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## **SUPREME COURT ANNOUNCES STRATEGIES TO IMPROVE JUDICIAL PERFORMANCE OF ILLINOIS JUDGES**

The Illinois Supreme Court announced Monday new initiatives to enhance the performance of Illinois judges and improve public confidence in the state's courts.

The new measures, promulgated by the Supreme Court as "Judicial Performance and Accountability Strategies," were approved by the Court after two years of consideration, including study and input by the Chief Judges of Illinois' 23 judicial circuits.

Primary among the measures is a requirement that all of the approximately 925 circuit and associate judges in the state participate in a confidential Judicial Performance Evaluation Program, which until now has been voluntary. Another chief goal is to improve the New Judge Mentoring Program and New Judge Seminar.

The new strategies also include a Statement of Expectations which will be issued to all judges in the state, and amending Supreme Court rules to give explicit authority to a Chief Circuit Judge and the Presiding Judge of each Appellate District to take appropriate action with a judge for persistent nonperformance of judicial duties.

"Judicial independence is necessarily dependent upon public confidence in the operation of our courts," said Chief Justice Thomas Fitzgerald. "The strategies announced today are designed to maintain and improve a high level of judicial performance which, if successful, will enhance public confidence and thus ensure judicial independence."

The strategies will begin to be implemented immediately, Chief Justice Fitzgerald said.

### ***Statement of Expectations***

The Supreme Court's adoption of a "General Statement of Expectations for Illinois Judges" underlines the importance which the Supreme Court places on the public's confidence in their courts, as well as the importance of an independent judiciary which is necessarily rooted in public trust.

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“Critical to an independent judiciary is the public’s trust and confidence in the men and women who don the robes, interpret our laws and who seek to fairly administer justice,” the statement reads. “Our judiciary represents far more than the sum of its adjudicative decisions. As judges, it becomes our responsibility to enhance the public’s trust and to foster in the citizenry an unflinching sense of confidence.”

Each of the approximately 950 judges within the state will receive the Statement of Expectations in a special mailing this month. In addition, the Administrative Office of Illinois Courts will include a copy of the statement in the first payroll packet for every newly elected or newly appointed judge. The annual, week-long New Judge Seminar will also contain curricula dealing with the Statement of Expectations in sessions on judicial ethics that will include subjects such as judicial performance, absenteeism, professionalism and accountability. The next scheduled New Judge Seminar is next month.

“Judicial independence is not a goal in and of itself, but is a means of insuring that justice is timely and accessible and that those who deliver it, do so competently and judiciously,” said Cynthia Y. Cobbs, director of the Administrative Office of Illinois Courts, who directed the two-year effort and will help the Supreme Court implement the initiatives. “The new strategies seek to safeguard judicial independence, while striking the proper balance between judicial accountability and autonomy.”

### ***Judicial Performance Evaluation Program***

The voluntary Judicial Performance Evaluation program for circuit and associate judges was established by Supreme Court Rule 58 in 1988 “to promote judicial excellence and competence.” The program has been administered with the assistance of contractual consultants and, up until now, has consisted primarily of a collection and review of subjective opinions given by attorneys and court personnel familiar with a judge’s performance. A trained facilitator delivers the information and discusses it with the participating judge. The process is entirely confidential, and the survey results are available only to the judge and facilitator. Under the current structure, the program is offered usually in three of the state’s 23 circuits each year, and only to those judges who volunteer.

The new Supreme Court initiative requires that a judge undergo an intensified judicial evaluation at least once during the judge’s term.

“The program is similar to peer review groups used by successful businesses around the country,” said Chief Justice Fitzgerald. “The voluntary program over the years has provided us with a wealth of information that will be very useful in developing a revised format.”

Enhancements to the current structure and direction of the program will be studied by a Planning and Oversight Committee for the Judicial Performance Evaluation Program and overseen by the Administrative Office, which will offer amendments to Supreme Court Rule 58 to reflect the Supreme Court’s new requirement of mandatory participation. It is planned that

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recommendations to strengthen the evaluation process will be completed in time so that the Administrative Office can issue a request for vendor bids for the fiscal year 2010 contract. The Administrative Office also will develop a procedure and schedule that would ensure participation for every circuit and associate judge.

#### *New Judge Mentoring Program*

The initiatives also include upgrading the New Judge Mentoring Program, which was established by the Supreme Court in 1998. It assigns an experienced judge to meet periodically with the new judge in an attempt to provide a role model, ethical guidance, and assistance on how to improve judicial skills.

The new strategies will require a mentor judge to maintain a topical check list of subjects discussed with the new judge, and file these reports in the first, third, sixth, and the final twelfth month of the program. The strategies also will require the mentor judge to discuss issues relating to performance and accountability with the mentee. Under the initiatives, the Judicial Mentor Committee, chaired by the chairperson of the Conference of Chief Judges, will propose other amendments to the Supreme Court to improve the program, and to expand it to allow for a judge's self-referral or referral by a chief judge beyond the first year of a judge's term.

#### *New Rules*

Amended Supreme Court rules, also filed Monday and effective immediately, direct and clarify the authority and expectations of chief circuit judges and presiding judges of Appellate Courts in their administrative roles.

The rules explicitly give them the authority to set the hours of court operation, the leave time available to a judge, and to instruct the way in which a judge on the bench is expected to behave. It also directs the chief judge and appellate presiding judges to take appropriate measures to address the persistent failure of any judge to perform his or her judicial duties, whether that failure is due to professional incompetence, poor caseload management or chronic absenteeism. They require the chief judge and presiding judge to provide counseling and, where appropriate, report violations of judicial canons to the Judicial Inquiry Board.

The amended rules also allow the chief judge and presiding judge to temporarily assign a judge to restricted duties or duties other than judicial duties "for persistent nonperformance of judicial duties" or for physical impairment which renders the judge unable to perform his or her duties.

"All of these strategies are prompted by a desire to produce the highest quality judiciary for the citizens of this state," said Chief Justice Fitzgerald. "They are designed to make a very good judiciary even better."

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