

**MINUTES OF THE JUDICIAL PERFORMANCE EVALUATION COMMISSION (JPEC)
February 29, 2008**

Commission Members

Present

Mr. Richard Alvidrez
Mr. Felix Briones, Jr.
Ms. Barbara Castillo-Velarde
Mr. Avilio Chavez
Justice Gene E. Franchini
Mr. Joe Gant
Mr. Eluid Martinez
Ms. D. Joy Fresquez Mynatt
Ms. Josephine Mitchell
Mr. Regis Pecos
Ms. Ruth Schifani

Absent

Ms. Phyllis Dominguez
Ms. Leonila Duran Serna
Ms. Lori Hartley
Ms. Francesca Martinez Estevez

Agenda

- The Agenda was approved on the motion of Ruth Schifani and seconded by Josephine Mitchell.

Minutes of January 25, 2008

- The minutes of the January 25, 2008 meeting were approved on the motion of Barbara Castillo-Velarde and seconded by Josephine Mitchell.

Announcements

- Members were provided with a list of the 2008 JPEC meetings.
- Louise reported that New Mexico is participating in a national JPE working group hosted by Jordan Singer, Director of Research, Institute for the Advancement of the American Legal System, and Professor David Brody from Washington State University. The group was formed to allow states to discuss issues or problems within their programs. One of the initiatives is to plan a conference scheduled for August 5 and 6 in Denver. The conference will be planned around best practices utilized around the country. Jordan expects that each state will be able to bring some number of interested individuals, but the number is yet to be determined. Jordan and David are also seeking volunteer states to participate in an evaluation of their program, in particular to measure the effectiveness of JPE programs. They have started some work in Colorado but would love to bring in New Mexico as well. After discussing the matter, Louise was asked to find out if the evaluation could start in December 2008 or January 2009. Also, what are the tasks that would be undertaken to evaluate the program. And, when do they plan to release the report and to whom? Louise was also asked to find out what system does Colorado have.

2008 District Court Judges' Final Evaluations

- Members received a list of the interview leaders for Albuquerque -- 3/28/08 and 4/25/08.
- The draft narratives for the judges in the 2nd District are due to Louise on or before 3/14/08.
- JPEC approved the biographical changes for Judges Jane Shuler Gray, Freddie Romero, and Teddy L. Hartley.
- The JPEC reviewed and discussed edits to the narratives and/or recommendation for the following judges:
 - √ 11th District - Judges William Birdsall, John A. Dean Jr., Louis de Pauli, Jr., Grant Foutz, Thomas Hynes, Sandra Price and Karen Townsend
 - √ 7th District - Judges Edmund Kase, Mathew Reynolds, and Kevin Sweazea
 - √ 13th District - Judges Camille Olguin, Violet Otero, John Pope, William Sanchez, George Eichwald, Louis McDonald and John F. Davis
 - √ 2nd District - Judges Ted Baca, Theresa Baca, Clay Campbell, Neil Candelaria and Angela Jewell
- Felix reported on his telephone conversation with Judge Lisa Schultz.
- The district court judges declare an intent to stand for retention with the Secretary of State on March 18, 2008. Louise will email the list to JPEC and include with the next meeting materials.
- The JPEC conducted interviews in Albuquerque with Judges Michael Kavanaugh, Richard Knowles, Monica Zamora, Carl Butkus, Valerie Mackie Huling, Kenneth Martinez, Albert Murdoch, Nan Nash, and Geraldine Rivera.

2008 Metropolitan Court Judges Interim Evaluations

- JPEC unanimously agreed to evaluate all nineteen Bernalillo County Metropolitan Court Judges.
- Judge Victoria Grant sent a letter to JPEC notifying the Commission that she will be retiring at the end of 2010 and not standing for retention. Given her retirement, she would not be participating in the interview. Louise left a message and will follow up by a letter that judges need to participate in the process until the JPEC obtains a list of from the Secretary of State of the metro judges standing for retention.

2008 Appellate Court Judges' Evaluations

- Justice Patricio Serna, Judge Jonathan Sutin and Judge Ira Robinson declared an intent to stand for retention with the Secretary of State.
- Research & Polling will present the appellate results at the March meeting. Interviews are scheduled with the appellate judges in May and June 2008.

2008 Legislative Session

- Representative Joseph Cervantes introduced HB 142, JPEC's non-reverting fund. The bill passed the House and Senate. Governor Bill Richardson has until March 5, 2008 to sign the bill. Felix thanked Avilio and Regis for their help on HB 142. Letters of appreciation will be sent to legislators.
- Louise reported that for FY 09 JPEC has an operating budget of \$325,000, a decrease of \$74,900 over the FY 08 budget.

2008 Retention Activities

- The JPEC reviewed the different options and costs proposed by Cooney, Watson & Associates. Louise also reviewed projected expenditures for FY 08 and FY 09.
- Joe Gant MOVED that JPEC accept Option #2 - generate 13 different reports to Voters (1 per judicial district) and insert in newspapers throughout the state. The report will include appellate judges who stand for retention statewide. Richard Alvidrez SECONDED the motion and it PASSED UNANIMOUSLY.
- Joe Gant MOVED that JPEC accept the other activities (opinion editorial pieces, scheduling of radio interviews, press conference, website updates, and radio announcements). Ruth Schifani SECONDED the motion and it PASSED UNANIMOUSLY.
- Barbara Castillo-Velarde MOVED that JPEC conduct the Spanish language pilot program in the 1st and 5th Judicial Districts. Eluid Martinez SECONDED the motion and it PASSED UNANIMOUSLY.

Next Scheduled Meeting

We have scheduled the next meeting for March 28, 2008 at the State Bar of New Mexico, Boardroom, Albuquerque.

Minutes prepared by:

Louise Baca-Sena, AOC Staff