

CITY COUNCIL POLICY

**Policy 36
May 3, 2016**

Subject: Municipal Court Judicial Evaluations

It shall be the policy of the City Council of the City of Wichita to conduct an annual performance evaluation of the Municipal Court Judges to determine if the judges should continue serving as Municipal Court Judges and if a merit increase should be granted.

I. Evaluation Committee and Duties:

A Judicial Evaluation Committee comprised of three City Council members will direct an annual evaluation process for Municipal Court Judges and provide written recommendations to the City Council regarding continuation of judges' terms of office, reappointments at the end of judges' terms of office, and merit increases. The Human Resources Director and the Municipal Court Administrator will assist the committee during the evaluation process.

Upon completion of the evaluation process, the committee will rate the performance of each judge, and assign an overall rating that will be submitted to the City Council. Judges will be assigned a performance rating of "accomplished", "satisfactory", or "unsatisfactory" in the areas evaluated.

City Council will review the ratings and recommendations submitted by the Judicial Evaluation Committee, determine whether each judge should continue to serve as a Municipal Court Judge and if a merit increase should be granted. During the final year of term of office, the City Council shall determine whether each judge should be reappointed to another four year term and if a merit increase should be granted.

City Council will take official action on whether each judge should continue their term of office, be reappointed at the conclusion of their term of office, and/or receive a merit increase no later than the third Tuesday in April.

The documentation of all annual evaluations and any documents received by the evaluation committee shall be considered as confidential personnel matters and will be exempt from disclosure to the extent allowed by the Kansas Open Records Act. City Council may elect to release a report summarizing survey results and evaluation related information to the public.

II. Evaluation Procedures:

Annual Evaluation Process

The committee's annual evaluation process shall include:

1. Each January two groups of Municipal Court stakeholders will be surveyed regarding the performance of Municipal Court Judges. Group A: a sample of attorneys appearing in Municipal Court will be surveyed regarding each judge's ability to interpret and apply the law, rules of procedure and evidence, legal precedent, and principles of courtroom

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management. Group B: a sample of non-attorneys appearing in Municipal Court including law enforcement, court staff, and inspectors will be surveyed regarding access and treatment of persons appearing before the court in terms of fairness, equality, and respect. Surveys will provide an opportunity for respondents to provide feedback related to each respective judge that the respondent has appeared before within the previous 12 months.

2. An annual self-evaluation will be completed by each judge and submitted to the HR Director by the first Monday in February. The self-evaluation will address the evaluation criteria listed below, as well as challenges within each judge's division, strategies implemented to improve outcomes, professional development, and complaints received.
3. The Court Administrator will provide a report of key Municipal Court performance measures. The report will include both qualitative and quantitative performance measures that detail the Court's judiciary outcomes and workload.
4. The committee may also elect to review information available from the public record, and meet individually with each judge or City staff to gather additional information as needed.
5. No later than the first Monday in March, the HR Director and Court Administrator will provide the judicial evaluation committee with a summary of survey results, self-evaluations from each judge, the Court Administrator's performance measure report, and any additional information requested by the committee.

Reappointment Evaluation Process

The evaluation administered during the final year of each judge's term of office will include a recommendation to City Council as to whether each judge should be reappointed. The reappointment recommendation shall be based on a review of annual survey results, judicial self-evaluations, performance measure reports, ratings given during each year of a judge's term of office, and any additional information obtained during the annual evaluation process.

Municipal Court Judge Evaluation Criteria

The primary criteria to be used in evaluating the Municipal Court Judges is whether the individual judge has demonstrated his or her ability to serve as a Municipal Court Judge utilizing the following factors:

- Adherence to the scheduling of all dockets, hearings, other courtroom assignments and the rules of the Municipal Court.
- Cooperation with other judges and the Chief Judge, by attending judges meetings, completing assignments and assisting where needed.
- Ability to act with courtesy and patience to all people who appear before the court.
- Providing advance notice of anticipated absences and/or use of leave.
- Devotes appropriate time and consideration to judicial cases.
- Proper demeanor so as to not discredit the court, its employees or other judges.
- Fairness, including sensitivity to diversity and bias.

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- Legal knowledge and skills (competence).
- Integrity.
- Experience.
- Diligence.
- Impartiality.
- Judicial temperament.
- Respect for the rule of law.
- Professional conduct.

Chief Judge Evaluation Criteria

In addition to the criteria set forth above, the Chief Judge shall also be evaluated annually on the following criteria:

- Adherence to Administrative Requirements.
- Management skills.
- Devoting appropriate time to all pending matters.
- Discharging administrative responsibilities diligently.
- Willingness to establish effective working relationships with other City staff, Municipal Court Judges, the Municipal Court Administrator, attorneys and the public.
- Willingness and ability to enforce the rules of the Municipal Court.
- Ability to make courtroom assignments to ensure adequate coverage of each docket.
- Participation on subcommittees designed to improve the functioning of the court.
- Ability to initiate and develop new court procedures to enable the Municipal Court to operate more effectively and efficiently.

Performance Standards

- **ACCOMPLISHED:** The incumbent performed all job responsibilities proficiently and skillfully, demonstrating a high degree of knowledge of the job requirements. The work done by the incumbent has provided a considerable contribution to the Court. The incumbent has met all stated standards at the “Accomplished” level.
- **ACCEPTABLE:** The incumbent generally performs most job responsibilities at an acceptable level, but work performance is less than the “Accomplished” level.
- **UNSATISFACTORY:** The incumbent may perform some job responsibilities at an acceptable level but improvement is required in some areas. The incumbent has not met an “Acceptable” level of performance and warrants further evaluation.

Timeline

- Stakeholder survey January 1st- 31st
- Judicial self-evaluations due to HR 1st Monday in February
- Survey results, self-evaluations, performance measure report submitted to Judicial Evaluation Committee 1st Monday in March
- Council action 3rd Tuesday in April