

By Mr. DiMasi of Boston, petition of Salvatore F. DiMasi relative to the administration and management of the judicial system of the Commonwealth. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Nine.

AN ACT IMPROVING THE ADMINISTRATION AND MANAGEMENT OF THE JUDICIAL SYSTEM OF THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 211 of the General Laws, as appearing in
2 the 1996 Official Edition, is hereby amended by striking out
3 section 26 and inserting in place thereof the following:—

4 Section 26. The supreme judicial court, in consultation with the
5 chief justice for administration and management, may design and
6 implement a program for performance evaluation of judges. The
7 sole purpose of that program shall be the improvement of the per-
8 formance of individual judges and of the judiciary as a whole and,
9 notwithstanding any general or special law to the contrary, all
10 information compiled by that program shall be confidential.

11 The court may consult with individuals and organizations and
12 may contract for technical assistance for the purpose of the program.

1 SECTION 2. Chapter 211 of the General Laws, as appearing in
2 the 1996 Official Edition, is hereby amended by striking out
3 section 26A and inserting in place thereof the following:—

4 Section 26A. The program for performance evaluation,
5 described in section twenty-six of this chapter, may include the
6 use of questionnaires designed by the supreme judicial court.
7 Questionnaires may be given to attorneys, parties, jurors and
8 others so they may evaluate the performance of the judge. Each
9 questionnaire should include, where relevant, questions relative to
10 the judge's demeanor, judicial management skills, knowledge of

11 the law, impartiality and degree of preparedness. Completed ques-
12 tionnaires need not be signed, and all responses shall remain con-
13 fidential. Once data from each questionnaire have been compiled,
14 the questionnaire shall be destroyed. When an evaluation of an
15 individual judge is complete, it shall be discussed with the judge.

1 SECTION 3. Chapter 211 of the General Laws, as appearing in
2 the 1996 Official Edition, is hereby further amended by deleting
3 section 26B.