



Minnesota Judicial Branch Policy

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Judicial Benchmark Survey Policy

I. POLICY STATEMENT

The Minnesota Judicial Branch is committed to the professional growth of its judges in developing the knowledge, skills and abilities necessary to meet the challenges of their work in order to best serve the citizens of the state. Accordingly, it is the policy of the Minnesota Judicial Branch to conduct a mandatory Judicial Benchmark Survey designed to assist each judicial officer to improve judicial performance and conduct and enhance the effective and efficient performance of judicial duties.

II. APPLICABILITY

District Court judges are required to participate in a Judicial Benchmark Survey after they have been on the bench at least two years and thereafter at least once during each six-year term. Only one survey per judge shall be required during each term of office, although a judge may elect to conduct surveys more frequently. Judges within two years of retirement may opt out of participating in a Judicial Benchmark Survey. Applicable for District Court judges on the bench on January 1, 2018, and elected thereafter.

III. DEFINITIONS

- a. Mentor/Facilitator Judge - Mentor/Facilitator judges will be comprised of judges or senior or retired judges as appointed by the district chief judge. They will be responsible for receiving the raw survey data and then meeting with the subject judge to provide feedback from the surveys. Facilitators will sign a confidentiality form prior to commencing their work with individual judges.
- b. Subject Judge – Judges who participate in a Judicial Benchmark Survey to get feedback about their judicial performance and conduct.

IV. PROCEDURE

A. Judicial Benchmark Survey Administration. The Judicial Benchmark Survey shall be completed by attorneys, court staff, law enforcement, probation officers, social workers, guardians ad litem and other justice partners who have appeared before the judge in the previous year.

1. The number of justice partners surveyed will depend on the size of the county/district involved.
2. The subject judge shall complete the Judicial Benchmark Survey.
3. The lists of attorneys and court personnel to be surveyed may be generated by the subject judge or by court administration.
 - a. Judges are urged to maintain a list of attorneys appearing in front of them and court-related staff working with them prior to the survey period.
 - b. It is recommended that the list include as many attorneys and court-related staff appearing in the 12-months immediately preceding the survey as possible, although a shorter period may be used in areas with high numbers of appearances.
4. The list shall be submitted to the judicial district office which shall compile survey responses.
 - a. In areas with a low number of appearances, a minimum of twenty attorneys shall be surveyed and a minimum of twenty court-related staff shall be surveyed if possible.
5. All Judicial Benchmark surveys will be managed by the local judicial district administrator or their designee.
 - a. The Judicial Benchmark Survey shall be completed through the Judicial Branch survey software.

B. Judicial Benchmark Survey Results. Judicial Benchmark Survey results shall be provided to the judge who is the subject of the survey, a mentor/facilitator judge selected by the subject judge and anyone else the subject judge would like to participate in the development process within 10 business days of survey completion.

1. Information in the Judicial Benchmark Survey identifying an individual responding to a survey (or from which the identity of an individual or any other characteristic that could uniquely identify an individual could be determined) shall not be disclosed to any judge.
2. The mentor/facilitator judge shall review the results and make recommendations to the subject judge to aid in improving their judicial performance.
 - a. Mentor/Facilitator judges will be provided with training on how to interpret the Judicial Benchmark Survey data and give meaningful feedback to the subject judge. In-person meetings with the subject judge are preferable.

C. Judicial Benchmark Survey Confidentiality

1. All information collected, created, maintained, received or disseminated as part of the Judicial Benchmark Survey, including reviews and recommendations made by the mentor/facilitator judge to aid in improving judicial performance, shall be confidential, shall not be subject to discovery in any proceeding, and shall not be disclosed to any person except the judge who is the subject of the information and the person or persons specifically identified as mentor/facilitator judge as needing access in order to effectuate the process per Minnesota Supreme Court Order Access to Public Records ADM10-8050 (formerly C4-85-1848) and Judicial Evaluation ADM11-8001 (formerly C3-90-2360).
2. All district administrative staff will sign a confidentiality form affirming that all surveys and data collected, after being provided to the subject judge, will be permanently deleted and not retained by the Minnesota Judicial Branch in any form.

V. IMPLEMENTATION AUTHORITY

Implementation of this policy shall be the responsibility of the chief judges of the ten judicial districts.

VI. EXECUTIVE LIMITATIONS

Not applicable