

1 ~~Rule 2-106.02. Criteria for judicial self improvement.~~

2 ~~Intent:~~

3 ~~To specify the criteria for judicial self improvement.~~

4 ~~Applicability:~~

5 ~~This rule shall apply to the Judicial Council and to the judges and commissioners of~~
6 ~~the courts of record and courts not of record.~~

7 ~~Statement of the Rule:~~

8 ~~Judges and commissioners should work to improve performance based upon the~~
9 ~~following criteria.~~

10 ~~(1) Integrity – Factors considered may include but are not limited to:~~

11 ~~(A) avoidance of impropriety and appearance of impropriety;~~

12 ~~(B) freedom from personal bias;~~

13 ~~(C) ability to decide issues based on the law and the facts without regard to the~~
14 ~~identity of the parties or counsel, the popularity of the decision or concern for criticism;~~

15 ~~(D) impartiality of actions; and~~

16 ~~(E) compliance with the Code of Judicial Conduct.~~

17 ~~(2) Knowledge and understanding of the law and procedures – Factors considered~~
18 ~~may include but are not limited to:~~

19 ~~(A) the issuance of legally sound decisions;~~

20 ~~(B) understanding of the substantive, procedural, and evidentiary law of the state;~~

21 ~~(C) attentiveness to the factual and legal issues before the court; and~~

22 ~~(D) the proper application of judicial precedents and other appropriate sources of~~
23 ~~authority.~~

24 ~~(3) Ability to communicate – Factors considered may include but are not limited to:~~

25 ~~(A) clarity of bench rulings and other oral communications;~~

26 ~~(B) quality of written opinions with specific focus on clarity and logic, and the ability~~
27 ~~to explain clearly the facts of a case and the legal precedents at issue; and~~

28 ~~(C) sensitivity to impact of demeanor and other nonverbal communications.~~

29 ~~(4) Preparation, attentiveness, dignity and control over proceedings – Factors~~
30 ~~considered may include but are not limited to:~~

31 ~~(A) courtesy to all parties and participants; and~~

32 ~~(B) willingness to permit every person legally interested in a proceeding to be heard,~~
33 ~~unless precluded by law.~~

34 ~~(5) Skills as a manager – Factors considered may include but are not limited to:~~

35 ~~(A) devoting appropriate time to all pending matters;~~

36 ~~(B) discharging administrative responsibilities diligently; and~~

37 ~~(C) where responsibility exists for a calendar, knowledge of the number, age, and~~
38 ~~status of pending cases.~~

39 ~~(6) Punctuality – Factors considered may include but are not limited to:~~

40 ~~(A) the prompt disposition of pending matters;~~

41 ~~(B) meeting commitments on time and according to rules of the court; and~~

42 ~~(C) compliance with the case processing time standard established by the Council.~~

43 ~~(7) Service to the profession and the public – Factors considered may include but are~~
44 ~~not limited to:~~

45 ~~(A) attendance at and participation in judicial and continuing legal education~~
46 ~~programs;~~

47 ~~(B) consistent with the Code of Judicial Conduct, participation in organizations~~
48 ~~devoted to improving the justice system;~~

49 ~~(C) consistent with the highest principles of the law, ensuring that the court is serving~~
50 ~~the public and the justice system to the best of its ability and in such a manner as to~~
51 ~~instill confidence in the court system; and~~

52 ~~(D) service within the organizations of the judicial branch of government and in~~
53 ~~leadership positions within the judicial branch of government, such as presiding judge,~~
54 ~~Judicial Council, Boards of Judges, and standing and ad hoc committees.~~

55 ~~(8) Effectiveness in working with other judges, commissioners and court personnel –~~
56 ~~Factors considered may include but are not limited to:~~

57 ~~(A) when part of a multi-judge panel, exchanging ideas and opinions with other~~
58 ~~judges during the decision-making process;~~

59 ~~(B) critiquing the work of colleagues;~~

60 ~~(C) facilitating the administrative responsibilities of other judges and commissioners;~~
61 ~~and~~

62 ~~(D) effectively working with court staff.~~