

**State of New Hampshire
Judicial Branch
Judicial Performance Evaluation (JPE) Advisory Committee
May 20, 2019
9:00am
NH Supreme Court**

Attendees

Supreme Court Chief Justice Robert J. Lynn, Superior Court Chief Justice, Tina L. Nadeau, Circuit Court Deputy Administrative Judge David D. King, Deputy Attorney General Jane Young, Sen. Martha Hennessey, Rep. Marjorie Smith, General Counsel for the Judicial Branch, Mary Ann Dempsey, Chief Information Officer for the Judicial Branch, Matthew Seaton, Executive Director, NH Judicial Council, Sarah Blodgett, Attorney Randy Hawkes, Office of the NH Public Defender, NH Supreme Court Clerk Eileen Fox, Attorney Jonathan Ecks, NH Bar Association; Dr. Andrew Smith, UNH Survey Center and Judicial Branch Communications Manager, Carole Alfano.

Absent due to scheduling conflicts

Sen. Sharon Carson and Rep. Robert Rowe.

Minutes of the Meeting on March 26, 2018

Were unanimously approved.

Minutes

On Monday, May 20, the Judicial Performance Evaluation (JPE) Committee met at the NH Supreme Court.

Chief Justice Lynn stated that the purpose of the meeting was to give the committee an update on suggested changes to the JPE survey process. Chief Lynn requested the review following now former Circuit Court Judge Paul C. Moore admitting to submitting multiple on-line JPE surveys on his own behalf.

At the March 26 meeting, Dr. Smith stated the UNH Survey Center would be pleased to work with the Judicial Branch to design a new system, using existing software, to create an on-line survey that would reduce the risk of fraudulent judicial evaluations. It was agreed that a subcommittee would meet to discuss a potential affiliation with the UNH Survey Center for the purpose of improving the JPE process.

Mary Ann Dempsey reported that the subcommittee met. Participants included Mary Ann, Matt Seaton, Linda Beliveau, Kathy Yee, Zach Azem and Dr. Smith. They examined how the Judicial Branch compiles the data from the JPE surveys and, how currently, each person submitting a survey cannot be assigned a unique number. This means that, under the current system, multiple submissions cannot be stopped.

Additional subcommittee findings included: The price tag for the technical end of collecting JPE data is reasonable but the clerical end is more expensive, i.e. searching for the names/addresses and email addresses of potential survey takers, and that going forward, e-filing will help create better data bases.

Matt Seaton stated that he would look into whether a higher level of Survey Monkey could (1) solve the problem of individuals being able to submit multiple surveys and (2) offer better metrics on survey-takers.

Judge King reminded the committee that the JPE survey was only one of several metrics used to review judicial performance.

The committee members agreed that keeping the identities of individuals who fill out surveys anonymous remains very important.

The committee thanked Dr. Smith for his extremely helpful insight and analysis but agreed the Judicial Branch would not be working with the UNH Survey Center on the JPE surveys due to cost and the issue of not being able to stop multiple survey submissions.

Mary Ann stated that she would work with Carole to create the JPE Annual Report for 2018 that is due on June 30, 2019. The report will include the judicial branch's response to Judge Moore's actions and how the committee is working towards maintaining confidence in the evaluation process.

The next meeting of the full committee is scheduled for May of 2019. Carole will follow up with committee members in February of 2019 to select a date and time.

The meeting adjourned at 9:30 am.

Minutes submitted by Carole Alfano