

LEGISLATIVELY ADOPTED 2007-09 KEY PERFORMANCE MEASURES

AGENCY-LINKED OREGON BENCHMARKS (OBM #) ADDED BY THE OREGON PROGRESS BOARD

NAME OF AGENCY: Commission on Judicial Fitness and Disability

KPMs With Benchmark Linkages

Mission: To ensure the quality of and effectiveness of the State Judicial System.

Related Oregon Benchmarks (OBMs) none

2007-09 KPM#	Legislatively Adopted KPMs for 2007-09	OBM #	Changes to 2005-07	Target 2008	Target 2009
1	Percent of judges who, after being prosecuted by the Commission, are exonerated.		New	0%	0%
2	Percent of Commission recommendations to the Supreme Court upheld versus the total number of recommendations forwarded to the Supreme Court.		New	95%	95%
3	Percent of stipulated agreements unchanged and approved by the Supreme Court.		New	95%	95%
4	Percent of prosecutions completed within two years of first review through date of final Commission action before the Supreme Court.			90%	90%
5	Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information			95%	95%
6	Percent of total best practices met by the Board.		New	95%	95%

2005-07 KPM#	<i>PROPOSED DELETIONS of 2005-07 Key Performance Measures (KPMs)</i>	Target 2008	Target 2009
1	<i>Percent of requests for forms fulfilled within five business days.</i>		
2	<i>Percent of calls responded to within five business days</i>		
3	<i>Number of presentations per year to judicial meetings, conferences, and other interested groups including the State's public and private law schools regarding judicial ethics</i>		
5	<i>Percent of all complaints received between agendas (mailed 10 days before meeting) that are reviewed</i>		

For links to high-level outcomes and Oregon Benchmarks reference the agency's Budget Form 107BF04a.

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LFO RECOMMENDATION: The statutory responsibility of the Commission is to investigate and act upon complaints of judicial misconduct or disability. The Commission's 2005-2007 Key Performance Measures (KPM) were predominately customer service or output oriented and did not sufficiently measure the contribution by the Commission toward its statutory responsibilities. Hence, the Commission is proposing deleting four measures and adding five new measures that inform on the accuracy of the decision-making process by which the Commission formally charges a judge, the ability of the Commission to appropriately reach stipulated agreements with subject judges as determined by the Supreme Court, and key general management and customer satisfaction. LFO supports the agency request. LFO further recommends that the Commission track, or continue to track, internal, non-KPM measures related to the following:

- Percent of investigations leading to prosecutions
- Percent of judges prosecuted versus total number of judges within the Commission jurisdiction.
- Type of complaints: number of cases of misconduct and disability
- Complaints: total number; new cases within the Commission's jurisdiction;
- Number of closed complaints
- Complaints by type of judge circuit, pro-tem, etc.
- Recidivism: Percent of judges with a current or prior investigation or prosecution formally charged with a new complaint versus the total number of judges investigated or prosecuted over two biennia.
- Number judges: informally counseled, censured, suspended, removed, acquitted, self-removals (e.g., retirements); stipulated agreements; contesting the complaint.
- Percent of stipulated agreements versus the total number of investigated complaints
- Supreme Court determinations: Commission decision's upheld, modified, remanded, and overturned.

SUB-COMMITTEE ACTION: The Joint Ways and Means Subcommittee on Public Safety recommended approval of the changes to the Commission's Key Performance Measures and that the Commission track the above listed internal measurements. While the Subcommittee agreed with the direction of KPM #1, it suggested that the Commission re-evaluate the wording and the associated target for the 2009-11 biennium.