



COLORADO • SINCE 1878

City Council Legal Review Committee

Meeting Agenda

**April 5, 2019
City Hall, Spruce Room
749 Main Street
8:00 AM**

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes March 19, 2019
- V. Public Comments on Items Not on the Agenda
- VI. Discussion/Direction – Process for Annual Evaluations of Appointed Officials
- VII. Discussion/Direction - Process/Procedures for Consideration of Complaints Against Employees Appointed Directly by the City Council
- VIII. Discussion Items for Next Meeting
- IX. Adjourn

City Council Legal Review Committee

Meeting Minutes

**March 19, 2019
749 Main Street
6:00 PM**

Call to Order – Councilmember Leh called the meeting to order at 6:02 pm.

Roll Call: The following members were present:

***Committee Members: Chris Leh, City Council
Sue Loo, City Council
Bob Muckle, Mayor***

***Staff Present: Meredyth Muth, City Clerk
Heather Balsler, City Manager
Megan Davis, Deputy City Manager
Kathleen Kelly, City Attorney***

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF MINUTES

The minutes were approved as amended.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

DISCUSSION/DIRECTION – PROCESS FOR ANNUAL EVALUATIONS OF APPOINTED OFFICIALS

Members reviewed the draft processes and forms for evaluations for the appointed employees.

Councilmember Loo would like a matrix used for the various evaluations forms so they questions are easier to use. Members agreed.

Councilmember Leh stated the point of the self-evaluations is to get some actionable information. He recommended some changes to the self-evaluations

for the judge and prosecutor to get some more nuanced answers with better information.

Members discussed the various questions and forms and made adjustments.

Staff will bring an updated version of the forms to the next meeting. When those forms are finalized, the processes will go to the full Council for consideration.

DISCUSSION ITEMS FOR NEXT MEETING APRIL 5

Process for Annual Evaluations of Appointed Officials continued and Process/Procedures for Consideration of Complaints against Employees Appointed Direction by City Council.

ADJOURN

The meeting was adjourned at 6:52 pm.

**SUBJECT: PROCESS FOR ANNUAL EVALUATIONS OF APPOINTED
 OFFICIALS**

DATE: APRIL 5, 2019

PRESENTED BY: MEREDYTH MUTH, CITY CLERK

SUMMARY:

Attached are updated draft evaluation forms for the City Attorney, Water Attorney, Prosecuting Attorney, and Municipal Judge. These are reformatted and incorporate feedback from the March 19th Committee meeting. Staff seeks direction on these processes and forms.

Once the Committee has finalized a proposal on the evaluation processes, this will go to the full City Council for review and approval. The Committee will then have to complete evaluations in 2019 prior to making recommendations regarding 2020 appointments for the positions.

FISCAL IMPACT:

None at this time.

RECOMMENDATION:

Discussion

ATTACHMENT(S):

1. Updated draft evaluation forms

City Attorney

City Attorney Annual Evaluation

Part 1 – City Council Evaluation

Evaluation forms will be anonymous and kept confidential through the process, however the final rating is public record.

	Outstanding	Distinctive Performance	Fully Satisfactory	Marginal	Unsatisfactory	No Opinion or No Observation	Do Not Know
Do you feel the City Council is getting value for its legal fees?	5	4	3	2	1	N/O	DNK
Does the City Attorney provide honest recommendations given all legal issues and ramifications?	5	4	3	2	1	N/O	DNK
Does the City Attorney possess an efficient and effective knowledge of the Municipal Code and City Charter?	5	4	3	2	1	N/O	DNK
Does the City Attorney possess an efficient and effective knowledge of government regulations and case law regarding issues facing the City?	5	4	3	2	1	N/O	DNK
Does the City Attorney proactively identify potential issues to avoid future problems?	5	4	3	2	1	N/O	DNK
Is the City Attorney's approach effective in achieving the best possible legal outcomes for the City?	5	4	3	2	1	N/O	DNK
Does the City Attorney represent the City in a professional and ethical manner?	5	4	3	2	1	N/O	DNK
Is the City Attorney impartial and objective in her duties and responsibilities?	5	4	3	2	1	N/O	DNK
Does the City Attorney communicate effectively with the City Council and staff?	5	4	3	2	1	N/O	DNK

Are the City Attorney's communications complete and understandable, and do they answer Council's questions?	5	4	3	2	1	N/O	DNK
Does the City Attorney maintain effective and open communications with the City Council?	5	4	3	2	1	N/O	DNK
Comments: Is there anything else you would like to share?							

Name of Reviewer: _____

Signature _____

Date _____

City Attorney Annual Evaluation

Part 2 – City Staff Evaluation

City Manager, Department Directors, and a sampling of others who work closely with the City Attorney’s Office will complete the form.

Evaluation forms will be anonymous and kept confidential through the process, however the final rating is public record.

Please answer all questions relating to all staff of Kelly, PC, not only Kathleen Kelly.

	Outstanding	Distinctive Performance	Fully Satisfactory	Marginal	Unsatisfactory	No Opinion or No Observation	Do Not Know
Does the City Attorney prepare ordinances, resolutions, and contracts accurately and consistent with the direction from City Council, City Manager, directors?	5	4	3	2	1	N/O	DNK
Does the City Attorney maintain good working relationships with staff?	5	4	3	2	1	N/O	DNK
Are regular legal activities achieved within a sufficient timeframe?	5	4	3	2	1	N/O	DNK
Are standard forms developed and used where possible to minimize the preparation of legal documentation?	5	4	3	2	1	N/O	DNK
Do invoices accurately identify tasks and expenses in sufficient detail to provide accountability and cost control?	5	4	3	2	1	N/O	DNK
Is requested legal work completed in a timely manner within established time frames?	5	4	3	2	1	N/O	DNK
Is the City Attorney accessible when needed?	5	4	3	2	1	N/O	DNK
Does the City Attorney follow-up effectively to requests?	5	4	3	2	1	N/O	DNK

Are the City Attorney's communications complete and understandable, and do they answers staff's questions?	5	4	3	2	1	N/O	DNK
Does the City Attorney maintain effective and open communications with the City Manager and staff?	5	4	3	2	1	N/O	DNK
Please indicate what you believe the City Attorney's weaknesses are.							
Please indicate what you believe the City Attorney's strengths are.							
Comments: Is there anything else you would like to share?							

Name of Reviewer: _____

Signature

Date

City Attorney Annual Evaluation

Part 3 – Self-Evaluation

1. What do you see as the most important role of the City Attorney?
2. What goals have you set for yourself? Detail progress in accomplishing these goals.
3. What accomplishments have you had this year?
4. What obstacles or setbacks did you encounter during the year and how did you handle them?
5. What do you see as any potential legal problems facing the City over the next year and how will you address them?
6. What suggestions do you have for improving the communication and relationship generally between you and the Council?
7. What suggestions do you have for improving the effectiveness between you and the Council?
8. Do you have specific training needs, which the Council can facilitate, and how will those needs help you in meeting your goals?

9. What do you see as your major goals for this next evaluation period?

10. What can the City Council do to help you accomplish these goals?

11. Are there any other issues or comments you wish to share?

City Attorney Signature

Date

DRAFT

City Attorney Annual Evaluation

Part 4 – Recommendation from Legal Review Committee

Committee members will review all survey forms, KPIs, and budget information.

If it is a reappointment year for the City Attorney the Committee will make a recommendation to City Council (to reappoint the City Attorney, to go out to bid for attorney services, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the City Attorney to review the results of the evaluation.

DRAFT

Water Attorney

Water Attorney Annual Evaluation

Part 1 – City Staff Evaluation

Public Works Director and Water Resources Engineer will complete the form.

Evaluation forms will be anonymous and kept confidential through the process, however the final rating is public record.

	Outstanding	Distinctive Performance	Fully Satisfactory	Marginal	Unsatisfactory	No Opinion or No Observation	Do Not Know
Does the Water Attorney maintain good working relationships with staff?	5	4	3	2	1	N/O	DNK
Are standard forms developed and used where possible to minimize the preparation of legal documentation?	5	4	3	2	1	N/O	DNK
Do invoices accurately identify tasks and expenses in sufficient detail to provide accountability and cost control?	5	4	3	2	1	N/O	DNK
Is requested legal work completed in a timely manner within established time frames?	5	4	3	2	1	N/O	DNK
Is the Water Attorney accessible when needed to respond to requests?	5	4	3	2	1	N/O	DNK
Does the Water Attorney follow-up effectively to requests?	5	4	3	2	1	N/O	DNK
Does the Water Attorney accurately interpret and clarify City Council and City Manager direction?	5	4	3	2	1	N/O	DNK
Are the Water Attorney's communications complete and understandable, and do they answer staff's questions?	5	4	3	2	1	N/O	DNK
Does the Water Attorney maintain effective and open communications with staff?	5	4	3	2	1	N/O	DNK

Please indicate what you believe the Water Attorney's weaknesses are.	
Please indicate what you believe the Water Attorney's strengths are.	
Comments: Is there anything else you would like to share?	

Name of Reviewer: _____

Signature

Date

Water Attorney Annual Evaluation

Part 2 – Self-Evaluation

1. What do you see as the most important role of the Water Attorney?
2. What goals have you set for yourself? Detail progress in accomplishing these goals.
3. What accomplishments have you had this year?
4. What obstacles or setbacks did you encounter during the year and how did you handle them?
5. What do you see as any potential legal problems facing the City over the next year and how will you address them?
6. What suggestions do you have for improving the communication and relationship generally between you and the Council?
7. What suggestions do you have for improving the effectiveness between you and the Council?
8. Do you have specific training needs, which the Council can facilitate, and how will those needs help you in meeting your goals?

9. What do you see as your major goals for this next evaluation period?

10. What can the City Council do to help you accomplish these goals?

11. Are there any other issues or comments you wish to share?

Water Attorney Signature

Date

DRAFT

Water Attorney Annual Evaluation

Part 3 – Utility Committee Feedback

Members of the Utility Committee will be asked if they have any feedback from interactions with the Water Attorney.

Part 4 – Recommendation from Legal Review Committee

Legal Review Committee members will review all survey forms, KPIs, and budget information and make a recommendation regarding reappointment to City Council.

If it is a reappointment year for the City Attorney the Committee will make a recommendation to City Council (to reappoint the City Attorney, to go out to bid for attorney services, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the Water Attorney to review the results of the evaluation.

**Rating Scale
for
City Attorney &
Water Attorney**

Evaluation Rating Scale

1. UNSATISFACTORY - Performance falls substantially short of job requirements.
2. MARGINAL - Performance does not meet an acceptable level in some areas. Improvement is needed.
3. FULLY SATISFACTORY - Has performed at a fully satisfactory level, meets the requirements of the job in all respects, and occasionally exceeds job performance standards.
4. DISTINCTIVE PERFORMANCE - Performance is significantly better than average. Performance consistently exceeds standards.
5. OUTSTANDING - Exceptional performance of unusually high caliber. Remarkable achievement and pacesetting performance.

N/O represents “no opinion” or “no observation” of performance.

DNK represents “do not know.”

Prosecuting Attorney

Prosecuting Attorney Annual Evaluation

Part 1 – Legal Review Committee Evaluation

Evaluation forms will be anonymous and kept confidential through the process, however the final rating is public record.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Prosecutor treats all people with dignity and respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor makes sure participants understand what is going on in the courtroom.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor bases prosecutorial decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor gives all people individual consideration.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor treats parties with counsel the same as those without counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor is courteous to all people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor is attentive during proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor has an appropriate level of empathy with the parties involved in proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor is punctual and prepared for court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor makes offers in a prompt and timely.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cases are processed in an efficient manner and the Prosecutor was prepared.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor treats all parties equally regardless of race, sex, age, ethnicity, social status, or economic status, and all other categories protected by law.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:					

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Name of Reviewer: _____

Signature

Date

DRAFT

Prosecuting Attorney Annual Evaluation

Part 2 – Court Staff Evaluation

Court staff and Municipal Judge to complete an evaluation form

Evaluation forms will be anonymous and kept confidential through the process, however the final rating is public record.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Prosecutor takes time to consider relevant facts and based decisions on those facts and statements presented.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor makes sure participants understand what is going on in the courtroom.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor treats all parties with dignity and respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties are made to feel they have been heard in the process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor treats all parties equally regardless of race, sex, age, ethnicity, social status, or economic status.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor makes offers in a prompt and timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor is prepared for each case on the docket.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor communicates well with the judge and court staff.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor's communications are clear, concise, and accurate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor has good working relationships with staff.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Please indicate what you believe the Prosecutor's weaknesses are.					

Please indicate what you believe the Prosecutor's strengths are.	
Comments, is there anything else you would like to share.	

Name of Reviewer: _____

Signature

Date

Prosecuting Attorney Annual Evaluation

Part 3 – City Staff Evaluation

Department Directors who work with the Prosecuting Attorney to complete an evaluation form

Evaluation forms will be anonymous and kept confidential through the process, however the final rating is public record.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Prosecutor fully reviews and understands all citations before deciding to proceed or dismiss.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor treats all types of infractions equally (code enforcement, traffic, sales tax) and gives them proper review	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor gives clear feedback to police officers or staff if she dismisses a citation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor gives feedback on enforceability on new ordinances.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor works well with police officers and staff members to advance tickets through the court process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Prosecutor treats staff and police officers with respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments, is there anything else you would like to share.					

Name of Reviewer: _____

Signature

Date

Prosecuting Attorney Annual Evaluation

Part 4 – Self-Evaluation

Please complete the following questionnaire based on your perception about your job performance during the past year. Please answer Does Not Apply (“DNA”) for any items which do not pertain to your court assignment or activities during the past year.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
Section 1 Integrity and Impartiality					
a. I treat all people with dignity and respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. I am willing to make and have made difficult or unpopular decisions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. I act fairly by giving people individual consideration.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. I base prosecutorial decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Please provide examples.					
Section 2 Professionalism & Temperament					
a. I act in a dignified manner in performing my duties, both in and out of court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I am courteous with all people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I am attentive to proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I act with patience and self-control throughout the day.					
e. I have appropriate levels of empathy with the parties involved in proceeding.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
f. Please provide examples.					

Section 3 Administrative Capacity					
a. I am punctual and prepared for court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I make offers in a prompt and timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I act to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. Please provide examples.					
What have you done to improve the administrative functioning of the court system?					
Is there anything you need from the City Council to help you be successful?					

<p>Please provide any additional comments, clarifications, or details of your performance or the court generally that you would like us to know.</p>	

Signature

Date

Prosecuting Attorney Annual Evaluation

Part 5 – Recommendation from Legal Review Committee

Committee members will review all survey forms and the surveys from Court customers.

If it is a reappointment year for the Prosecuting Attorney the Committee will make a recommendation to City Council (to reappoint the Prosecuting Attorney, to go out to bid for attorney services, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the Prosecuting Attorney to review the results of the evaluation.

Municipal Judge

Municipal Judge Annual Evaluation

Part 1 – Legal Review Committee Evaluation

Evaluation forms will be anonymous and kept confidential through the process, however the final rating is public record.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Judge treats all people with dignity and respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge is willing to make difficult or unpopular decisions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge gives all people individual consideration.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge appears and acts neutrally on the bench.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge takes time to consider relevant facts and based decisions on those facts and statements presented	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge treats parties with counsel the same as those without counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge bases decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge keeps an open mind and considers all relevant evidence in making rulings, reserving a final decision until the parties have made final arguments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge is courteous to all people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge is attentive during proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge has an appropriate level of empathy with the parties involved in proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge is punctual and prepared for court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge maintains control over the courtroom.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cases are processed in an efficient manner and the Judge was prepared for each case on the docket.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge treats all parties equally regardless of race, sex, age, ethnicity, social status, or economic status, and all other categories protected by law.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

Name of Reviewer: _____

Signature

Date

DRAFT

Municipal Judge Annual Evaluation

Part 2 – Court Staff Evaluation

Court staff and Prosecuting Attorney to complete an evaluation form

Evaluation forms will be anonymous and kept confidential through the process, however the final rating is public record.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Judge takes time to consider relevant facts and based decisions on those facts and statements presented.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge makes sure participants understand what is going on in the courtroom.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge treats all parties with dignity and respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parties are given the opportunity to speak and are made to feel they have been heard in the process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge maintains appropriate courtroom control.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge treats all parties equally regardless of race, sex, age, ethnicity, social status, or economic status.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge acts neutrally on the bench.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge processes cases in an efficient manner and is prepared for each case on the docket.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge shows consistency in court proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge bases decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge communicates well with the Prosecuting Attorney and court staff.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge is prompt in making and rendering decisions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge keeps current on local, state, and federal laws affecting the court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge's communications are clear, concise, and accurate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judge has good working relationships with staff.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>The Judge acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Please indicate what you believe the Judge's weaknesses are.</p>	<div style="text-align: center; font-size: 48px; opacity: 0.3; transform: rotate(-30deg); pointer-events: none;"> DRAFT </div>				
<p>Please indicate what you believe the Judge's strengths are.</p>					
<p>Comments, is there anything else you would like to share.</p>					

Name of Reviewer: _____

Signature

Date

Municipal Judge Annual Evaluation

Part 3 – Self-Evaluation

Please complete the following questionnaire based on your perception about your job performance during the past year. Please answer Does Not Apply (“DNA”) for any items which do not pertain to your court assignment or activities during the past year.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
Section 1 Integrity and Impartiality					
a. I treat all people with dignity and respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I am willing to make and have made difficult or unpopular decisions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I act fairly by giving people individual consideration.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I appear and act neutrally on the bench.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
e. I treat parties with counsel the same as those without counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
f. I base decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
g. I keep an open mind and consider all relevant evidence in making rulings, reserving a final decision until the parties have made final arguments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
h. Please provide examples.					
Section 2 Professionalism & Temperament					
a. I act in a dignified manner in performing my duties, both on and off the bench.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I am courteous with all people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I am attentive to proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I act with patience and self-control throughout the day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK

e. I have appropriate levels of empathy with the parties involved in proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
f. Please provide examples.					
Section 3 Administrative Capacity					
a. I am punctual and prepared for court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I maintain control over the courtroom.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I appropriately enforce court rules, orders, and deadlines.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I make decisions and rulings in a prompt and timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
e. I act to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
f. Please provide examples.					
What have you done to improve the administrative functioning of the court system?					

Is there anything you need from the City Council to help you be successful?	
Please provide any additional comments, clarifications, or details of your performance or the court generally that you would like us to know.	

Signature

Date

Municipal Judge Annual Evaluation

Part 4 – Recommendation from Legal Review Committee

Committee members will review all survey forms and the surveys from Court customers.

If it is a reappointment year for the Municipal Judge the Committee will make a recommendation to City Council (to reappoint the Judge, ask for a new appointment process for a judge, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the Judge to review the results of the evaluation.

DRAFT

**SUBJECT: PROCESS/PROCEDURES FOR CONSIDERATION OF
COMPLAINTS AGAINST EMPLOYEES APPOINTED DIRECTLY
BY THE CITY COUNCIL**

DATE: APRIL 5, 2019

PRESENTED BY: MEREDYTH MUTH, CITY CLERK

SUMMARY:

Attached is a draft form from the City Attorney's Office for someone to file a complaint against one of the City's Officers. The City Attorney will also be prepared to share their discussions with outside counsel regarding review of City officer complaints. Staff is seeking direction on this process.

Once the Committee has finalized a proposal on the complaint processes, this will go to the full City Council for review and approval.

FISCAL IMPACT:

None at this time.

RECOMMENDATION:

Discussion

ATTACHMENT(S):

1. Draft Complaint Form

**COMPLAINT
CITY OF LOUISVILLE**

(For Complaints Regarding City of Louisville Officers, Only)

SUBJECT OF COMPLAINT

COMPLAINING PARTY

Officer Name: _____

Name: _____

Officer Title: _____

Street Address: _____

Date(s) _____
_____ of _____

Incident(s): City/State/Zip: _____

Primary Phone: _____

Email: _____

By signing below, I declare under penalty of perjury that the statements set forth in this Complaint are true and accurate, and that the Complaint is filed in good faith and not out of malice or any other improper motive or purpose.

Sign: _____

Date: _____

Please Read the Instructions and Important Information on Page 2 of this Form

You may state your Complaint below or in an attached letter,
and may include documentation relevant to the Complaint

The Complaint form (page 1) should be used for Complaints against the following City of Louisville officers:

- City Manager
- City Attorney
- City Prosecutor
- Municipal Judge

Please Note: A Complaint against a municipal judge will have no effect on rulings of the Municipal Court.

The Complaint shall state the alleged facts of the incident(s) giving rise to the Complaint, and shall contain a sworn or verified statement signed by the complainant and stating under penalty of perjury that the information in the complaint is true and accurate, and that the Complaint is filed in good faith and not out of malice or any other improper motive or purpose. Any Complaint which does not contain such a signed statement shall be returned forthwith to the complainant without action.

The Complaint and any related documentation shall be submitted by U.S. mail to the City Clerk to the following address:

City of Louisville
Attn: City Clerk
749 Main Street
Louisville, CO, 80027

Upon receipt, the City Clerk shall forward the Complaint to a disinterested, third-party factfinder (“Reviewer”) for evaluation to determine whether the facts as alleged by the complainant warrant an investigation. Complaints that are groundless or frivolous shall be dismissed. If the Reviewer determines the Complaint should be dismissed, the Reviewer shall file with the City Clerk a written report stating the reasons for such determination.

The subject of the Complaint will be notified of the Complaint only if the Reviewer determines an investigation is warranted. The written Complaint will never be shared with the subject of the Complaint, and the Complaint and the papers and reports of the Reviewer shall be kept confidential, to the extent permitted by the Open Meetings Law.

Before completing the investigation, the Reviewer shall provide the officer against whom the Complaint is made an opportunity to provide information concerning the Complaint. Following an investigation on a Complaint, the Reviewer shall prepare a written report setting forth findings of the investigation, and shall file the same with the City Clerk for examination by the City Council in accordance with the Open Meetings Law.

For questions about the process or additional information, please contact the City Clerk at 303.335.4536.