

**Missouri Bar Association**  
**2016 Appellate Court Evaluation - Lawyer Survey**  
**Judge: Philip M. Hess**  
**Missouri Court of Appeals - Eastern District**

**Professional Interaction:**

1) Percent of following statements that applied

Use appellate opinions in practice:	89 %
Have appeared before this judge in oral arguments:	10 %
This judge has written an opinion in one of my cases:	1 %

2) In the most recent case in which you appeared before this judge, did you represent the winning party or the losing party?

Winning party	11 %
Losing party	11 %
Mixed outcome	11 %
Case not yet decided	4 %
N/A	63 %

**Survey Questions/Results:**

	<b>Strongly Agree (5)</b>	<b>Agree (4)</b>	<b>Neither Agree nor Disagree (3)</b>	<b>Disagree (2)</b>	<b>Strongly Disagree (1)</b>	<b>N/A: Not Applicable</b>	<b>Average Rating</b>
<b>Legal Ability</b>							
Writes opinions that adequately explain the basis of the court's decision.	26	20	13	4	3	5	3.94
Writes opinions that follow an applicable standard of review for the case.	23	21	12	3	4	5	3.89
Writes opinions that clearly set forth any rules of law to be used in future cases.	23	21	15	4	3	5	3.86
Writes opinions that decide only those issues that need to be decided in the cases before the court.	24	22	12	4	3	5	3.92
<b>Impartiality/Fairness</b>							
Writes opinions that address the issues raised by both parties fairly.	24	22	14	1	5	5	3.89
<b>Temperament/Demeanor</b>							
Writes separate opinions that are appropriate in tone and substance.	24	15	17	3	2	8	3.92

**Communication Skills**

Writes opinions that are clear.	27	20	8	5	2	5	4.05
Writes opinions that are concise.	23	21	11	4	3	5	3.92
Writes opinions that adequately summarize the relevant facts in the case.	21	19	12	4	3	4	3.86
Writes opinions in which the legal reasoning is easy to follow.	26	18	8	5	3	5	3.98

***If the attorney has appeared before the judge in oral argument:*****Impartiality/Fairness**

Is attentive to the arguments of all parties during oral argument.	23	7	9	4	2	16	4.00
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**Temperament/Demeanor**

Is punctual for proceedings.	22	12	10	2	2	15	4.04
Is attentive to the differing opinions of colleagues during oral argument.	19	11	12	1	3	16	3.91

***If the judge has written an opinion for the court in one of the attorney's casers:*****Legal Ability**

Writes opinions that accurately reflect the evidence in the record.	18	11	8	2	4	15	3.86
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