

**MINUTES OF MEETING
MARCH 25, 2009 AT 2:00 PM**

Judicial Performance Evaluation Program

Subcommittee On Evaluating Supreme Court Justices And Appellate Court Judges

In Attendance: Hon. Joette Katz, Co-chair, Hon. Ellen Ash Peters, Co-chair, Attorney Gregory D'Auria, Dean Jeremy Paul, Attorney Michael Thompson, Attorney Martin Libbin

2:00 PM – Justice Katz called the meeting to order.

I. Welcoming Remarks

Justice Katz welcomed everyone to the meeting and made note of the handouts – ABA Appellate Attorney Survey form and IAALS Evaluation form.

II. Discussion of Sample Evaluation Forms

The members began with discussion as to whether the evaluation should be done and the usefulness of an evaluation as well as various concerns regarding the responses being anonymous or not anonymous. All agreed that getting more information from the attorneys could be helpful; that justices and judges would like to know what they could be doing better either individually or as a court. Everyone agreed that the evaluations could serve as an educational tool for the lawyers and the judges. There was also agreement that the evaluation responses should remain anonymous as the respondents often believe there could be retaliation.

The members reviewed the questions on the sample evaluations. It was decided that various questions from the two sample forms could be used for the initial evaluation form, and that, because this is a new process for appellate judges, it is preferable to begin cautiously, affording opportunity for further review of the questions as we deem appropriate in the future. The IAALS form is the preferred form, with the addition of questions regarding the attorney's background information from the ABA form. The members unanimously agreed to use questions 1, 2 and 3 from the IAALS form, add question 6 from the ABA form and to also include an area that would allow for comment if an answer to one of the questions on the form was inadequate. A draft of the form will be circulated to the members of the subcommittee and presented to all of the Judicial Performance Evaluation Program co-chairs at the meeting on April 14, 2009.

Meeting adjourned at 2:54 PM