

Judicial Performance Evaluation

Utah

Scope. A JPE program run by the judiciary was first established by statute in 1986, with initial evaluations issued in 1990. In 2008, the legislature established an independent Judicial Performance Evaluation Commission. District and Juvenile Court judges, full-time Justice Court judges, and Court of Appeals judges, all of whom serve 6-year terms, are evaluated mid-term for self-improvement and then again prior to standing for retention. Supreme Court justices, who serve 10-year terms, have two mid-term self-improvement evaluations and one final retention evaluation.

Commission. The Judicial Performance Evaluation Commission (JPEC) consists of thirteen members, no more than seven of whom may be attorneys. The President of the Senate and the Speaker of the House of Representatives each appoint two members; the Governor and the Supreme Court each appoint four members; and the Executive Director of the Commission on Criminal and Juvenile Justice is an ex officio member. No more than half of the members appointed by each branch of government may be of the same political party. Members serve staggered, four-year terms.

Criteria. Survey respondents evaluate judges in three areas: legal ability, integrity and judicial temperament, and administrative ability. Courtroom observers evaluate judges based on the principles of Procedural Fairness.

Data collection. The JPEC surveys attorneys and court staff as well as juvenile court professionals and jurors, as appropriate. The commission also conducts an extensive courtroom observation program; ensures compliance with disciplinary standards, case-under-advisement time standards and education standards; and encourages public comment.

Dissemination. For each judge standing for retention, JPEC posts on its website a final evaluation report, including a retention recommendation supported by a commission vote. Interim evaluations are shared with the evaluated judge and with court administrators for judicial education and self-improvement purposes.

Website. <http://www.judges.utah.gov/>