

FINAL**NO FISCAL IMPACT****Drafting Number:** LLS 07-0586**Date:** May 14, 2007**Prime Sponsor(s):** Rep. Summers
Sen. Harvey**Bill Status:** Postponed Indefinitely**Fiscal Analyst:** Gary J. Estenson (303-866-4976)**TITLE:** CONCERNING EVALUATIONS BY COMMISSIONS ON JUDICIAL PERFORMANCE.**Summary of Assessment**

The bill eliminates the authority of the chief justice of the Supreme Court to appoint members of the State Commission on Judicial Performance Commission and approve state commission rules. The president of the Senate, the speaker of the House of Representatives, and the Governor are each given one additional state commission appointment.

Certain attorneys appearing before county and district court judges are encouraged to file a judicial evaluation with a district commission on judicial performance. The evaluation must be filed by April 1st of each even-numbered year and based on criteria specified in the bill. Attorneys that file a judicial evaluation are immune for any civil or criminal action related to evaluations filed in good faith.

A district commission is required to provide a summary assessment of judicial evaluations received in any judicial evaluation report. Respectively, the state commission is required to conduct additional evaluations of each Supreme Court justice and Court of Appeals judge, during the 5th and 4th year following a retention election. Both the state and district commission must provide a retention recommendation on the ballot for judicial retention next to the name of the judge or justice.

Finally, the bill requires separate line item appropriations for the state commission and district commissions. For FY 2006-07, the combined appropriation was \$565,997 from docket fees. The bill was postponed indefinitely by the House Judiciary Committee on February 21, 2007.

The bill encourages chief judges of each judicial district to file a judicial evaluation report of district and county judges. The workload associated with the preparation and filing evaluations will be minimal and can be absorbed within existing trial court resources. The creation of separate budget line items for the state commission and district commissions is merely technical. As such, the bill will not impact state or local revenue or expenditures and is assessed as having no fiscal impact.

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