

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	HB 4078
Version:	Floor Amendment 1
Request Number:	11057
Author:	Rep. Kannady
Date:	3/14/2022
Impact:	Ongoing appropriations = \$1,185,000
	One-time costs = \$200,000
	FY-2023 Total = \$1,385,000

FA 1 = Increase to one-time costs

Research Analysis

The floor substitute for HB4078 creates the Office of Judicial Performance Evaluation within the Council of Judicial Complaints. The office is tasked with providing training to the council, conducting surveys, conducting public education efforts, and collecting and reviewing data related to judicial performance.

The measure establishes uniform criteria and procedures for the office staff to conduct statewide judicial performance evaluations, which are then submitted to the council for approval or rejection. The allowed evaluation criteria includes: integrity, legal knowledge, communication skills, judicial temperament, administrative performance, and services to the legal profession.

For every newly appointed judge or justice, the office must conduct an initial evaluation followed by a subsequent interim evaluation within two years of the approval of the initial evaluation. The office is also tasked with conducting retention-year evaluation for every justice or judge who is up for a retention election.

Prepared By: Quyen Do

Fiscal Analysis

The first floor amendment to the measure is a floor substitute. The floor substitute would change the oversight of the Office of Judicial Performance Evaluation from the Council on Judicial Complaints to the Board of Judicial Performance Evaluation, created in the floor substitute as an entity within the Council on Judicial Complaints. The floor substitute provides for membership of the Board of Judicial Performance Evaluation, as well as duties, powers, and responsibilities.

The floor substitute would increase the fiscal impact of the measure. Additional office space will be required to accommodate the operations of the Board. This would increase the one-time costs of implementing the provisions of the measure.

The total FY-2023 impact of the measure would thus be greater than the \$1,185,000 originally estimated.

Prepared By: Clayton Mayfield

Other Considerations

None.

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