

**H.B. 97-1037 Judicial performance commissions - magistrates - mid-term reviews - publication of recommendations - appropriation.** Requires the state commission on judicial performance to:

- Develop additional surveys for litigants, attorneys in the district attorney's and public defender's offices, law enforcement personnel, employees of local departments of social services, and victims of crime;
- Report to the district commissions on the statistical validity of all of the surveys;
- Specify when and how statistically invalid surveys may be used; and
- Develop criteria for district commissions to utilize in determining whether to recommend retention.

Changes the date that reports from the state commission are due from 60 days to 45 days prior to the retention election.

Authorizes the district commissions on judicial review to conduct interviews, receive information, and conduct public hearings concerning judges within their district. Directs the district commissions to draft the narrative profiles of the judges and magistrates in their district.

Requires the state and district commissions to arrange to have their recommendations for each justice or judge scheduled for retention printed with the ballot information booklet and mailed to electors.

Requires district commissions to conduct additional evaluations of each district and county court judge during every even-numbered year that the judge is not scheduled for a retention election. Also requires evaluation of each magistrate during every odd-numbered year. Allows conferences with the judge or magistrate. Directs the district commission to disseminate their reports, but prohibits it from mailing the additional evaluations to registered electors.

Clarifies that the terms of members of commissions expire on November 30 of the year in which the term is scheduled to expire. Requires the state commission and every district commission to notify the appointing official within 5 days after a vacancy arises on the commission. Requires the appointing official to make an appointment within 45 days after a vacancy. Permits the state commission to appoint a member to the state commission or a district commission if the appointing official fails to make an appointment within 45 days after a vacancy.

Transfers \$16,000 from the department of state cash fund to the ballot information publication and distribution revolving fund. Expresses the intent of the general assembly that for the fiscal year beginning July 1, 1998, \$56,000 be appropriated to legislative council to print the recommendations.