
67. work better with	1	2	3	4	5
68. are more competitive with	1	2	3	4	5

Generally I feel that *female students*	Male Students	Female Students	Both	Neither	Not Applicable
69. have more respect for	1	2	3	4	5
70. are unappreciated by	1	2	3	4	5
71. do not communicate well with	1	2	3	4	5
72. are treated as equals by	1	2	3	4	5
73. are insensitive to the needs of	1	2	3	4	5
74. work better with	1	2	3	4	5
75. are more competitive with	1	2	3	4	5

Faculty/Student

This section asks about interactions between Faculty and Students. Consider Administrators as Faculty when circling the ONE number that best represents your answer to each statement.

Generally I feel that *male faculty*	Male Students	Female Students	Both	Neither	Not Applicable
76. have more respect for	1	2	3	4	5
77. do not communicate well with	1	2	3	4	5
78. are insensitive to the needs of	1	2	3	4	5
79. work better with	1	2	3	4	5
80. are more comfortable with	1	2	3	4	5

Generally I feel that *female faculty*	Male Students	Female Students	Both	Neither	Not Applicable
81. have more respect for	1	2	3	4	5
82. do not communicate well with	1	2	3	4	5
83. are insensitive to the needs of	1	2	3	4	5
84. work better with	1	2	3	4	5
85. are more comfortable with	1	2	3	4	5

Demographics

Now, we'd like to get a little background information about you.

86. What is your sex? 1. Male 2. Female

87. How old are you?_____

88. What is your marital status?
    1. Single
    2. Married/partnered
    3. Separated
    4. Divorced
    5. Widowed
    6. Other

89. How many children, under the age of 18, currently live with you?_____

90. What is your racial/ethnic identity?
    1. African American
    2. Asian/Pacific Islander
    3. Caucasian
    4. Chicano/Latino/Hispanic
    5. Native American
    6. Other, please specify_____

91. What category best describes your level of education?
    1. Some high school
    2. High school diploma or equivalency
    3. Trade or vocational school
    4. Some college
    5. Associate's degree
    6. Bachelor's degree
    7. Some graduate school
    8. Graduate degree

92. What is included in your benefits package? ***(circle all that apply)***
    1. No benefits
    2. Dental insurance
    3. Disability
    4. Family leave
    5. Job sharing
    6. Medical insurance
    7. Life insurance
    8. Pension plan
    9. Sick leave
    10. Tuition remission
    11. Other, please specify_____

93. How many years have you been in your current position?_____

94. How many years have you been at the law school?_____

95. Approximately how many hours do you work each week? _____

96. Are you a:
    1. Full time employee
    2. Part time employee

Please include other comments:-

Gender and the Law School Experience
Focus Group Questions

1. We would like to begin by discussing the expectations you had before coming to law school. Picture yourself a week before you arrived.

    a. What were your expectations about the use of the Socratic method?

    b. How did you feel about your ability to succeed academically?

    c. Do you believe that men and women have similar or different expectations about law school? Explain.

2. After discussing what you expected, let's examine what you have actually experienced in law school.

    a . In your experience, do you think that women and men react similarly or differently to the Socratic method? Explain. Give some examples.

    b. In your experience, do you think that professors treat women and men similarly or differently when using the Socratic method? How? Why? Give examples.

    c. Have you felt that being a woman affects your participation in class? How? Give examples.

    d. Do you think that being a woman influences academic success? How? Give us some examples.

3. Would you characterize law school as competitive?

    a. If yes, how has this competition affected you?

4. Now that we have discussed your experiences in law school, we would like to talk about how you have changed.

    a. Has being in law school affected your level of confidence? How?

    b. Are there any other ways in which you have changed? Please give examples.

    c. Do you think that you would have changed in this way if you would have been a man? Explain.

5. You have shared with us your expectations, experiences and personal changes in law school. We finally would like you to think about how law school could be improved.

    a. Specifically, we want to know what changes you would recommend so that women and men are treated fairly in legal education.

6. In closing, do you have any other comments or experiences that you think would be relevant to our research?

Gender and Career Services
Focus Group Questions

OPENING:

1. Briefly, what type of law would you like to practice after graduating from law school?

CAREER SERVICES:

2a. Have you been to the Career Services Office for reasons other than clerkship/job searches and interviews? Why?

2b. Have you attended any activities sponsored by Career Services for reasons other than clerkship/job searches and interviews? Which ones?

3. Do you think men and women have the same experiences when they visit the Career Services Office? Why or why not? (What has been your personal experience?)

a. Does Career Services sponsor different programs and activities for men and women? What are they?

b. Do you think that Career Services influences men and women to consider different areas of law? Explain.

CLERKSHIP/JOB SEARCHES AND INTERVIEWS:

4. In what ways has the Career Services Office assisted you in searching for a clerkship/job?

5. Do you think men and women have the same experience with the Career Services Office when they are searching for a clerkship/job? Why or why not? (What has been your personal experience?)

a. Does Career Services sponsor different clerkship/jobs search programs and activities for men and women? What are they?

6. In what ways has the Career Services Office prepared you for clerkship/job interviews?

7. Do you think men and women have the same experience with the Career Services Office when preparing for clerkship/job interviews? (What has been your personal experience?)

a. Does Career Services sponsor different clerkship/job interview programs and activities for men and women? What are they?

8. What specific recommendations would you make to the Career Services Office so that it fairly services both men and women?

(TRANSITION STATEMENT)

ACTUAL INTERVIEWS:

9. Does being a man or a women influence one's experience with the clerkship/job interview? How so? (What has been your personal experience?)

10. Does being interviewed by a man or a women positively or negatively influence the interview and the types of questions you are asked? How so?

11. Have you ever been asked to provide personal information or answer questions that you felt were inappropriate? For example, have you ever been questioned about your marital status, sexual orientation, family background, or partner's occupation?

12. How could the interview process be changed so that it fairly treats both men and women?

CLOSING:

13. Think about what we have covered in this interview, do you have any additional questions, comments, or concerns?

Survey of Gender and the Oregon State Bar Association's Disciplinary Process

Thank you for taking the time to complete this survey. Be assured that your answers will be kept strictly confidential, and that your participation is voluntary. When you have filled out this survey, please return it to us **no later** than **November 18, 1996**.

Section I: Demographics

First, we would like to get some background information about you.

1. Sex: [ ] Female [ ]Male

2. Age: _____

3. Ethnicity/Race:
   [ ]African American [ ]Native American [ ]Other _____
   [ ]Asian [ ]Pacific Islander
   [ ]Hispanic [ ]White(non-Hispanic)

4. Current Marital Status:
   [ ]Single [ ]Divorced
   [ ]Married/living as married [ ]Widowed
   [ ]Separated [ ]Other _____

5. Do you have any disabilities?
   [ ]Yes [ ]No **(If no, skip to question 6)**

   a. What is the nature of your disability? **(Please check all that apply)**
   [ ]Chronic Illness (e.g. C.F.S., Diabetes, Lupus)
   [ ]Learning (e.g. Attention Deficit Disorder, Dyslexia)
   [ ]Physical (e.g. hearing, vision, mobility)
   [ ]Psychiatric (e.g. depression, phobias, Bipolar)
   [ ]Other _____

6. Where would you place yourself on the political spectrum?
   1 2 3 4 5
   Liberal Middle Conservative

7. What was your class rank when you graduated from law school?
   [ ]Top 5% [ ]11-25% [ ]Below 51%
   [ ]6-10% [ ]26-50%

8. What Oregon State Bar region did you most recently practice in? _____

9. How many years have you practiced law? _____

10. Are you currently practicing law?
[ ]Yes [ ]No

a. What is your professional position?
[ ]Associate in a large firm (30+)
[ ]Associate in a medium firm (10-29)
[ ]Associate in a small firm (2-9)
[ ]Partner in a large firm (30+)
[ ]Partner in a medium firm(10-29)
[ ]Partner in a small firm (2-9)
[ ]Solo Practitioner
[ ]Employee (Gov. or Corporate)
[ ]Other _____

11. Since January 1, 1994, have you participated in the Oregon State Bar Association's disciplinary process in any of the following positions?
(Please check all that apply)
[ ]Accused Lawyer
[ ]Bar Counsel
[ ]Complainant
[ ]Defense Counsel
[ ]LPRB Member
[ ]SPRB Member
[ ]Trial Panel Member

SECTION II. Complaint History

QUESTIONS FOR ACCUSED ATTORNEYS ONLY, ALL OTHER PARTICIPANTS, PLEASE GO TO SECTION III. Answer the following questions dating back to January 1, 1994. Think about the most recent complaint only, unless otherwise instructed.

12. How many complaints have been filed against you since January 1, 1994? _____

a. How many complaints were authorized for prosecution since January 1, 1994?
_____ **(If zero, skip to question 13)**

b. What was the disposition of the **most recent** case?
[ ]Dismissal
[ ]Letter of admonition
[ ]Reprimand
[ ]Suspension
[ ]Disbarment
[ ]Form B Resignation

13. What was the nature of the allegations in the **most recent** complaint?
(Please check all that apply)
[ ]Advertising
[ ]Communication with represented party
[ ]Conduct prejudicial to the administration of justice
[ ]Conflict of interest
[ ]Disclosure of client confidence/secret
[ ]Dishonesty, fraud, deceit, misrepresentation
[ ]Excessive fee
[ ]Ex parte communication with the court
[ ]Failure or improper withdrawal
[ ]Failure to respond, failure to cooperate, or failure to respond truthfully in a disciplinary investigation
[ ]Incompetence
[ ]Neglect
[ ]Trust account overdraft
[ ]Trust account violation
[ ]Other _____
_____
_____
_____

14. What area of practice was involved in the **most recent** complaint?
(Please check all that apply)

[ ]Advertisement	[ ]Land use	[ ]Tenant/Landlord
[ ]Bankruptcy	[ ]Litigation(general)	[ ]Workers comp
[ ]Business	[ ]Personal injury	[ ]Unknown
[ ]Civil (general)	[ ]Probate	[ ]Other _____
[ ]Criminal	[ ]Real estate	
[ ]Domestic relations	[ ]Social Security	
[ ]Labor law	[ ]Tax	

15. What was the gender of the **most recent** complainant?
[ ]Female [ ]Male

SECTION III. Gender and the Disciplinary Process

Based on all your experiences and/or observations with the disciplinary process since January 1, 1994, rate your level of agreement with the following statements, where:

STRONGLY AGREE (**SA**)=1, AGREE(**A**)=2, NEUTRAL(**N**)=3,
DISAGREE(**D**)=4, STRONGLY DISAGREE(**SD**)=5

	SA	A	N	D	SD
16. The gender of the accused attorney does not affect the trial panel's decision about the outcome of the case.	1	2	3	4	5
17. The gender of the complainant does affect the trial panel's decision about the outcome of the case.	1	2	3	4	5
18. The gender of the defense counsel does affect the trial panel's decision about the outcome of the case.	1	2	3	4	5
19. An accused male attorney is favored by a trial panel over a female complainant.	1	2	3	4	5
20. An accused female attorney is not favored by a trial panel over a male complainant.	1	2	3	4	5
21. An accused male attorney is not better served by a male defense counsel, assuming he has equal, relevant experience.	1	2	3	4	5
22. An accused female attorney is better served by a male defense counsel, assuming she has equal, relevant experience.	1	2	3	4	5
23. An accused male attorney is better served by a female defense counsel, assuming she has equal, relevant experience.	1	2	3	4	5

Based on <u>all</u> experiences and/or observations with the disciplinary process since January 1, 1994, rate your level of agreement with the following statements, where:

STRONGLY AGREE (**SA**)=1, AGREE(**A**)=2, NEUTRAL(**N**)=3, DISAGREE(**D**)=4, STRONGLY DISAGREE(**SD**)=5

	SA	**A**	**N**	**D**	**SD**
24. An accused female attorney is not better served by a female defense counsel, assuming she has equal, relevant experience.	1	2	3	4	5
25. Male attorneys do not receive greater sanctions than female attorneys for the same violations.	1	2	3	4	5
26. Male trial panel members do not address female participants less formally than they address male participants.	1	2	3	4	5
27. Female trial panel members address male participants less formally than they address female participants.	1	2	3	4	5
28. Addressing a participant of the opposite sex in a less formal manner is a sign of favoring one gender over the other.	1	2	3	4	5
29. Inappropriate comments about another person's gender are not often made by the Disciplinary Counsel's Office/Bar Counsel.	1	2	3	4	5
30. Inappropriate comments about another person's gender are often made by the trial panel.	1	2	3	4	5
31. Inappropriate comments about another person's gender are often made by other participants in the disciplinary process.	1	2	3	4	5

32. Do you believe that men are treated differently than women in the Oregon State Bar disciplinary process? If yes, please explain.

Again, thank you for answering these questions. Return the survey by **November 18, 1996** in the business-reply envelope provided, or send it to:

Willamette University
Research Design Team #4
900 State Street, G186
Salem, OR. 97301

Active Members
Private Practice Members
Government Attorneys

	Total	Male	Female	% Male	% Female
Active Members	9351	6924	2427	74%	26%
Private Practice	6011	4793	1218	79.7%	20.3%
Government Employees: Total	1656	1065	591	64.3%	35.7%
PLF Exempt	1413	937	476	66.3%	33.7%
Legal Aid Attorneys	67	30	37	44.8%	55.2%
Public Defenders	176	98	78	55.7%	44.3%

Statistics from the Oregon State Bar, March 11, 1997.

Statistics Male/Female

	Active Members	%
Total	9,351	100.0
Male	6,924	74.0
Female	2,427	26.0
	Private Practice	%
Total	6,011	100.0
Male	4,793	79.7
Female	1,218	20.3
	Government Employees	%
	PLF Exempt	
Total	1,413	100.0
Male	937	66.3
Female	476	33.7
	Legal Aid Attorneys	%
Total	67	100.0
Male	30	44.8
Female	37	55.2
	Fee Arbitration Claims*	%
Total	212	100.0
Male	188	88.7
Female	24	11.3
	Client Security Fund Claims	%
Total	359	100.0
Male	336	93.6
Female	23	6.4

Sections by Male/Female

3/11/97

	Total	Male	Female	% Women
Poverty Law	44	18	26	59%
Disability Law	136	81	55	40%
Civil Rights	332	213	119	36%
Labor and Employment	692	458	234	34%
Family & Juvenile Law	1053	697	356	34%
Health Law	349	233	116	33%
Appellate Practice	318	220	98	31%
Alternative Dispute Resolution	330	230	100	30%
Sole & Small Firm Practitioners	213	151	62	29%
Military & Veterans Affairs	29	21	8	28%
Corporate Counsel	339	249	90	27%
Indian Law	136	100	36	26%
Environmental & Natural Resources	494	366	128	26%
Criminal Law	560	417	143	26%
Government Law	428	324	104	24%
Public Utility Law	130	99	31	24%
Workers Compensation	462	353	109	24%
International Law	152	117	35	23%
Estate Planning & Administration	1041	809	232	22%
Litigation	1327	1060	267	20%
Consumer Law	134	108	26	19%
Debtor-Creditor	703	570	133	19%
Antitrust, Trade Regulation	165	134	31	19%
Taxation	423	346	77	18%
Computer Law	204	167	37	18%
Real Estate & Land Use	1204	988	216	18%
Products Liability	130	107	23	18%
Law Office Management	202	167	35	17%
Business Law	1120	931	189	17%
Securities Regulation	216	181	35	16%
Business Litigation	501	425	76	15%
Admiralty	61	52	9	15%
Patent & Trademark	193	165	28	15%
Construction Law	349	307	42	12%
Agricultural Law	128	115	13	10%
Aviation	50	46	4	8%

Practice Specialties and Percentage Female.

Bar Sections by Male/Female	Total	Male	Female	% Female
Poverty Law	44	18	26	59%
Disability Law	136	81	55	40%
Civil Rights	332	213	119	36%
Labor and Employment	692	458	234	34%
Family & Juvenile Law	1053	697	356	34%
Health Law	349	233	116	33%
Appellate Practice	318	220	98	31%
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Admiralty	61	52	9	15%
Patent & Trademark	193	165	28	15%
Construction Law	349	307	42	12%
Agricultural Law	128	115	13	10%
Aviation	50	46	4	8%

Statistics from the Oregon State Bar, March 11, 1997.

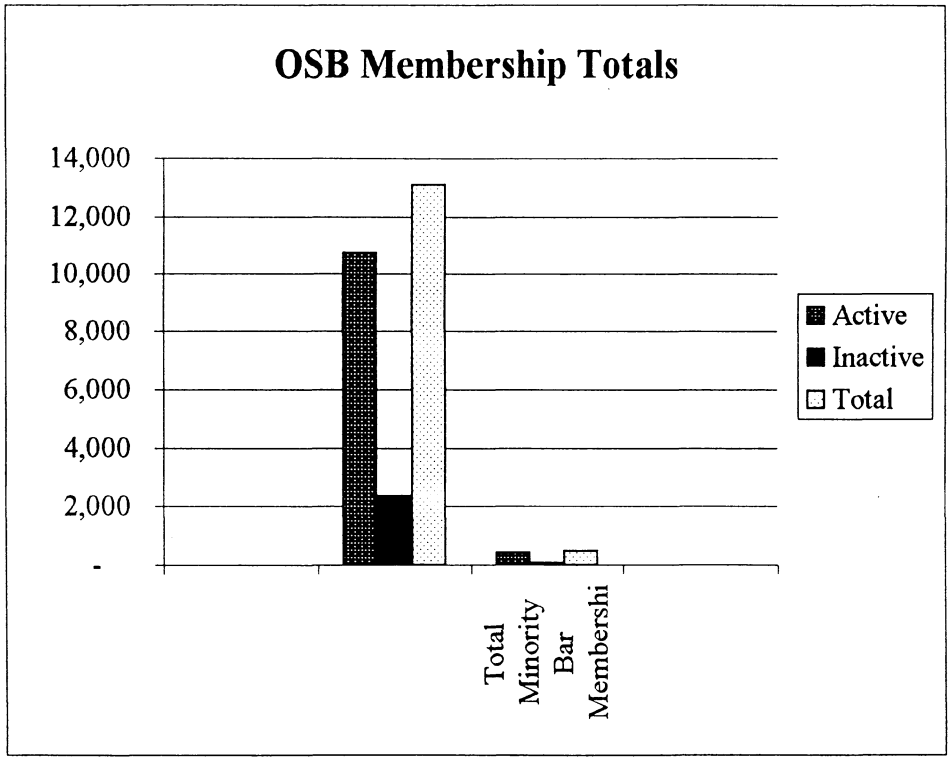
Percentage of Female Lawyers by Region

Region	Total	Male	Female	% Female
1 (Eastern Oregon)	676	549	127	18.8%
2 (Lane County	947	694	253	26.7%
3 (Southern Oregon)	615	500	115	18.9%
4 (Northern Coastal Region)	1410	1053	357	25.3%
5 (Multnomah County)	4851	3506	1345	27.7%
6 (Mid-Willamette Valley)	1916	1373	543	38.3%
0 (Out-of-State)	2659	1945	714	26.8%

Statistics obtained from the Oregon State Bar, July 1997, based on voting count by region.

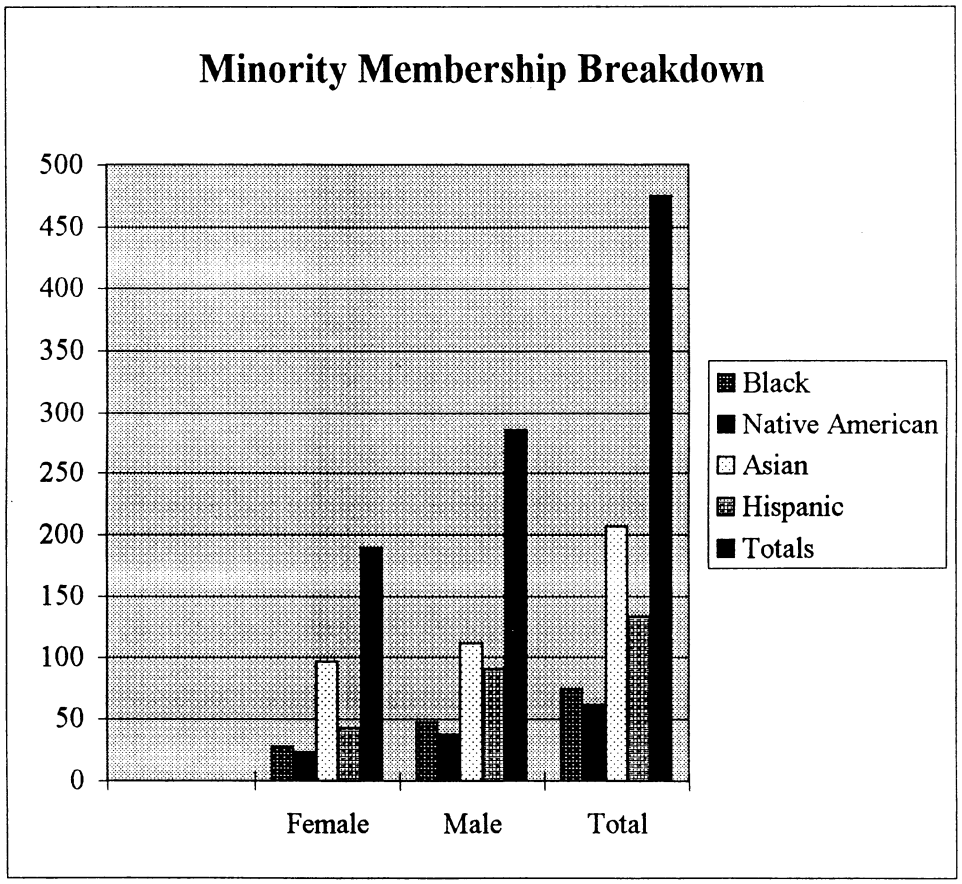
Oregon State Bar Membership Totals 1997

	Active	Inactive	Total
Total Bar Membership	10,725	2,365	13,090
Total Minority Bar Membership	406	69	475
Percentage of Minority to Total Bar Membership	3.8%	2.9%	3.6%
Total Male Bar Members	7,931	1,698	9,629
Percentage of Male Bar Members to Total	73.9%	71.8%	73.6%
Total Minority Male Bar Members	250	36	286
Percentage of Minority Male to Total Minority Membership	61.6%	52.2%	60.2%
Total Female Bar Membership	2,794	667	3,461
Percentage of Female Bar Members to Total	26.1%	28.2%	26.4%
Total Minority Female Bar Membership	156	33	189
Percentage of Minority Female to Total Minority Membership	38.4%	47.8%	39.8%



Breakdown of 1997 Minority Members

Ethnicity	Female	Male	Total	% To Total Min	% To Total Mbrs
Black	27	47	74	15.6%	0.6%
Native American	23	38	61	12.8%	0.5%
Asian	96	111	207	43.6%	1.6%
Hispanic	43	90	133	28.0%	1.0%
Totals	189	286	475	100.0%	3.6%



RESOURCE LIST

Commission on Judicial Fitness & Disability
(503) 222-4314 This 9-member commission investigates complaints against judges and recommends to the Supreme Court whether disciplinary action is necessary.

Oregon State Bar Lawyer Referral Service
800-452-7636 (TDD-TTY: 800-452-8260 ext. 416)
There is no charge for the referral, but the lawyer may charge you a $35.00 fee for the first meeting.

Oregon State Bar Disciplinary Counsel
The OSB Disciplinary Counsel processes complaints of lawyer misconduct. Complaints must be in writing, addressed to: Disciplinary Counsel, Oregon State Bar, 5200 Meadows Road, Lake Oswego, OR 97035.

OSB Tel-Law Library 1-800-452-4776
Recorded information on traffic, business, criminal, family law, and other topics, including restraining orders/domestic violence (#7070), paternity (#7232), unpaid child support (#7021), and custody issues (#7020).

Oregon Supreme Court

-

Oregon State Bar

Task Force

on

Gender Fairness

Oregon Supreme Court Building
1163 State Street
Salem, OR 97310
(503) 986-5921
(TTD: 503-986-5504)
Jessica Mindlin, Coordinator

WHAT IS THE MISSION OF THE TASK FORCE?

The Task Force's mission is to study whether and, if so, how the Oregon judicial system and legal profession treat people unfairly on the basis of gender (sex). The Task Force will recognize fair treatment where it exists and make recommendations for change where it does not. A written report, containing findings, conclusions, and recommendations, is to be completed by September 1997.

WHO IS ON THE TASK FORCE?

The 18-member Task Force is composed of lawyers in private, public, and non-profit practice, state & federal judges, and medical and court personnel from throughout Oregon (see roster). Supreme Court Justice Susan Graber and past Oregon State Bar President Robert Fraser co-chair the Task Force. All Task Force members are volunteers. In addition, scores of volunteers are serving on Task Force work groups.

HOW DOES THE TASK FORCE OPERATE?

The Task Force is divided into work groups, each of which is focusing on a specific area of the law or the legal profession. Work groups are examining: Criminal and Juvenile Law; Domestic Relations and Civil Litigation; Interactions Between Attorneys, Clients & Staff; Intersectionality (the intersection of gender with other factors such as race, disability, age, sexual orientation); Judicial Administration; Legal Education, Bar Admission and Discipline; and Opportunities in the Legal Profession/ Professional Life.

HOW CAN I SUBMIT INFORMATION?

You are encouraged to come to a public hearing to tell us about your experiences. The Task Force also welcomes written statements and materials. You may submit information anonymously, if you wish. Additional information will be gathered through the use of surveys and focus groups.

WHAT CAN I DO TO HELP?

There are many ways to support the work of the Task Force. For example, you can:

1. Provide testimony or other information to the Task Force
2. Help organize or publicize the public hearing in your community
3. Lend your expertise to a Task Force work group
4. Make a (tax-deductible) donation to the Task Force. We need your support! (Checks should be made payable to the Oregon Law Foundation- GFTF.)

For additional information, please contact Jessica Mindlin, Task Force Coordinator, at (503) 986-5921.

ROSTER OF TASK FORCE MEMBERS

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Lake Oswego, OR 97035

Okianer Christian Dark
U.S. Attorney's Office
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Portland, OR 97204

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Luvaas, Cobb, Richards, and Fraser
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Eugene, OR 97401-9292

The Honorable Julie Frantz
Multnomah Co. Courthouse
1021 SW 4th Avenue
Portland, OR 97204

The Honorable Susan Graber*
Oregon Supreme Court
1163 State Street
Salem, OR 97310

Elizabeth Harchenko
Attorney General's Office
1162 State Street
Salem, OR 97310

The Honorable Dennis Hubel
Karnopp, Peterson, et. al.
1201 Wall St., Suite 300
Bend, OR 97701

The Honorable William Johnson
Umatilla Tribal Court
PO Box 1083
Pendleton, OR 97801-0080

The Honorable Bryan Johnston
OR. House of Representatives
PO Box 4043
Salem, OR 97302-1043

The Honorable Darryl Larson
Lane County Courthouse
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Portland, OR 97204-1123

*Co-Chairs

Order of the Supreme Court of Oregon

The Supreme Court of Oregon is committed to the highest standards of professionalism and expects those standards to be observed by lawyers in this state. Compliance with high standards of professionalism depends primarily upon understanding the value to clients, the legal system, the public, and lawyers of adhering to the voluntary standards. Secondarily, compliance depends upon reinforcement by peer pressure and public opinion, and finally, when necessary, by enforcement by the courts through their powers and rules already in existence. These standards of conduct are not intended to be a set of rules that lawyers can use to incite ancillary litigation on the question whether the standards have been observed by an adversary.

We must always be mindful that the practice of law is, above all, a profession. As members of a learned art, we pursue a common calling in the spirit of public service. We have a proud tradition of leadership in our society, and we now call upon all Oregon lawyers to rededicate themselves to practice law in a manner that maintains public confidence in our profession, faithfully serves our clients, and fulfills our responsibility to the legal system.

It is now, therefore,

ORDERED that, in pursuit of these objectives, the Supreme Court of the State of Oregon hereby approves the Statement of Professionalism adopted by the Oregon State Bar on October 5, 1990, attached to and made a part of this order.

DATED this 23rd day of January, 1991.

The Supreme Court of Oregon

By: Edwin J. Peterson
Edwin J. Peterson
Chief Justice

By: Wallace P. Carson, Jr.
Wallace P. Carson, Jr.
Associate Justice

By: W. Michael Gillette
W. Michael Gillette
Associate Justice

By: George A. Van Hoomissen
George A. Van Hoomissen
Associate Justice

By: Edward N. Fadeley
Edward N. Fadeley
Associate Justice

By: Richard L. Unis
Richard L. Unis
Associate Justice

By: Susan P. Graber
Susan P. Graber
Associate Justice

Oregon State Bar
5200 SW Meadows Road
Lake Oswego, OR 97035-0889
(503) 620-0222
800-452-8260

OREGON STATE BAR 1935

Statement of Professionalism

Adopted by the Oregon State Bar and Approved by the Supreme Court of Oregon

Oregon State Bar
Statement of Professionalism

Introduction

As members of the Oregon State Bar, we belong to a profession devoted to serving both the interests of our clients and the public good. In our roles as officers of the court, as counselors, and as advocates, we aspire to a professional standard of conduct. With adherence to a professional standard of conduct, we earn a reputation for honor, respect, and trustworthiness among our clients, in the legal community, and with the public.

Professionalism

Professionalism includes integrity, courtesy, honesty, and willing compliance with the highest ethical standards. Professionalism goes beyond observing the legal profession's ethical rules: professionalism sensitively and fairly serves the best interests of clients and the public. Professionalism fosters respect and trust among lawyers and between lawyers and the public, promotes the efficient resolution of disputes, simplifies transactions, and makes the practice of law more enjoyable and satisfying.

To further our commitment to conduct ourselves as professionals, we adopt the following principles as guidelines for our practice.

General Guidelines

1.1 As officers of the court, we will promote the integrity, dignity, independent judgment, effectiveness, and efficiency of the legal system.

1.2 We will work professionally with all parties whose activities relate to our client's work.

1.3 We will conduct our practice in a courteous, fair, and respectful manner.

1.4 We will conduct our practice in a timely manner.

1.5 We will commit ourselves to developing and preserving the ideals of integrity, honesty, competence, fairness, and devotion to the public interest.

1.6 We will represent our clients zealously within the bounds of the law and the ethical standards approved by law or the Oregon Supreme Court, vigorously protecting the interest of our clients in a responsible manner.

1.7 In appropriate cases, we will advise our clients of the availability of mediation, arbitration, and other alternative methods of resolving disputes.

1.8 We will avoid all forms of discrimination. We will actively support all efforts to assure that all members of our society are afforded the protections and rights provided by law.

1.9 We will not knowingly misstate facts or law. We will not knowingly cause a person to form a mistaken conclusion or facts of law.

1.10 We will learn and follow practices and civilities that encourage respect, diligence, candor, punctuality, and trust.

1.11 We will avoid unjust and improper criticism and personal attacks on opponents, judges, and others and will refrain from asserting untenable positions.

1.12 We will not use delaying tactics.

1.13 We believe lawyers should solve problems, not create or exacerbate them.

1.14 We will be knowledgeable in the areas in which we practice, and when necessary will associate with or refer clients to counsel knowledgeable in other fields of practice.

1.15 We will not threaten to make complaints to a regulatory agency to gain advantage.

1.16 We will honor the client's right to our candid view of opposing counsel only to the extent that those views are relevant to the client's interests and not for the purpose of disparaging other counsel.

Litigation

2.1 We will advise clients against pursuing litigation that is without merit.

2.2 We will not use tactics that are intended solely to delay, harass, or drain the financial resources of the opposing party.

2.3 Whenever litigation is contemplated in order to preserve the rights of a party against the running of a statute of limitations, we will endeavor before filing the action to seek an agreement to toll the statute of limitations long enough to investigate whether a lawsuit is warranted.

2.4 We will not assert claims for relief that have no merit.

2.5 Upon receiving a complaint and, if possible, before a responsive pleading is due, we will try to initiate informal discussions with opposing counsel to determine the precise nature of the claim, the prospect of settlement, and the possible use of alternative dispute resolution. We will try to reach agreement for scheduling of future motions, discovery, pretrial conferences, and other matters in an effort to reduce the cost of litigation to the parties and to accommodate all parties' schedules.

2.6 With respect to discovery, we will not seek information from our adversaries for the purpose of harassment, nor will we refuse to produce information that we know the court will ultimately require to be produced. We will try to schedule depositions informally by mutual agreement for the convenience of parties, counsel, and witnesses before resorting to formal notice procedures.

2.7 In making motions, we will consider costs and benefits to the parties, the court, and the system of justice, giving due consideration to any tradeoffs to our clients and the progress of the case as a whole. Motions will be considered carefully in light of the likelihood of success and practical benefit to the client.

2.8 We will make every effort to be punctual in attending hearings, conferences, and depositions.

2.9 In civil matters we will stipulate to facts as to which there is no genuine dispute.

2.10 We will encourage innovative methods that simplify and make less expensive the rendering of legal services. We specifically adopt and incorporate in this statement the cost containment guidelines promulgated by joint action of the Oregon Trial Lawyers Association and the Oregon Association of Defense Counsel.

Business Practice

3.1 We will endeavor to represent the best interests of our clients and at the same time seek to resolve matters in a manner that minimizes legal expenses for all involved and accomplishes the goal of our client.

3.2 We will clearly identify, for other counsel and all parties, all changes made in documents submitted for our review.

3.3 We will avoid quarrels over matters of form or style and will concentrate our energy and resources on matters of substance and content.

3.4 In making representations concerning the facts of a matter, we will be accurate and indicate clearly the extent to which we have authority to bind the client.

Lawyering in the Public Interest

4.1 When the interests of our clients are not involved, we will endeavor to put aside self-interest and support legislation that is in the public interest. We will urge legislative bodies to consider the consequences of proposed legislation on the courts and legal system.

4.2 We will discuss the nature of the fee arrangement with the client at the beginning of the representation.

4.3 We will avoid advertising that is not fair, factual, informative, sensitive to the recipients, or beneficial to the public.

4.4 We will endeavor to increase our participation in pro bono activities. We will help lawyers recognize their obligation to make legal services available to all members of society.

4.5 We resolve to employ all the organizational resources necessary to assure that the legal profession is effectively regulated from within.

4.6 We will support activities that educate the public about legal processes and the legal system.

Conclusion

We are committed to this statement of professionalism and we will conduct the practice of law in a manner consistent with these precepts.

Oregon Supreme Court/Oregon State Bar
Task Force on Gender Fairness
c/o Oregon State Bar
5200 S.W. Meadows Road
Lake Oswego, OR 97035