



JPEC 2021 Report to the Community: 2020 Judicial Retention Election

Court Level	Regular	Provisional*	Total
Supreme Court	0	1	1
Court of Appeals	2	4	6
District Court	12	8	20
Juvenile Court	3	6	9
Justice Court	7	16	23
Grand Total	24 (41%)	35 (59%)	59

*According to the Utah Constitution, judges must stand for the first general election at least three years after appointment. The provisional term is shorter (3-5 years) than the regular term. Judges in Utah serve six-year terms, except for justices on the Utah Supreme Court who serve ten-year terms.

74 judges were eligible to stand for retention, as of 1/1/18.

At the end of survey cycle, 9/30/2019, JPEC completed **65** retention evaluation reports.

59 judges appeared on the ballot and on judges.utah.gov.

2020 was the first, provisional retention election for **59%** of judges on the ballot,

Voters retained **59** judges.

What is JPEC?

The Judicial Performance Evaluation Commission was established by state statute in 2008. Its goals are:

- ✓ To provide voters with valid information about each judge's performance;
- ✓ To provide judges with useful feedback about their performance so they may become better judges and thereby improve the quality of the judiciary; and
- ✓ To promote public accountability of the judiciary while ensuring that it continues to operate as an independent branch of government.

Did you know?

Statute requires commissioners to vote in favor of a judge's retention if the judge meets minimum standards, unless there is substantial countervailing evidence why the judge should not be retained.

2020 Elections Outreach

JPEC seeks an informed electorate for judicial retention elections. Results include:

20% of Utah voters visited judges.utah.gov.

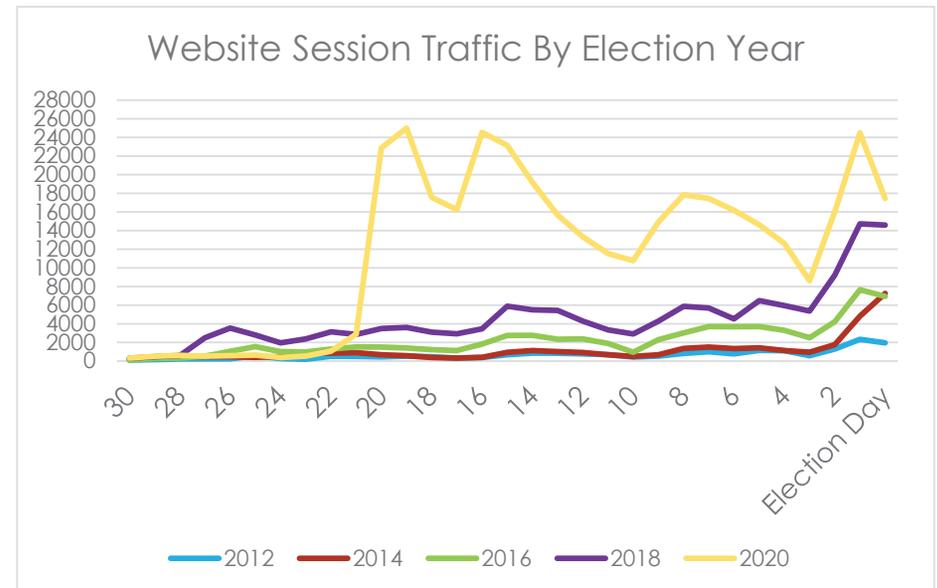
147% increase in individual website users.

124% increase in website sessions from 2018.

107,166 impressions from billboards posted across **5** counties.

200+ lawn signs displayed in **9** counties.

151 posts and ads on social media, yielding **215,257** impressions.

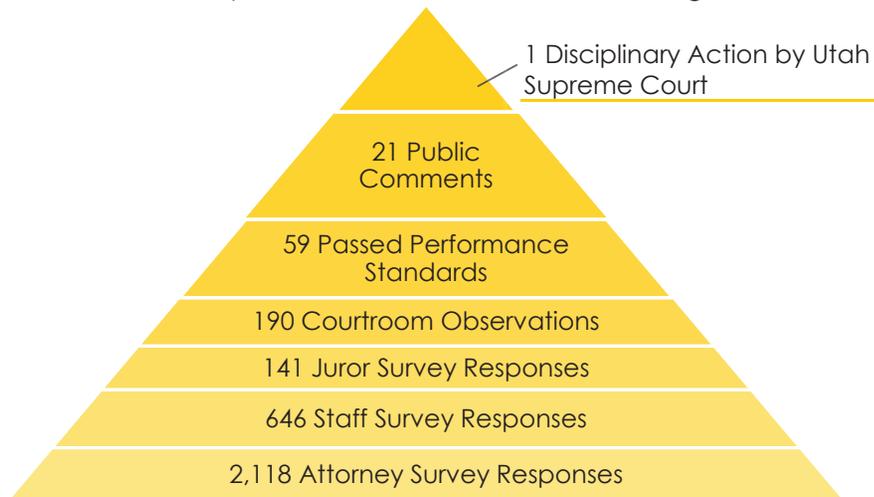


Did you know?

Judges see their evaluation reports before deciding whether to stand for the retention election. Some choose to resign or retire rather than face a retention election with a negative evaluation.

2020 Evaluation Voices

Judge evaluations assemble and rely on the views and experiences of multiple groups that interact with judges. JPEC evaluations completed in 2020 include the following voices:



Who are the JPEC commissioners?

- ✓ JPEC's 13 volunteer commissioners are social workers, accountants, lawyers, and community leaders who donate their time to a careful evaluation of the data collected on each judge.
- ✓ Commissioners are appointed by Governor Spencer Cox, the Utah Legislature, and the Utah Supreme Court.
- ✓ By law, about half of the membership may be attorneys. Partisan balance is required.



Work in Progress

Voter Survey: During 2020, JPEC conducted a survey to learn what registered voters know about JPEC and judicial retention elections. Key takeaways:

- 1) Over half of respondents know about JPEC;
- 2) 26% plan to use JPEC's information to help them vote; and
- 3) Most want to receive information about judges through a website and a pamphlet that arrives by mail.

The survey will help JPEC to develop action items to raise voter awareness and improve how it provides information to voters.

Basic Evaluation Pilot: Judges who have very small caseloads (9%) have historically been difficult and prohibitively expensive to evaluate. In 2020, JPEC tested whether remote observations could provide these judges with accurate, cost-effective evaluations. Final pilot results should be issued by mid-2021; implementation may require legislation.

Ongoing Evaluations: With general elections every other year, JPEC's evaluations of judges are ongoing. During 2018 to 2020, it completed the following for the 2020, 2022, and 2024 elections: **18,371** survey invitations sent to Utah attorneys, **3,855** court staff and juvenile court professionals, and **1,563** jurors; Outreach to approximately **20** groups to encourage survey participation; **589** reports made during **834** court observations by **153** volunteer courtroom observers; **28** new courtroom observers were recruited and trained in **4** different sessions; **43** mid-level court observations; **333** public comments submitted by members of the public; **76** midterm evaluation reports completed for judges who will stand for retention in 2022; and **1,427** hours of volunteer service by JPEC commissioners.

Judicial Performance Evaluation Commission
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