

COMMISSION ON JUDICIAL FITNESS AND DISABILITY
Supplemental Memorandum for 2013-15 Budget

Performance Measures: The Commission has six Key Performance Measures. It has fully met the first four. Prosecutions were processed well within two years and the Supreme Court approved three stipulations without any changes.

It completed its best practices including an evaluation of the Executive Director, which strongly supports the Commission's request for a modest raise..

Due to variable data on a previous Customer Survey, the results were deemed meaningless. The Commission has developed a different plan for its survey, from which it hopes to receive meaningful and helpful results.

Restoration of Extraordinary Expenses Budget Line: Prosecutions, although rare, are, when necessary, the most essential function the Commission performs. As indicated in the March 18, 2103 budget memo, the Commission retained an attorney for an ongoing investigation. To date, the attorney has incurred \$1125 in fees (at \$100 per hour) and expenses. The Commission will review his investigative report at its next meeting on April 15, 2013.

Because Commission files are confidential per statute and do not become public until two weeks before a scheduled trial, I cannot tell you more about that matter at this time. However, if the case does result in a prosecution, the funds for extraordinary expenses will be expended quickly.

After a formal complaint is filed, discovery will ensue. Depositions will be taken. Both the attorney and the court reporter will be reimbursed from these funds. If a trial is held, it will be in the community where the judge sits. Thus, Commission members and the Executive Director may require lodging and meals as well travel expenses to attend. Briefing and argument before the Supreme Court will require additional time and money for the Commission's attorney.

Without sufficient funds to pursue prosecutions, the Commission cannot fulfill its mission of ensuring the quality and effectiveness of the state judicial system. It would lose credibility with the public and lose stature with judges, if unable to prosecute when necessary.

Respectfully submitted this 19th day of March, 2013

By Susan D. Isaacs, Executive Director