

HOUSE BILL No. 2341

By Representative Davis

2-12

AN ACT concerning judges and justices; evaluating the performance thereof.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The supreme court nominating commission shall establish a judicial performance evaluation process implementing the provisions of this section. The staff of the office of judicial administration shall provide assistance to the commission.

(b) The goal of the evaluation process shall be to assist voters in evaluating the performance of judges and justices subject to retention and election, facilitate self-improvement of all judges and justices, promote the goals of judicial performance review and protect judicial independence while fostering public accountability of the judiciary.

(c) The supreme court shall assess a surcharge on case filings to fund expenses as are necessary to implement the judicial evaluation performance process.

(d) The commission shall:

(1) Develop a random survey of court users including attorneys, litigants, jurors, law enforcement officers, court service officers, social workers and any other people the commission deems appropriate who have directly observed the judge's performance. At least 50% and no more than 75% of those surveyed in a judicial district shall be licensed attorneys. The commission may develop different surveys for the various participants. The survey shall be dispersed, collected and tabulated by the office of judicial administration. The survey shall ask the respondents to assess judges by the following: integrity, legal ability, communication skills, ability to work effectively with court personnel and other judges, punctuality and administrative skills. Respondents to the survey shall remain confidential. Survey results shall not be published unless 15% of the surveys are returned;

(2) develop clear, measurable performance standards that the survey questions are based upon;

(3) develop a dissemination plan to ensure that as many members of the public as possible have knowledge of the survey results. The office of judicial administration shall make the survey results available to the public

1 no later than three weeks before advance voting begins in a primary or
2 general election;

3 (4) develop a procedure for judges and justices to receive and re-
4 spond to survey results before such results are made public;

5 (5) establish a mechanism to incorporate evaluation results in design-
6 ing judicial education programs; and

7 (6) adopt procedures for the implementation of this process.

8 Sec. 2. This act shall take effect and be in force from and after its
9 publication in the statute book.

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