

RESOLUTION NO. 1677

A RESOLUTION APPROVING THE EVALUATION FORM AND JOB DESCRIPTION FOR THE TROUTDALE MUNICIPAL COURT JUDGE

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Recently, the Council approved an amended contract with the Troutdale Municipal Court Judge.
2. The contract requires the Council to evaluate the Judge annually, based on adopted evaluation criteria.
3. The Judge's evaluations will be based on surveys, the self-evaluation and the Council's review of how the Judge is carrying out his job responsibilities.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE


Section 1. The job description, survey and self-evaluation are hereby approved. The Judge will be evaluated annually using these tools.


Section 2. This resolution takes effect on the date it is adopted.

YEAS: 6

NAYS: 0

ABSTAINED: 0


Paul Thalhofer, Mayor
December 12, 2003
Date


Debbie Stickney, City Recorder
Adopted: December 9, 2003

Job Description

Organization:	City of Troutdale	Location: City Hall
Dept/Div:	Judicial	Date: 11/03
Job Title:	Municipal Court Judge	Grade: On Contract

Purpose of Position: Pursuant to the City of Troutdale Charter, the Municipal Court Judge is appointed by the Council to administer the municipal court. The duties of the Municipal Court Judge require the exercise of considerable independent judgment in managing the docket, ruling on motions and adjudicating cases.

Essential Functions:

- Presides over and adjudicates misdemeanors, traffic violations and city code violations pursuant to the laws of the United States, State of Oregon and the City of Troutdale, Oregon
- Presides over arraignments, calendar calls, probation violation hearings, jury and non-jury trials and other hearings;
- Hears and rules on motions;
- Finds defendants "guilty" or "not guilty," in non jury proceedings based on evidence elicited at the trial or hearing;
- Imposes sentences after finding of "guilty" in a jury or non jury trial;
- Determines bail amounts, fines and fees; as the Oregon Statutes and City Codes allow;
- Orders and signs criminal arrest warrants;
- Researches current case law as it applies to issues presented and, if needed, prepares written opinions; and
- Adopts court directives that guide the manner in which court will operate.

Required Knowledge, Skills, Attributes and Abilities:

Knowledge of:

- Oregon and United States Constitutions, Oregon Revised Statutes (ORS), case law, Oregon Administrative Rules (OAR), The Oregon Uniform Motor Vehicle Code and the Troutdale Municipal and Development Codes;
- Municipal Court policies and procedures; and
- Case Management techniques.

Ability to:

- Carry out the duties of the Municipal Court in a diligent and courteous manner;
- Be creative in developing practical solutions to problems faced in the course of court functions;
- Manage confidential information;
- Be punctual and consistent in attendance;
- Provide timely explanation of rulings to Troutdale City Attorney, Defense Attorneys, Police Officers, defendants and City Officials; as the Oregon Code of Judicial Ethics allow.

Job Description

Page Two- Municipal Court Judge

- Avoid appearance of conflicts of interest and exercise sound judgment, keeping individual personal interests separate from responsibilities as Municipal Court Judge;
- Demonstrate an impartial, non-discriminatory approach to all court activities and responsibilities on the basis of age, appearance, race, religion, national origin, gender, sexual orientation or similarly situated groups;
- Focus exclusively on Municipal Court matters while serving in the official capacity of Municipal Court judge;
- Administer Municipal Court matters in an efficient and timely manner;
- Demonstrate conduct and language that reflects positively on the City of Troutdale;
- Listen actively and attentively to all who come before the court; and
- Precisely communicate verbally and in writing and insure open channels of communication between the court and its users.

Experience and Education: The judge should be able to demonstrate any equivalent combination of education and experience that provides the judge with the knowledge, skills and abilities required to perform the job. A typical way to obtain the required knowledge and abilities would be to possess a Jurist Doctorate degree and a minimum of five years of progressively responsible legal experience. Experience presiding over hearings, working with municipal entities, or working in an organization presenting comparable complex challenges is preferred. The judge must maintain active membership in the Oregon State Bar or attend fifteen hours annually or forty-five hours within a three year period of continuous legal education or related seminars and training.

Supervisory Responsibility: Provides work direction to the Court Clerk.

Supervision Received: Is appointed and removed by the Troutdale City Council.

Prepared by:



Jerry Calavan, Consultant

Date:

12.13.03

Approved by:



Paul Thalhofer, Mayor

Date:

12-12-03

Troutdale Municipal Court Feedback
104 SE Kibling Avenue
Troutdale, OR 97060

**Procedure for Feedback Regarding
Troutdale Municipal Court Judge**

On the reverse side is a Judicial Feedback Form for use in providing anonymous comments to the Troutdale City Council regarding the Troutdale Municipal Court Judge. No reference will be made to the particular matter on which the person filling out the form appeared before the judge, and the feedback will go only to the Troutdale City Council, or its designee, and Troutdale Municipal Court Judge.

The purpose of the Feedback Form is to provide the City Council and Judge with input as to what areas upon which the Judge may want to focus in order to improve his or her judicial performance (i.e. NI = Needs Improvement), as well as to provide positive feedback regarding those areas in which the Judge is performing well (i.e. E = Very Good to Excellent). Completed forms will be sent to the Troutdale Municipal Judge Liaison. The Municipal Judge Liaison will secure all completed forms to maintain the anonymity of the responses. When directed by the Mayor or City Council President, the Municipal Court Liaison will forward the forms to the City Council and Troutdale Municipal Judge who will continue to maintain the anonymity of the responses.

Please complete the form on the reverse side and send it to the Municipal Court Liaison if and when:

- A. You have personally appeared in Troutdale Municipal Court;
- B. You had a hearing of any type before the Troutdale Municipal Court Judge, or testified at a hearing of any type; and
- C. The Judge has made a final decision on the matter in which you appeared.

TROUTDALE MUNICIPAL COURT

CONFIDENTIAL JUDICIAL FEEDBACK FORM

(Please do not sign or put any identifying name or case references on this form.)

1. Who is completing this form:

- | | | | |
|----------|-------------------------|----------|-------------------|
| A. _____ | Person cited into court | D. _____ | Victim or witness |
| B. _____ | Attorney | E. _____ | Juror |
| C. _____ | Police officer | F. _____ | Staff |

2. What type of hearing or hearings did you attend:

- | | | | |
|----------|---|----------|------------------|
| A. _____ | Arraignment hearing
(appeared to enter plea) | C. _____ | Code enforcement |
| B. _____ | Trial before _____ Judge _____ Jury | D. _____ | Other |

3. What type of case was this:

- | | | | |
|----------|----------|----------|------------------|
| A. _____ | Traffic | C. _____ | Code Enforcement |
| B. _____ | Criminal | D. _____ | Other |

4. What was the outcome of case:

- | | | | |
|----------|--|----------|---------------------------|
| A. _____ | Court ordered what I wanted or
thought would be ordered | C. _____ | Court accepted settlement |
| B. _____ | Court ruled against me | D. _____ | Other |

5. Please evaluate the following characteristics of the Judge with these ratings:

NI = Needs Improvement E = Very Good to Excellent
NO = Not Observed

- | | |
|----------|---|
| A. _____ | Projects a professional and positive image |
| B. _____ | Consistently arrives on time and issues decisions in a timely manner |
| C. _____ | Courteous to attorneys, defendants, witnesses, public and staff |
| D. _____ | Demonstrates composure and control in difficult situations |
| E. _____ | Ignores irrelevant matters, such as race, religion, sexual orientation or status |
| F. _____ | Is fair and impartial in addressing matters that come before the court |
| G. _____ | Accessible to parties that appear in court (within confines of Code of Judicial Conduct) |
| H. _____ | Oral communications are clear and accurate |
| I. _____ | Written communications are clear and accurate |
| J. _____ | Listens attentively to all who appear in court |
| K. _____ | Promptly obtains and responds to documents regarding court matters |
| L. _____ | Abstains from conducting personal or non-city business while on duty |
| M. _____ | Exercises sound judgment and avoids activities that compromise the integrity of the court |
| N. _____ | Facilitates open lines of communication with City staff and elected officials |
| O. _____ | Develops practical solutions to problems faced in administering the court |
| P. _____ | Seeks to improve own skills and knowledge |
| Q. _____ | Consistent in courtroom proceedings |
| R. _____ | Adopts and implements decisions in accordance with statutory mandates |
| S. _____ | Participates in legal education programs |

Suggestions or other comments: (If additional writing space is required please use back of this form).

After completion, fold and staple form shut and mail in a blank envelope to:

Municipal Court Liaison
City of Troutdale
104 SE Kibling Avenue
Troutdale, OR 97060

Or, hand deliver to Troutdale City Hall at 104 SE Kibling Avenue.

City of Troutdale Municipal Judge Self-Evaluation

INSTRUCTIONS: Place a check mark on the line underneath category that you feel is appropriate for each item. Please use the comment space to record specific comments related to each item. Use the back of the form if more space is needed.

“NI” means needs improvement.

“E” means very good to excellent.

Professionalism:

- Projects a professional and positive image
- Consistently arrives on time and issues decisions in a timely manner
- Courteous to attorneys, defendants, witnesses, public and staff
- Demonstrates composure and control in difficult situations
- Ignores irrelevant matters, such as race, religion, sexual orientation or status
- Is fair and impartial in addressing matters that come before the court

NI	E	Comments

Communications:

- Accessible to parties that appear in court (within confines of Code of Judicial Conduct)
- Oral communications are clear and accurate
- Written communications are clear and accurate
- Listens attentively to all who appear in court
- Promptly obtains and responds to documents regarding court matters

NI	E	Comments

Public Service:

- Abstains from conducting personal or non-city business while on duty
- Exercises sound judgment and avoids activities that compromise the integrity of the court
- Facilitates open lines of communication with City staff and elected officials

NI	E	Comments

Court Administration:

- Develops practical solutions to problems faced in administering the court
- Seeks to improve own skills and knowledge
- Consistent in courtroom proceedings
- Adopts and implements decisions in accordance with statutory mandates
- Participates in legal education programs

NI	E	Comments

Based on your overall evaluation, what areas would you list as strong points:

Based on your overall evaluation, what areas would you identify for improvement (please be as specific as possible):

Are there things that the City can do to assist with improvements in administering justice in the Troutdale Municipal Court, and if so, what are they (please be as specific as possible):

Troutdale Municipal Court Judge: _____ Date: _____