

**STATE  
FISCAL IMPACT**

<b>Drafting Number:</b> LLS 14-0304	<b>Date:</b> January 22, 2014
<b>Prime Sponsor(s):</b> Rep. Rosenthal	<b>Bill Status:</b> House Judiciary
	<b>Fiscal Analyst:</b> Alex Schatz (303-866-4375)

**SHORT TITLE:** DISTRICT COMMISSIONS ON JUDICIAL PERFORMANCE

<b>Fiscal Impact Summary*</b>	<b>FY 2014-2015</b>	<b>FY 2015-2016</b>
<b>State Revenue</b>		
<b>State Expenditures</b>		
General Fund	\$69,147	
<b>FTE Position Change</b>		
<b>Appropriation Required:</b> \$69,147 - Legislative Department (FY 2014-15).		

\* This summary shows changes from current law under the bill for each fiscal year.

**Summary of Legislation**

This bill directs district commissions on judicial performance to invite the district attorney, a member of the public defender's office, and a representative from the local bar association to personal interviews with judicial officers during the performance evaluation of each judge. A district commission must invite those parties with at least 35 days' notice, and the majority of the district commission members must be present at the interview. At its sole discretion, an invited party may opt to submit a written evaluation instead of attending an interview.

The bill also requires the district commission's written evaluation to include information responding to each statutory evaluation criterion.

**Background**

Current statute directs district commissions to evaluate district and county judges based on 19 individual criteria organized into six categories. Guidelines adopted by the Judicial Department currently limit written judicial performance evaluations to a maximum of 500 words. In even-numbered years, judicial performance evaluations are included in the voter guide published by the General Assembly, also known as the Blue Book.

Judicial performance evaluations account for a substantial portion of the printing cost of the Blue Book. For example, of the 88 pages in the 2012 Blue Book, 39 pages were dedicated to judicial performance evaluations. The Legislative Department paid \$312,073 to print the Blue Book in 2012, an equivalent of \$3,546 per page.

**State Expenditures**

The bill results in increased expenditures in the Legislative Department of an estimated \$69,147 in even-numbered years (every other fiscal year starting with FY 2014-15), and a minimal increase in workload for the Judicial Department.

**Legislative Department.** The bill increases costs to print the Blue Book. Based on current policy, the narrative provided by district commissions includes background information and recommendations, in addition to information relevant to specific performance criteria. A narrative responding to each statutory performance criterion will increase the judicial performance section of the Blue Book by approximately 50 percent. Assuming that a similar number of pages are required for judicial performance evaluations in each even-numbered year Blue Book, this adds 19.5 pages to the 2014 Blue Book (in FY 2014-15), at a cost of \$69,147. This cost will recur in each subsequent even-numbered year.

**Judicial Department.** New administrative requirements for district commissions create a minimal increase in workload for the Judicial Department. District commissions must schedule and notice interviews with judicial officers in accordance with the bill, track consent for written submissions from invited parties, and draft judicial performance narratives that are more detailed than current practice. This increased workload involves minor changes in Judicial Department practices and will not require new appropriations.

**Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

**State Appropriations**

For FY 2014-15, the bill requires an appropriation of \$69,147 General Fund to the Legislative Department.

**State and Local Government Contacts**

Judicial Department  
Legislative Council

District Attorneys  
Counties

Public Defender