

**PROPOSAL #1****RULES OF PROCEDURE FOR  
JUDICIAL PERFORMANCE REVIEW  
IN THE STATE OF ARIZONA****Rules 1–3 [No Change]****Rule 4. Meetings and Action**

(a) **Frequency.** The Commission meets at the call of the Chair and at least two times each year.

(b) **Election-Related Meetings.**

(1) *Public Hearings.* In each election year, the Commission must request written public comments and hold at least one hearing for the sole purpose of receiving public comment on the performance of judges eligible for retention on the next general election ballot.

(A) Public hearings must be recorded.

(B) Before being permitted to give public comment, each member of the public must provide their name and address. The Commission may request a speaker's day and evening telephone numbers.

(C) Commission members may ask follow-up questions of individuals providing public comment as necessary to obtain any additional information, clarification, or context for the Commission.

(D) Written comments must be legible and include the author's name and address to be provided for the Commission's consideration.

(2) *Invitational Meeting.*

(A) If a Commission member requests that the Commission invite a judge to attend an executive session and articulates a reason for doing so, the Commission must invite the judge to an executive session to discuss information received from survey results, public comments, the Judicial Conduct Commission, or other sources. When asking the judge to attend an executive session, the Commission must inform the judge in writing of the reason or reasons for the request.

(B) In determining whether to invite a judge to attend an executive session and if, during the immediately preceding year in which the judge was subject to retention, the Commission referred suggestions for improvement to the judge's assigned Conference Team under Rules 3(b)(2) and 4(h)(1)(B)(iv), the Commission members may obtain and review that preceding Conference Team Report and self-evaluation plan for this limited purpose only.

(C) No Commission member may vote that a judge does not meet the Rule 5(a) judicial performance standards sufficient for retention in office without the judge first being given the opportunity to meet with the Commission in executive session.

(3) *Public Vote Meeting.* Following the public hearings and invitational meeting, the Commission must meet during the first 5 months of every even-numbered year to determine whether each judge eligible for retention “meets” or “does not meet” the Rule 5(a) judicial performance standards sufficient for retention. Public comment is prohibited at the public vote meeting.

**(c)–(h) [No Change]**

**Rules 5–7 [No Change]**

**Rule 8. Conference Teams**

**(a)–(g) [No Change]**

**(h) Conference Team Report.** The judge and Conference Team must develop a written plan for self-improvement. Once finalized, the plan must be signed by the judge and the Conference Team members.

(1) *Development.* In developing the self-improvement plan, the judge and Conference Team must consider previous and current survey results and narrative comments, the previous self-improvement plan, and any objective data demonstrating completion of the previous plan.

(2) *Distribution.* The self-improvement plan is distributed only to the judge being reviewed, the judge’s presiding or chief judge, and the Chief Justice. The self-improvement plan, with the name of the judge redacted, may be distributed to the Administrative Office of the Courts for use in development of judicial education programs. Neither the Conference Team Report nor the self-improvement plan may be distributed to the Commission or used by the Commission in determining whether a judge meets the judicial performance standards for retention except as provided in Rule 4(b)(2)(B).

**Rules 9–14 [No Change]**