



CJE ADVOCACY: *Judicial Performance Evaluations*

Members of the Center for Judicial Excellence have had productive meetings with the following individuals to discuss our proposed 2008 legislation:

- **Senate President Pro Tem Don Perata's** Consultant Shelley Curran
- **Senate President Pro Tem Don Perata's** Consultant Lindy Rose Graham
- **Assembly Speaker Fabian Nunez's** General Counsel Fredericka McGee
- **Gene Wong**, Chief Counsel, Senate Judiciary Committee
- **Drew Liebert**, Chief Counsel, Assembly Judiciary Committee
- **Senator Dick Ackerman**, Senate Minority Leader, Judiciary Committee member
- **Senator Tom Harman**, Ranking Republican, Senate Judiciary Committee
- **Senator Carole Migden's** Legislative Director Laura Metune
- **Assemblymember Mark Leno** and his Legislative Director Carlos Machado
- **Assemblymember Van Tran**, Ranking Republican, Judiciary Committee
- **Assemblymember Jared Huffman**, D–Marin/Sonoma
- **Assemblymember Lloyd Levine's** Judiciary Committee staffer Greg Girvan
- **Assemblymember John Laird's** Consultant Janus Norman
- **Assemblymember Sally Lieber's** Principal Assistant Barry Steinhart
- **Donna Hershkowitz**, Assistant Director of Governmental Affairs, Judicial Council of California/Administrative Office of the Courts

We are encouraged by the positive feedback we're receiving about developing a statewide **Judicial Performance Evaluation (JPE) program for California, similar to those working in 19 other states**. Our preferred model for California's JPE program is Colorado, where volunteer commissions at the state and local levels conduct evaluations, and the program is funded using revenue from traffic violations. CJE is currently focusing on building support for JPEs among diverse statewide organizations and drafting legislation to be introduced in 2008.

Basic Assumptions of a Judicial Performance Evaluation Program

- Each sitting judge should be evaluated on a regular schedule, at least twice during each term.
- Evaluations should emphasize apolitical metrics of judicial performance, and should be based primarily on performance against predetermined benchmarks.
- An evaluation committee should gather a broad and deep set of information on the judge's performance, including survey data, review of case management skills and written opinions, courtroom observation, and information gained from interviews with the judge. The committee should issue a report concerning each judge's performance.
- The evaluation committee should be independent, and should consist both of lawyers and non-lawyers.
- The evaluation process should be transparent both to the judge being evaluated and to the public.
- Evaluation results, and information on the evaluation process itself, should be widely disseminated to the public.

SOURCE: *Shared Expectations: Judicial Accountability in Context*, Institute for the Advancement of the American Legal System, www.du.edu/legalinstitute

Please call Kathleen Russell or Erin Fogg at 415-459-9211 for more information about JPEs.