

**State of New Hampshire
Judicial Branch
Judicial Performance Evaluation (JPE) Advisory Committee
October 22, 2014
3:00pm**

Attendees

Supreme Court Associate Justice Carol Ann Conboy, Superior Court Chief Justice Tina Nadeau, Circuit Court Deputy Administrative Judge David King, Deputy Attorney General Ann Rice Attorney, Sen. Sharon Carson, Rep. Marjorie Smith, Daniel Will (NH Bar Association), Dr. Andrew Smith (UNH), Supreme Court Clerk Eileen Fox and Carole Alfano, Judicial Branch Public Information Officer.

Absent due to scheduling conflicts

Attorney Christopher Keating (Judicial Council) and Attorney Randy Hawkes (Office of the Public Defender)

Minutes of the Meeting

On Wednesday, October 22, the JPE Advisory Committee met at the Administrative Office of the Courts in Concord. The minutes of the September 10 meeting were approved without any corrections.

Judge Conboy began the meeting by asking Judge Nadeau and Judge King to update the committee on the new forms being used to evaluate superior and circuit court judges and marital masters scheduled for review this year. These reviews are still in process. However, Judge Nadeau was able to report that, while the rate of return does not seem to have improved, the new forms are being well-received. Judge King said it was too early for him to be able to give the committee a meaningful update. Both judges intend to follow up and they requested this issue be placed on the next agenda.

Clerk Eileen Fox gave an update regarding the draft forms for Supreme Court performance evaluations that are being prepared by her sub-committee. These evaluations are done every three years and cover the court as a body and not individual judges. There are two forms: One for attorneys and self-represented litigants, and the other for trial court judges and masters. Responses are sent to the Administrative Office of the Courts for tabulation, not the Supreme Court. Clerk Fox said the next evaluation will cover 2011 through 2013. Three years ago, the court received 46 responses.

Clerk Fox stated it is beneficial to break the appeals process down into more stages than just the briefing and oral arguments sections found in the current evaluation forms. For example, a section for filing and interaction with the clerk's office has been added.

The committee discussed the challenge of obtaining the emails for all pro se litigants so they may be contacted and participate in the evaluation process electronically if they choose to do so. Hard copies of the evaluation forms are sent to *pro se* litigants for whom the court does not have email addresses.

The committee reviewed all of the proposed questions on both draft forms with members making several suggested changes and clarifications. Clerk Fox and Dr. Smith will make the revisions and circulate the changes on both forms to committee members prior to the next meeting. Dr. Smith reminded the committee it is best to avoid open ended questions because they generate fewer answers. This is due to the fact most people find these types of queries burdensome and they require too much typing.

Dr. Smith also suggested the court create a post-test of the survey itself. Likely questions could include: Did we ask the right questions? Was the survey easy to understand? Did it ask questions that were important to you? The committee supported this idea. Clerk Fox said she would follow up on it.

The committee did not reach review of the training, education and performance evaluation programs currently in use by the superior court and the circuit court. The review will be placed on the next meeting's agenda.

The next meeting of the full JPE Committee was set for Monday, January 12 at 3:00pm the AOC, Training Room A, in Concord.

The meeting adjourned at 4:30pm.

Submitted by Carole Alfano, Executive Secretary to the Committee