

## **BILL SUMMARY**

1<sup>st</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB2850</b>
<b>Version:</b>	<b>INT</b>
<b>Request Number:</b>	<b>5031</b>
<b>Author:</b>	<b>Rep. Wallace</b>
<b>Date:</b>	<b>2/22/2023</b>
<b>Impact:</b>	<b>Council on Judicial Complaints: See below</b>

### **Research Analysis**

HB2850, as introduced, creates the Office of Judicial Performance Evaluation (OJPE) within the Council of Judicial Complaints (CJC). 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 OJPE staff to conduct statewide judicial performance evaluations, which are then submitted to the CJC 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 evaluations for every justice or judge who is up for a retention election.

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### **Fiscal Analysis**

This measure creates within the Council on Judicial Complaints (CoJC) the Office of Judicial Performance Evaluation and the Board of Judicial Performance Evaluation. The following analysis has been provided by the Council on Judicial Complaints:

**HB 2850 Anticipated Fiscal Impact**

<b>General Expenditure</b>	<b>Annual Cost</b>	<b>Notes/Explanation</b>
Payroll	\$825,000	Salary and all benefits for 1 Administrator, 3 compliance & ethics officers, 2 support employees (CPO/EA), increase in existing agency salaries due to restructuring
Polling Administration & Services	\$220,000	Based on Colo. current contract for polling services
Information Services (IT)	\$50,000	
General Operations	\$260,000	Office lease, board stipend and travel, education and improvement plan expenditures, employee statewide travel to various courthouses, etc.
<b>Total Ongoing Fiscal Impact</b>	<b>\$1,355,000</b>	
<b>One Time Startup Expenditures</b>		
IT Equipment	\$60,000	6 new employees and new office space (copiers, postage machines, etc.)
Office Furniture	\$100,000	Furnish new office space including boardroom and conference rooms
Case management system, website build, and integration with polling company	\$40,000	
Office space build-out	\$100,000	
<b>Total One Time Startup Expenditures</b>	<b>\$300,000</b>	

The analysis was prepared by the CoJC using the following assumptions:

**Assumptions:**

- 1) Complete 125 evaluations/year by conducting evaluations over a two-year period prior to the statutory completion deadline
- 2) Anticipated 5 business days to complete each evaluation including, but not limited to review and compare survey results and determine validity through further research, interview judge/justice, courtroom observation, conduct interviews with relevant parties, draft summary, re-draft summary in the case of amendments after meeting request from justice/judge
- 3) Coordinate, monitor, and fund 10 improvement plans/year, to include education
- 4) 43 5-day work weeks in a year (3 weeks annual, 3 weeks sick, 3 weeks holiday and snow)
- 5) 12 Board meetings/year w/ 9 members

The Council on Judicial Complaints does not receive legislative appropriations; therefore, appropriations will be required for the entirety of the costs provided in the above analysis. This is a *first year cost of \$1,655,000 for FY23 and an ongoing cost of \$1,355,000 for each fiscal year thereafter.*

**Other Considerations**

None.

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