

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Appointments to Judicial Evaluation Committee

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Meeting Date: April 26, 2010  
Department: Municipal Court  
*www.ci.eugene.or.us*

Agenda Item Number: 2C  
Staff Contact: Jeff Perry  
Contact Telephone Number: 541-682-5019

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### ISSUE STATEMENT

This is a consent calendar item to review the Mayor's nomination to the citizen Judicial Evaluation Committee and to appoint committee members.

### BACKGROUND

By Eugene Code, the City Council may initiate a formal judicial evaluation process every four years. The most recent formal evaluation occurred in 2006, and a subsequent evaluation is due in 2010. The current presiding judge, Judge Wayne Allen, has served the Municipal Court for approximately 17 years. In that timeframe, three formal evaluations have been completed. The last judicial evaluation report was presented to the City Council at a work session on May 22, 2006. On June 14, 2006, the City Council discussed the report findings with Presiding Judge Wayne Allen in a work session, formally accepted the evaluation report, and reappointed Judge Allen.

As defined by Eugene Code, Section 2.011, the judicial evaluation committee shall be nominated by the Mayor and include one member of the City's Human Rights Commission, two attorneys familiar with the Eugene Municipal Court, and at least two other persons generally familiar with the judicial system. The nomination for the position from the Human Rights Commission is Raydeen Cuffe. The nominations for attorney representatives are Greg Hazarabedian and Dan Neal. The nominations for other persons familiar with the judicial system are Judge Kip Leonard, Linda Mora and Kathy Cunningham.

The committee will submit its report to the council at a work session in June 2010, at which time councilors may discuss the report's findings with the committee members. A public hearing will be scheduled after this work session. At a second session in June, councilors will meet with Presiding Municipal Court Judge Wayne Allen to discuss the report's findings, feedback from the public hearing and court issues in general. City Council action to formally accept the report will be scheduled prior to June 30, 2010.

### RELATED CITY POLICIES

Eugene Code, Section 2.011 allows for a formal evaluation of the City's Presiding Judge once every four years by a citizen evaluation committee. The last formal evaluation was conducted in 2006. Citizen evaluation of a judge's performance is an excellent opportunity for citizen involvement in local government, and is a practice which is unique to the City of Eugene.

## **COUNCIL OPTIONS**

The council has the following options:

- 1) Approve the Mayor's recommendations and, by consent, appoint the nominated individuals to the Judicial Evaluations Committee.
- 2) Reappoint Judge Allen without convening a citizen evaluation effort.

## **CITY MANAGER'S RECOMMENDATION**

The City Manager recommends approving the Mayor's recommendation and, by consent, appointing the nominated individuals to the Judicial Evaluation Committee.

## **SUGGESTED MOTION**

Move to appoint the nominated individuals to the Judicial Evaluation Committee for 2010.

## **ATTACHMENTS**

*Note: Nominee applications will be provided at the April 26, 2010, City Council Meeting.*

## **FOR MORE INFORMATION**

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