

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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### Work Session and Action: Judicial Evaluation/Presiding Judge Reappointment

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Meeting Date: November 19, 2014  
Department: Municipal Court  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: A  
Staff Contact: Alana Holmes  
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#### **ISSUE STATEMENT**

This agenda item is for the council to conduct Presiding Judge Wayne Allen's performance review. During the work session, councilors will meet with Judge Allen to discuss the evaluation results and make a decision on whether or not to reappoint Judge Allen to another four-year term.

#### **BACKGROUND**

Presiding Judge Wayne Allen was appointed by the council in 1994, and is in the fourth year of his current four-year term. The last formal evaluation was conducted in 2010, at which time the council reappointed Judge Allen and directed City staff to renew his contract for another four-year term. On July 28, 2014, the council appointed the members of the 2014 Judicial Evaluation Committee. The advisory committee is required to be at least five members, with at least one member of the Human Rights Commission, two attorneys familiar with the Municipal Court, and two other persons generally familiar with the judicial system.

Human Rights Commission representative:

- Ken Neubeck

Attorneys familiar with the judicial system:

- Joe Connelly – Defense Attorney
- John Kilcullen – Local Attorney and former Municipal Court Judge

Others familiar with the judicial system:

- Eric Richardson – NAACP President
- Francisca Leyva Johnson – A former coordinator for Court Paso a Paso program
- Kathy Cunningham – Springfield Municipal Court Administrator

The Eugene Code, Section 2.011, requires a formal evaluation by an ad hoc citizen advisory committee. During the months of September through November 2014, the committee met and discussed the evaluation process, reviewed court statistics and Municipal Court customer satisfaction ratings, surveyed numerous and various stakeholders for evaluation input and reviewed their responses. The committee met with Judge Allen on November 4, 2014, and discussed the Judicial Evaluation Survey results with him. The committee presented their findings in a report to the council in a work session on November 12, 2014. At that work session the committee representatives explained the evaluation process, the details of the report, and offered the evaluation committee's

unanimous recommendation that Judge Allen be reappointed for another four-year term as Presiding Judge. A public hearing was held on the performance of Presiding Judge Wayne Allen on November 17, 2014. Based on this information, the council will have an opportunity to provide feedback to the Judge, and take action on whether or not to reappoint Judge Allen to another four-year term.

### **RELATED CITY POLICIES**

The 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 2010. Citizen evaluation of a judge's performance is an opportunity for citizen involvement in local government and is a practice which is unique to the City of Eugene.

### **COUNCIL OPTIONS**

1. Reappoint Judge Allen to an additional four-year term
2. Direct staff to begin a recruitment process for a new Presiding Judge

### **CITY MANAGER'S RECOMMENDATION**

The City Manager recommends reappointing Wayne Allen as Presiding Judge.

### **SUGGESTED MOTION**

Move to reappoint Wayne Allen as Presiding Judge.

### **ATTACHMENTS**

The 2014 Judicial Evaluation Committee Report was distributed with the Council packet for the November 12, 2014 work session.

### **FOR MORE INFORMATION**

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