



JUDICIAL PLANNING COUNCIL
COMMITTEE ON JUDICIAL PERFORMANCE

COLORADO JUDICIAL DEPARTMENT
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MINUTES OF THE FOURTH COMMITTEE MEETING

Friday, October 5, 1979

The fourth meeting of the Committee on Judicial Performance was held on October 5, 1979, from 2:00 to 5:15 P.M. in the Supreme Court Courtroom at the address indicated above.

Committee members in attendance were:

Daniel S. Hoffman, Chairman
Baxter Arnold
Lewis T. Babcock
Emily Bocko
Julian S. Garza, Jr.
Carol Green
Peter H. Holme
Ken Kindelsberger
Harry O. Lawson
Ed Lehman
George Manerbino
Charles D. Pierce
Edith Sherman
King M. Trimble
Anthony Vollack

The following guests attended the meeting for the purpose of making presentations:

Carol Green
William Kostka
Michael A. Sabian
Cassandra G. Sasso
Joyce Tavrow
Peter Webb
Larry Weiss

Staff support for the committee was provided by Keith Stott, Deputy State Court Administrator, Bob Cassidy, Director of Field Services, and Cindi Ackerman, Secretary in the office of the State Court Administrator.

Welcome and Introduction

Lewis Babcock, acting as Chairman of the committee at the request of Dan Hoffman, welcomed committee members, participants on the program, and other guests (about five people attended the meeting in addition to those listed above). Judge Babcock explained the general purpose of the meeting and then introduced Susan Bashant, Director of Court Staff Development for the State Court Administrator's Office.

Presentation of Video Tape on the Colorado Courts

Ms. Bashant introduced a new video tape entitled, "The Colorado Courts: A Heritage of Justice", which had recently be developed by James Havey Productions for the Judicial Department. The video tape was made from a slide show that covers the history of the Colorado Court System, a review of present courts and their jurisdiction, and an overview of the role of various employees within the system. The show will be used for orientation training of new employees and for public education programs. The fifteen minute show was presented to the committee as background information and for the committee's evaluation of its potential use in public meetings. The consensus of the committee was that the film presentation was too general for use at any of the committee's public meetings.

Public Presentations

Dan Hoffman joined the committee at the conclusion of the video tape presentation. He explained that representatives from press and broadcast associations, legislators, members of bar associations, and other groups that had been involved in or were concerned with informing the public about judicial performance. The purpose of the committee was to inform committee members of problems that had been encountered in sponsoring or developing such programs. More specifically, what had been learned from any experience of providing or attempting to provide information to the public about the qualifications of candidates for political office, or in the case of judges, for retention in public office. Assuming that reliable information on the performance of a judge could be obtained, how can that information most effectively be communicated to the public? Comments of the various speakers are summarized in the following sections.

1. Carol Green. Carol Green, a reporter for the Denver Post, was instrumental in preparing a series of articles on judges prior to the November 1978 elections. During her presentation she made the following observations based on her experience in writing articles about evaluation of judges:

- Newspaper articles on judges or judicial evaluation typically have been very brief and buried within newspapers, that is, such stories do not attract front page attention. With this in mind the Denver Post held a management meeting to develop new methods for explaining judicial evaluations to its readers. It made a number of modest, but significant, improvements including the preparation of a package of material on judicial evaluation which took up 3 to 4 newspaper pages with no ads. The paper used the Denver Bar and suburban bar polls as starting points. They also included interviews with top judges about what they thought made good judges.
- Judges were asked to respond to a background question. The question was "very mild" so that the question itself and responses did not have to "get through the Supreme Court." The results from the questions were very mixed: some judges did not respond, others provided too much information and so forth.
- This series of articles was the most comprehensive effort done by the news media in Colorado to explain evaluation of judges to a large segment of the electorate. The newspaper staff has not been able to answer the question of how it could have handled the material better. Ms. Green indicated that the print media does have an in-house education problem and stories on judicial evaluation still are not considered page one information. The print media always has a special problem of location of stories. This is not the same case with television or radio.
- The Denver Bar poll information was very complex with many details. The complexity of information creates an additional writing problem for reporters who have to distill much of what they receive.
- There appear to be different reactions to judicial evaluation in different types and sizes of communities. In the Denver Metropolitan area, it may be necessary to use the mass media beyond the print media and there has to be "saturation."

- From her perspective, an evaluation group will have to be willing to "campaign" to inform the public about judicial performance. A professional media campaign will be costly and would include saturation coverage to interest people enough to pursue more in-depth stories about judges.
- Readership studies indicate that people watch television, listen to the radio, or look at headlines to get impressions of the news, and then they will pursue stories in the print media if they want more in-depth information. Both medias are really necessary for informing the public, and they need to be dealt with in different ways because they serve different functions.
- The Denver Post has taken editorial positions on judges. Ms. Green's conclusion that in an area the size of Denver, the editorials had relatively little impact upon voters, possibly as many as 10,000 votes were affected. Newspaper editorials would probably have greater impact in rural areas.
- Several newspaper in other parts of the country have conducted their own polls either to supplement existing bar polls or to provide information where no bar survey had been done. Some of the newspaper polls had been very subjective and tried to evaluate judges on the basis of number of cases reversed, and so forth. Because of the number of variables, this type of information is not very conclusive.
- The climate is such in Colorado at this time, that if a concerted effort is not made to improve judicial evaluation, then the news media may seek its own methods.

2. Peter Webb. Pete Webb, a reporter with KMGH TV-Channel 7, described his experiences as a reporter for KOA Television when he prepared a five-part series on judicial evaluations. No other television station has done anything similar to this since that time. His observations were as follows:

- Very limited segments of the population are interested in how judges perform. Lawyers were interested because they appear before judges; litigants were interested because of grievances that they had with judges; and legislators and members of such groups as the League of Women Voters requested transcripts of the series because of political interest.

- After the initial interest and requests by some viewers for scripts of the programs, interest diminished considerably. People forgot that the story had been done, and there appeared to be a great deal of apathy about the subject matter. While filming in the courthouse, there appeared to be a lot of interest, but researchers for the television station learned that the public in general had very little remembrance or interest in the production.

- Allowing cameras in courtrooms is an important means of informing the public about the work of courts and judges. Colorado has been a pioneer in this effort, but live television coverage is still not permitted. The more people see about actual court proceedings, the more they will understand how the courts work. The most effective way to show a judge how she or he acts is to film them in action. Obviously, cameras cannot be put in every courtroom. Also, the courtroom setting poses a distinct disadvantage for television because "a courtroom is a rather dry situation" in what is a highly visual medium. The physical setting of the courtroom could turn viewers away from the program. From a television reporter's perspective the courtroom "doesn't move" enough to attract viewers.

- An evaluation group ought to produce a regular, annual type of report. News reporters ought to rely on a regular source of information. Then an evaluation group needs to consider how to "scale" the report to the broadcast media, that is, summary reports ought to be available also. For example, a "mini-report" could be prepared for each judicial district. Pictures and graphics are also important because television is a visual medium. This could take a great deal of imagination.

- Mr. Webb also shares Carol Green's concern about trying to report on such inconclusive things as rate of reversals, criminal sentences, and so forth.

3. William Kostka. Bill Kostka, President of the public relations firm of William Kostka and Associates, Inc., had covered courts as a newspaper reporter and has worked with some public agencies in putting together information programs. He made the following suggestions and observations:

- Evaluations of judges should be as objective as possible. "Score cards" are the easiest things for people to understand. For example, how well did a judge do on a one-hundred point scale.

Peers, lawyers appearing before the judge, litigants, and others can take part in the rating process. Combinations of opinions would be most helpful because no single method of rating a judge seems to be adequate or fair by itself.

- Assuming an objective evaluation method could be constructed, then the most effective way to reach the voter is at the polls because it is the most direct and cheapest approach. Any other way becomes more expensive because you are informing a lot of people who don't vote. Other means of reaching voters directly might include the League of Women Voters, the legislative council, and other groups that provide specific, concise, easily understandable information for voters.
- An annual report system may be the fairest way to present information to the public. Judges could be evaluated annually, or at least on a regular basis, whether than waiting for elections every four or six years. The more serious voters and more serious organizations that get involved in the election process will pay heed to such reports.
- Advertising would be very expensive, for example, a \$100,000 campaign statewide, and of relatively short duration. Perhaps information about judges should be published just as legal notices are?
- Courts need to be cautious in advertising because courts quickly find themselves back in the politics of judicial selection. That is, if some group elects to aggressively advertise information about judicial performance, then judges would probably have the right to run counter-advertisements. We need to be careful not to turn evaluation into a political process.

The three speakers then participated in a question and answer session as a panel. The following observations or comments were made during this session of the meeting:

- Would information about judges received at the polls be considered electioneering? Perhaps not if the information was provided as part of a state authorized system and no candidates were involved in its compilation or distribution.
- How would voters react to taking judges completely out of the political process and making there retention subject to a commission's approval. Voters don't pay too much attention to judges, but they would notice if judges' names no longer appeared

on the ballots. A loss of final approval by voters would probably invoke legislative action within a year or two after such change.

- People around the media would be willing to help develop suggestions or programs for the media. But reporters are uninformed about courts, for example, many of the reporters who were involved in using bar poll information did not know the judges were not elected through parties. There needs to be a special effort to teach others about courts. There should be some structure for educating leaders and media representatives about courts and judges. Courts should develop an "effective media image."
- Television would be interested in programs about courts because, unlike newspaper, they have an FCC regulation requiring an amount of programming in the public interest. Television reporters need education also because many of them are not hired for a particular expertise in a subject area.
- Many media people do not know how to deal with media outside their own area of interest. Courts should be sensitive to the fact that a newspaper reporter may not know much about the broadcast media and vice versa.
- A number of questions were directed toward the panels observations about the public's anger and, paradoxically, apathy toward courts. Much anger seems to be generated because people don't realize the role of courts. The example of placing convicts on parole, a non-judicial function, was cited as an example of an event that affects the image of the judiciary. In addition, as inflation worsens, as political organizations get larger, and as society becomes more complex people begin to feel they are losing control over there lives. As a result, they strike at any target solid enough to be hit, and courts are no exception. Much of the anger seems to be focused on the outcome of criminal cases. People relate to criminal activities because they want to know if their world is safe and is personal freedom preserved. Clearly, judicial evaluations emphasizing criminal sentences pose special problems for the judiciary. The results of such evaluations might tend to be blown out of proportion and become more of a law and order issue such as occurred during the last Alaska polls and the election of one of the Denver Juvenile Court judges four or five years ago. Anger is also generated because of domestic relations cases.

- Perhaps evaluation commissions should stay away from criminal sentencing information. However, if the issue is avoided, the public should be informed as to why this information was not considered. One of the real problems of evaluation and criminal sentences is that the public expects more certainty than they have been seeing. For example, problems in the new criminal sentencing law have not been resolved for several years. The public is confused about why these details continue.
- One reason the public may be apathetic towards the courts is that the public has a taste for conflict. Straight forward information of judicial performance is not particularly interesting unless someone has been singled out as a poor performer. This then provides a basis for some conflict and is of interest to the public.
- Polls of or by attorneys may be overused and suspect. Reporters may become accustomed to attorney polls and, as a result, pay them less attention each succeeding year. Also, judges and attorneys are often seen by the public as having common interests. It might be a good idea to include surveys of litigants, jurors, and others involved in court processes. If this is done, then the inclusion of these additional groups should be pointed out to news reporters. The media needs to be "conditioned" to such changes.
- The news media mirrors society, and if the public was more interested in stories about judges, the news media would publish them. Thus, the news media shares some of the "apathy" of the public. (From a "selfish" perspective, the media only goes to court to defend issues that concern them directly.) Coverage of the courts may also be "the luck of the draw" in that a reporter may or may not have a particular interest in courts and legal problems. Part of the courts responsibility, then, must include searching for personalities in the media that have a particular interest in what the courts want to say.
- A question that was raised but not resolved during the discussion was whether or not an evaluation committee has a responsibility to advocate the removal of a judge or whether its responsibility ends after it provides information. The panel suggested that the committee must answer this sensitive political question; otherwise, evaluation results may have little effect upon the electorate. Will the group charged with evaluating judges be prepared to take the heat? Does it make sense to do an evaluation and then fail to make sure that voters have the information.

The evaluator would not have to make "judgment calls," but they do need to make sure the information reaches the voters. Interpretations of the information will be made by reporters or others. The evaluator should remain as objective as possible but still see that evaluation results are disseminated. Evaluation committee should avoid being seen as a Denver committee trying to tell Durango folks whether or not they ought to retain their judge.

--The use of the term "public service" information in disseminating survey results ought to be avoided. Public service programs do not appear in prime time news. Also, there is a limited audience that watches the public television network.

--Would an evaluation program have a chilling effect on attorneys seeking to become judges? No one knows for sure, but it would probably not have as negative an effect as the basic political process did 15 years ago.

--Even if an evaluation group's report certifies all judges as being qualified, the news media can play a "check and balance" role by analyzing the results and identifying judges whom the media feels are not qualified.

--The press may be perceived by the judiciary as having more influence than it really does. It is one voice among many. The press has a smaller role than it used to.

--We may be in a period of time in Colorado in which the legislature is over-reacting to criticisms it hears about the judiciary. There does not appear to be a groundswell for judicial evaluations. The angrier people, however, are louder and more aggressive with the legislature. It has been observed before that the judiciary has no "pro constituency" - there is no natural organized group that can operate on behalf of the bench in local communities. So the judiciary has to organize its own support. The Judicial Planning Council does meet some of these educational and communicative needs for the judicial department.

4. Cassandra G. Sasso. Cassandra Sasso, Chairman of the Judicial Survey Sub-committee of the Judicial Selection and Tenure Committee of Denver Bar Association, explained problems that that group has encountered.

- The Denver Bar is preparing to do a 1980 survey of judges. The money has been allocated for this purpose, and it is unlikely that some other mechanism of evaluating judges would be in place prior to the 1980 elections.
- Many misconceptions exist about the legal system because the system itself has tended to isolate itself from other institutions or the public. Then it tended to over-react about criticism, when it really needed to determine how best to deal with the public and how best to communicate with the media. At some point we have to accept responsibility for informing the public about the true nature of the legal and judicial systems - how they are similar to or different from other branches of government in their activities. The judicial system is much less visible than the executive and legislative branches which are subject to a great deal of media coverage. The public needs to understand why the judiciary needs to have independence. Judicial independence is based on humanistic and pragmatic considerations and not because of professional elitism.
- The Denver Bar Committee decided that once survey information is generated it cannot be withheld from the public. Otherwise, it does begin to look like some type of coverup.
- The DBA Committee was concerned about the form that the final report would take. It knew that much of the information would be very technical, and it desired to have a better means of communicating with the public. To this end the committee sponsored advertisements showing the bar results; however, the committee did not simplify the information sufficiently.
- The committee was sensitive to criticisms that surveys of lawyers have little effect on voter decisions. Judges are rarely not retained.
- The Bar committee held a press conference to release the results of the survey. The press appeared to report on the results according to the expertise or interest of the reporters invited to the press conference.
- The Denver Bar had some concern about publicizing the survey to the extent it did. One worry was that the survey would not be seen as reliable. There were also some problems with the survey itself, for example, the use of the term "neutral" for evaluating judges.

- The Bar committee did not have time to work out a structure for thoroughly disseminating the survey results. Once you have an effective evaluating tool, then you need to determine how best to disseminate the information. The Bar committee will try to improve on its dissemination methods during the 1980 poll. An effective method of reaching the public does not mean that advertisements have to be used or that there must be campaigns against judges. It does mean that the courts or the evaluation group should sit down with the media and explain just what it is that has been produced. News reporters do not have time to analyze evaluation results. It is much better if results can be interpreted objectively and accurately in a form that the media can use.

- The reporting system should be ongoing, that is, a permanent, organized method of reporting evaluation results. Also, some method for creating dialogue with the public should be created. How does the public really react to bar polls? The Denver Bar commissioned a poll to determine if the survey had any results on voters. The conclusion was that the survey probably had little, if any, effect. However, this may have been because the bar committee did not know how to work with the media effectively.

- There appeared to be two positions regarding judicial performance: one is that judges ought to be selected very carefully and then removed completely from the political process as are federal judges, or, as long as judges are in the political process, then some organization, such as the bar or other official group, should take responsibility for informing people about judicial performance.

At the conclusion of Ms. Sasso's remarks, the observation was made that the Bar or some group does have a responsibility for informing the public about judicial performance, but the public has the responsibility for acting on that information. The three representatives from the news media seemed to be saying that the duty to inform the public was not fulfilled unless an effective means of communicating with the public is used. It is not important which organization does the poll as long as it is done effectively. The effectiveness of a bar poll may depend on community needs and resources, for example, a survey may not be as effective as in a very small community.

5. Lawrence G. Weiss. Larry Weiss is the public relations officer for the Colorado Bar Association. He began his remarks by reminding the committee of how difficult it is to evaluate a judge unless you can spend time reading a judge's decisions and learning the circumstances under which the judge's rulings were made. Obviously the public can't do this. So what

information can be provided to the public in retention election? In response to this question, Mr. Weiss suggested that the power of the electorate in retention elections is really to correct grave injustices. If a judge has done something to call his actions to public attention, and has offended a substantial number of citizens then the public can remove him from office. But the system seems to be based on the assumption that judges ought to remain in office. There seems to be a presumption in favor of a judge appointed to the bench remaining on the bench.

- Retention elections seem to provide a safeguard. The system seems to deal only with the extreme cases, that is, with very poor performance. So one way to approach evaluation would be to set up a system for eliminating the extreme cases, one which can identify the judges that are bad enough to be thrown out by the voters.
- The media has a role in identifying bad judges. The press is particularly good at highlighting the worse cases of performance and building up public antipathy for a particular judge. The media, however, probably does not have a very good ability to evaluate judges in terms of their day-to-day performance. So judges probably should be evaluated in a gross way, and the results of that type of evaluation should be reported in a press conference and possibly with followup with ads or shorts on television. No one really expects a \$100,000 advertising campaign.
- We should encourage the presumption that judges who are on the bench and chosen by a merit selection system are probably qualified and that they generally ought to be returned to office during elections. They should be kept on the bench unless they do something outrageous. Perhaps the committee should examine the 12 judges that have been removed from office by the electorate? There seems to be a special case in each situation. In summary, to aim for a very finely tuned evaluation may not be very effective.
- Citing the recent White House Executive evaluation form, Mr. Wiess suggested that perhaps there is too much evaluation in this country. Looking at that form, the public could immediately see weaknesses of the evaluation system being used. We should be sparing in the type of evaluation device we use. Once we settle on a method, we should not have trouble getting the message to the media.

During the discussion following Mr. Weiss's remark, committee members noted that perhaps the qualifications commission could be more active in evaluating judges. Even so, there is value in asking the voters to remove a bad judge or a judge they think is bad. If a screening process is used to identify judges who are

performing poorly, then there are two ways to go; either the data can be simply collected and presented to the public, or, a commission or evaluation committee should review the data and provide balance and explanation where necessary. If the latter system is used, then a broad representation of groups or people should be included in the committee. This committee should also receive information from the Judicial Qualifications Commission. The real question in all of these discussions is is somebody prepared to go out and campaign for the defeat of a judge? Up to this point, the bar association in this state have not been willing to go that far. The bar association in Phoenix, Arizona, did mount an active campaign against two judges who were defeated. Would a committee be willing to go before the public and indicate that judges have gone so far beyond the realm of safety that they should be rejected by the electorate. Perhaps the approach of the committee should be re-active rather than pro-active, that is, an evaluation committee might concentrate on investigating and evaluating only those judges which seem to "gone beyond pale" of proper judicial behavior. The committee would compile a list of judges who were not qualified to be retained together with supporting data providing the reasons for the committee's decisions.

General background information about judges has not been particularly helpful to voters. What voters really need to know is whether or not a judge is habitually discourteous, whether he is drunk when he comes to work, and so forth. It is gross kinds of behavior that should be brought to the attention of the electorate. How can you really determine the quality of a judges rulings or decisions? Even workload information varies greatly according to the kinds of cases handled by a judge. In other words, truly objective data is hard to obtain and may be unfair in many instances.

Finally, there was some discussion about the possibility about the judicial qualifications commission performing the functions of evaluation. Can this commission publicize its findings so that the electorate can be informed about performance of certain judges whose behavior does not merit removal by commission of Supreme Court procedure? The commissions procedure may not be suitable for this type of evaluation, also, there is some question as to how the commission would deal with more objective data on the performance of a judge when its investigative procedure starts with complaints from litigants or others? Would the commission get data on a judge that wasn't showing up for work? Probably not, inasmuch as the commission only gets information submitted to it after which it may seek out information during an investigation. Adding additional evaluation responsibilities to the commission may be placing too much responsibility and control on one group. Moreover, if additional powers were given to the commission as it is presently constituted, then there is still a credibility problem of lawyers and judges evaluating judges (the commission only has two public members). One observation that was made during this

discussion is that the public may not trust the existing or a new commission. Any commission evaluating the performance of people must, at one time or another, operate to some degree in secrecy. If that's the case, then a commission may only be one additional layer of unwelcome bureaucracy between judges and the public. The only response to this criticism is that the legislature appears to think that the public needs more information in retention election. The alternative to secrecy seems to be to give the public raw data, making sure that it has been analyzed properly and presented fairly.

6. Michael A. Sabian. Mike Sabian, the Chairman-elect of the Judiciary Section of the Colorado Bar Association, prefaced his remarks, as did Mr. Weiss, by indicating that he was not speaking officially for the organization he represents. The judiciary section of the CBA is interested in the topics being discussed today, and it is conducting a study of judicial nominating procedures. This work has not been completed. The judiciary committee would, however, welcome an opportunity to assist the committee on judicial performance in obtaining or analyzing information about judicial selection or evaluation.

--An evaluation committee's conception of the purpose for which it is gathering information will govern the methodology used. For instance, if the committees' main purpose is to provide information to the electorate for retention of judges, then it will use one set of methods. If its purpose is to inform the public about the overall performance of the system, then perhaps other methods would be appropriate. Information might also serve as a basis for improving the performance of judges. Would information be gathered for the Supreme Court to use in determining whether or not the administration of the system is working properly? Are there executive or legislative branch uses for such information? Maybe the information should be gathered simply to indicate that evaluation is occurring in the system, so the public knows that once a judge is elected that's not the end of evaluation and review? Public confidence will be increased if people know that the system is constantly being reviewed to assure that it is the best possible.

Finally, evaluation information might be used to inform nominating commissions as to the effectiveness of the judicial selection process.

--Once the purpose has been identified, then consideration needs to be given as to whether the cost of performing an evaluation function justifies the results, if the information is generated but not used by the public, should we be gathering it at all. Should we be scaling down the effort to make sure that costs and benefits are in perspective? What's produced should in fact be used.

- What are the proper criteria to use in evaluating judges? It is difficult to evaluate judges. We have, however, the beginnings of an evaluation process in the nominating and selection procedures. The criteria used to evaluate the performance of judges ought to be closely related to those used by nominating commissions. Otherwise, we have a conflict between evaluation, selection, and retention that should not exist.

- Should the information that is developed be objective or subjective? Should we be dealing with opinion polls or should we try to use information that is more objective? If we decide to do evaluations, then we need to decide whose evaluations shall we use.

- Who should be conducting evaluations? Should there be an independent body? Should it be the judicial department? Should it be the bar association? These are questions that are easy to identify but difficult to answer.

At the conclusion of Mr. Sabian's comments, committee members noted that even though it would be difficult to answer some of the questions that he proposed, the committee must grapple with them and come up with the suitable responses. Evaluation can be done, the question seems to be how much effort and money do we want to put into the process. How far do we want to go in relation to the cost, and will an extra step be worth the added cost? It is critical to rely on constituencies other than lawyers. To reinforce this observation, Mr. Sabian cited a personal example where he had a definite opinion about a judge, but his wife who served on a jury before the judge, had a substantially different opinion because the judge had taken time to explain carefully court procedures. One of the functions of the judicial system is to help people understand what the system is and why it works the way it does.

7. Joyce Tavrow. Joyce Tavrow, State President of the League of Women Voters, made her remarks from a prepared statement, a copy of which is attached to these minutes. She also referred to publications and questionnaires that had been used by the league in prior elections. Copies of these materials are also attached to the minutes.

Ms. Tavrow also indicated that because judges' names appear on the ballot, people like to know some information about judges, no one likes to be confronted on a ballot with the name of someone that is completely unknown to them. The League does believe that questions can be devised for a judge that would elicit information helpful to a voter. She made specific reference to the efforts of the Arapahoe County League to gather information on judges. A copy of this information is attached to the minutes. The league has not tried to evaluate information supplied to them by candidates.

--Courtwatching has been attempted on a large scale by Leagues in other states. The Jefferson County league attempted a very scale effort, but courtwatching requires a large number of people to make it work.

Discussion of Public Hearing Schedule

Robert Cassidy, Director of Field Services for the judicial department, was introduced. He will be supervising the public meetings conducted by the committee during the first two weeks in November. He outlined meeting schedule and suggested assignments for committee members. The committee suggested several additions to the meeting schedule. Revised schedules will be mailed to all committee members next week.

Report on the Response to the Survey of Judges

Keith Stott reported that more than 80% of the judges had completed a survey during the Judicial Conference. Judges who had not responded would be contacted during the next ten days in hopes of getting the overall response to about 90%. Responses are being prepared for computer analysis, and some preliminary data may be available by October 26. The deadline for collecting questionnaires is October 19.

Schedule of Committee Meetings

The next meeting of the committee will be on October 26 at 3:30 P.M. in the Supreme Court Conference Room.

Other Business

Dan Hoffman talked about the future activities of the committee once the data from the survey has been compiled and after the public meetings. The committee then will need to block out, meeting by meeting, subject areas for discussion. For example, one area is what should go into and who should be doing evaluations. A second group of issues concerns what should be done with evaluations and who should disseminate evaluation results. Finally, the committee should consider criminal sentencing information versus data about civil dispositions.

The chairman reported to the committee that every member of the Interim Judiciary Committee had been invited to this meeting.

Also, the chairman has asked Keith Stott to work with the Judicial Department's legal officer and lawyer members of the committee to begin considering the implications of committee recommendations that might require constitutional or statutory changes.

Adjournment

There being no other business before the committee, the meeting adjourned at 5:15 P.M.