

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ESTABLISHMENT OF THE JUDICIAL)
PERFORMANCE REVIEW TASK) Administrative Order
FORCE AND APPOINTMENT OF) No. 2018 - 66
MEMBERS)
)
_____)

Article 6, Section 42 of the Arizona Constitution was adopted in 1992 and requires the supreme court to adopt and administer a process for evaluating judicial performance of all judges and justices who stand for retention. To implement this provision, the court adopted the Rules of Procedure for Judicial Performance Review and established the Commission on Judicial Performance Review in 1993.

In addition to other duties, the Commission develops, reviews, and recommends amendments on written performance standards for approval by the supreme court. The Commission also formulates policies and procedures for collecting information and conducting reviews. The current performance standards were last amended and became effective in 1998. Additionally, although the rules have been amended since their adoption, a review of the standards, rules, and other policies governing the Commission’s work is warranted.

Therefore, pursuant to Article VI, Section 3 of the Arizona Constitution,

IT IS ORDERED:

1. ESTABLISHMENT: The Judicial Performance Review Task Force is established.
2. PURPOSE: The Task Force shall:
 - a. Evaluate the standards, policies, and procedures of other states that utilize a judicial performance review process and determine if those or other policies or procedures should be adopted in Arizona.
 - b. Consider whether modifications should be made to the content of the survey instrument and the frequency of the survey process.
 - c. Review the Commission’s current standards, data-gathering procedures, policies, and practices and recommend modifications to improve the judicial performance review process, including, but not limited to:
 - (1) Whether any new methods of gathering information regarding a judge’s performance should be used;
 - (2) How and whether surveys of court staff should be utilized;

- (3) Criteria for issuing a letter of concern to a judge;
 - (4) Procedures for recusing a judicial member of the Commission who receives a letter of concern;
 - (5) How the Commission should memorialize its operating policies and procedures
3. **REPORT AND RECOMMENDATIONS.** Notwithstanding Rule 2(g)(1)(a), Rules of Procedure for Judicial Performance Review, the Task Force shall gather comments on its report and recommendations from the Commission prior to submitting them to the supreme court.
 4. **MEMBERSHIP:** The individuals listed in Appendix A are appointed as members of the Task Force effective immediately and ending April 30, 2019. The Chief Justice may appoint additional members as necessary.
 5. **MEETINGS:** Task Force meetings shall be scheduled at the discretion of the Chair. All meetings shall comply with the Arizona Code of Judicial Administration § 1-202: Public Meetings.
 6. **STAFF:** The Administrative Office of the Courts shall provide staff for the Task Force and shall assist the Task Force in developing recommendations and preparing any necessary report and petitions.

Dated this 18th day of July, 2018.

SCOTT BALES
Chief Justice

Appendix A

JUDICIAL PERFORMANCE REVIEW TASK FORCE

Chair

Honorable Ruth McGregor
Arizona Supreme Court (ret.)

Members

Mike Hellon

Chair
Commission on Judicial Performance Review

Honorable Kenton Jones

Judge Member
Court of Appeals, Division One

Phil Hanley

Director, Human Resources Department
Administrative Office of the Courts

Will Auther

Attorney Member
Maricopa County

Honorable Steven McCarville

Presiding Judge
Pinal County Superior Court

Doug Cole

Public Member
Maricopa County

Janet Regner

Public Member
Coconino County

Honorable Douglas Gerlach

Judge Member
Maricopa County Superior Court

Honorable Kyle Bryson

Presiding Judge
Pima County Superior Court