**R597. Judicial Performance Evaluation Commission, Administration.**

**R597-7. General Provisions.**

**R597-7-1. Authorization and Purpose.**

As authorized by Section 78A-12-101 et seq., this rule establishes procedures for:

(1) implementing judicial performance evaluations;

(2) informing voters about judges standing for retention election; and

(3) notifying judges of the standards by which they will be evaluated.

**R597-7-2. Definitions.**

(1) "Controlling cycle" means the single retention election year which, when assigned to a judge, establishes the time frames for performance evaluation.

(2) "Courtroom observation report" means the individual narrative report a courtroom observer authors after observing the judge.

(3) "Courtroom observer" means a volunteer, recruited by commission staff through public outreach and advertising, who has the duties described in Subsection R597-6-3(6).

(4) "Court staff" means employees of the judiciary, as identified in Subsection R597-6-2(9)(c), who have regular contact with the judge as the judge performs judicial duties. Court staff also includes those who are not employed by the judiciary but who have ongoing administrative duties in the courtroom.

(5) For purposes of administering a survey to a juror, a case is "closed" when the verdict is rendered or the jury is dismissed.

(6) "Disqualification," as used in Section R597-2-2, means the involuntary disqualification of a commissioner by other commissioners, in accordance with Subsections R597-2-2(6) and R597-2-2(7).

(7) "Evaluation cycle" means a time period during which a judge is evaluated. Judges not on the supreme court are subject to two evaluation cycles over a six-year judicial term. Justices of the supreme court are subject to three evaluation cycles over a ten-year judicial term.

(8) "Juvenile court professional" means an individual, as identified in Subsection R597-6-2(9)(d), whose professional duties place that individual in juvenile court on a regular and continuing basis.

(9) "Observation instrument" means the form approved for use by courtroom observers to evaluate the judicial behavior observed in court.

(10) "Procedural fairness" means the type of treatment judges should afford people in their courts and includes the principles and behavioral standards identified in Subsection R597-6-3(12).

(11) "Recusal," as used in Section R597-2-2, means a voluntary self-disqualification by a commissioner.

(12) "Survey" means the aggregate of questionnaires, each targeting a separate classification of survey respondents, which together are used to assess judicial performance.

(13) "Survey respondent" means an individual, as identified in Subsection R597-6-2(9), eligible to author a survey response.

(14) "Surveyor" means the organization or individual awarded a contract through procedures established by the state procurement code to survey respondents regarding judicial performance.

**KEY: performance evaluations, judicial performance evaluations, judiciary, judges**

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