

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR HARDEE, HIGHLANDS AND POLK COUNTIES, FLORIDA

**ADMINISTRATIVE ORDER NO. 1-13.0**

ORDER IMPLEMENTING JUDICIAL EVALUATION PROCEDURES

Having found that The Florida Bar Model Judicial Evaluation Procedure shall be conducted in the Tenth Judicial Circuit, Florida, and that the forms and procedures incorporated therein, copies of which are attached, are appropriate for that purpose, this court hereby ORDERS:

In Circuit Court, judicial assistants or other employees designated by each judge shall send the Evaluation Form, instructions, and an envelope addressed to The Florida Bar to all lawyers receiving a copy of a final judgment or final order in all civil (non-probate) matters. These materials shall be sent to the lawyers in the envelopes provided by the Court if necessary;

In County Courts, judicial assistants or other employees designated by each judge shall, after the rendition of a verdict in jury and non-jury civil trials, send the same evaluation materials to all attorneys who appeared before the judge in the matter with the resulting final judgement or order.

In Criminal and Juvenile matters,

(a) The Clerk of the Court shall, upon rendition of a verdict in jury and non-jury trials, serve a judicial evaluation form packet upon each attorney who is present at the time the verdict is entered and who appeared before the judge in the case. Each packet shall contain a judicial evaluation form and a mailing envelope addressed to The Florida Bar. These forms shall not be given to parties or pro se litigants.

(b) The Clerk shall record the name of each lawyer given a packet and the identification number of the packet given to him in a log and shall certify service by initialing each entry. The log shall not reveal which form was served on which lawyer.

The Tenth Judicial Bench/Bar Committee shall provide the evaluation packets to the judicial assistants or other designated employee and the Clerk and the Bench/Bar Committee shall be informed when additional forms are needed.

The results of the evaluations shall be compiled by The Florida Bar and shall be disclosed to the evaluated judge and no one else. In addition, the aggregated statistical data that does not disclose the identity of specific judges may be disclosed by The Florida Bar to the Tenth Judicial Circuit Bench/Bar Committee and to the Florida Bar Judicial Evaluation Committee for the purpose of overseeing, evaluating, and improving the program.

Judicial evaluations shall begin on the first day of October, 1991, or such other date as is specified in an amendment to this Order.

This program shall continue until further Order of this Court.

**DONE AND ORDERED** this 28<sup>th</sup> day of May, 1991, in Chambers, Bartow, Polk County, Florida.

OLIVER L. GREEN, JR.

Chief Circuit Judge

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR HARDEE, HIGHLANDS AND POLK COUNTIES, FLORIDA

**INSTRUCTIONS TO CLERKS OF COURT**

**IN CRIMINAL AND JUVENILE CASES**

RE: Judicial Evaluation Program

Dear Judicial Clerk:

In all criminal or juvenile cases before your Judge which are fully tried and terminated by jury or non-jury verdicts, you are to serve a judicial evaluation packet on each lawyer of record who is present at the time the verdict is entered and who actually appeared before the Judge during the proceedings. This packet contains a numbered judicial evaluation form and mailing envelope. Before serving the forms you are to assure that the name of the Judge who is being evaluated is entered in the space provided. You are to record in a log maintained for that purpose, the case number, the numbers of the evaluation forms distributed, and the lawyers who were served. This log is not to reveal which form. You are to certify service by initialing the entry in the log.

Sincerely,  
OLIVER L. GREEN, JR.  
CHIEF CIRCUIT JUDGE

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR HARDEE, HIGHLANDS AND POLK COUNTIES, FLORIDA

**INSTRUCTIONS TO JUDICIAL ASSISTANTS**

**CIVIL ACTIONS**

RE: Judicial Evaluation Program

Dear Judicial Assistant:

Subsequent to any and all final judgements or orders resulting from civil proceedings before your Judge, the attached forms, instructional and envelopes are to be enclosed with the final order or final judgement terminating the proceeding. These are to be furnished to each lawyer of record who appeared before the Judge in the case and who is to receive a conformed copy of the final order or judgement. Include the evaluation papers as an enclosure to the final order or judgement you send to the lawyers. Be sure that the name of your judge is entered in the space provided on the form. These forms are to be sent only to the attorneys who actually appeared before the Judge during the course of the case. No evaluation forms are to be sent where final judgements or final orders are stipulated to or in cases that had no hearings and no trials.

Your specific instructions are:

**SEND THE EVALUATION PAPERS AS TO ALL FINAL JUDGEMENTS AFTER A TRIAL, AS TO ALL FINAL SUMMARY JUDGEMENTS ENDING A CASE, AS TO ALL DISMISSALS WITH PREJUDICE ENDING A CASE IF THE PROCEEDINGS INCLUDED ADVERSARY APPEARANCES BEFORE THE JUDGE OR ANY OTHER FINAL ADVERSARIAL ORDERS OR JUDGEMENTS.**

**SEND THE EVALUATION PAPERS TO THE LAWYERS ON ALL ORDERS THAT MAY BE FINAL ORDERS. DO NOT SEND THE EVALUATION PAPERS WITH ORDERS STRIKING OR DISMISSING A CASE WITH LEAVE TO AMEND, DISCOVERY ORDERS, ET CETERA.**

**WHEN IN DOUBT, SEND IT OUT.**

Sincerely,  
OLIVER L. GREEN, JR.  
CHIEF CIRCUIT JUDGE

**JUDICIAL EVALUATION**

Dear Lawyer:

You have just completed a proceeding before the judge whose name appears at the top of the evaluation form printed on the reverse of this letter. Please mark the questions on the bottom of this page, complete the evaluation on the reverse side and mail this completed document to the Florida Bar in the envelope provided. PLEASE DO NOT MARK THE EVALUATION FORM PRIOR TO THE TENTH DAY AFTER THE TERMINATION OF THE PROCEEDING YOU HAVE CONDUCTED BEFORE THE JUDGE. WE ASK THAT YOU ALLOW TEN DAYS TO REFLECT FULLY UPON THIS SUBJECT MATTER.

\_\_\_\_\_  
,President, Chief Judge

\_\_\_\_\_ County Bar Association Judicial Circuit for \_\_\_\_\_

(or \_\_\_\_\_ Judicial Circuit ) County, Florida

DISREGARD THIS FORM UNLESS ALL OF THE FOLLOWING APPLY:

- (a) You have personally appeared before the judge in this matter, and
- (b) You had an adversary proceeding before the judge prior to the rendition of the enclosed order, and
- (c) The order accompanying this form is a final order ending the case at the trial level. Complete and return the evaluation even if motions for rehearing or new trial or appeals are pending.

PLEASE CHECK THE APPROPRIATE BOXES:

Indicate at what point in the proceedings the case was terminated:

- \_\_\_\_\_ A. After at least one adversary hearing and then settled or resolved by order of the court.
- \_\_\_\_\_ B. Upon motion for summary judgement.
- \_\_\_\_\_ C. Upon motion for directed verdict.
- \_\_\_\_\_ D. After a verdict in a jury or non-jury trial.
- \_\_\_\_\_ E. Other.

Outcome of action: 3. Nature of case:

- \_\_\_\_\_ A. My client won \_\_\_\_\_ A. Civil
- \_\_\_\_\_ B. My client lost. \_\_\_\_\_ B. Criminal
- \_\_\_\_\_ C. Compromise \_\_\_\_\_ C. Juvenile
- \_\_\_\_\_ D. Other \_\_\_\_\_ D. Other.

(e.1.)

FRONT OF FORM

Judge: \_\_\_\_\_

Evaluation Plan of \_\_\_\_\_ County (or \_\_\_\_\_ Judicial Circuit)

This is an evaluation of the judge in this particular matter. It is not a general evaluation of the judge. You may be asked to evaluate the performance of this judge in other matters. Each evaluation is independent information that goes into the base from which statistical measures will be produced.

Please evaluate the following aspects of the judge's performance in this particular matter circling one number in by each attribute.

No Opinion

Or Not Above Below

Observed Excellent Average Average Average Poor

1. Attentiveness (1) (2) (3) (4) (5) (6)

2 Timeliness of decisions. (1) (2) (3) (4) (5) (6)

3 Common sense. (1) (2) (3) (4) (5) (6)

4 Diligence, availability and  
punctuality. (1) (2) (3) (4) (5) (6)

Neutrality and objectivity

regarding legal issues. (1) (2) (3) (4) (5) (6)

Knowledge and application (1) (2) (3) (4) (5) (6)  
and law.

Courtesy toward litigants, (1) (2) (3) (4) (5) (6)  
witnesses and lawyers.

Judicial demeanor (1) (2) (3) (4) (5) (6)

Willingness to ignore  
irrelevant considerations;  
race, sex, religion, politics,  
identity of lawyers or  
parties. (1) (2) (3) (4) (5) (6)

(BACK OF FORM)

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR Re:  
PETITION TO AMEND FLORIDA RULES  
OF JUDICIAL ADMINISTRATION  
TO ADD RULE 2.150(f)  
ENTITLED "SELF IMPROVEMENT PROCEDURE"

The Florida Bar petitions this Court to amend the Rules pertaining to the Judicial Administration to add the following Rule:

2.150(f) Self Improvement Procedures.

The model judicial evaluation procedures approved by the Board of Governors of The Florida Bar are designed to assist judges in improving their performance by providing them with timely and candid evaluations of how they performed in handling litigated matters. By nature, these plans require that the identities of the evaluators not be revealed and that the compiled evaluations be made known only to the evaluated judge for the purpose of self-improvement. The plans also permit the judges in each jurisdiction to elect to reveal the evaluations to their chief judge, and no one else, for the additional purposes of peer evaluation and consultation. The evaluations, forms and statistical compilations pertaining to and identifying a specific judge may not be released, revealed or distributed by The Florida Bar, its employees, officers and agents, or any official in the judicial branch of government, except to the evaluated judge and, if provided in the order establishing the program, to the chief judge. Statistical compilations that do not reveal the specific evaluation and

identity of any person, including the evaluator and evaluated judge, may be distributed to the judiciary and Judicial Evaluation Committee of The Florida Bar for purposes of evaluating the efficacy of the program and recommending modifications.

Respectfully submitted,

John E. Harkness, Jr.

Executive Director

Florida Bar No. 1223390

Ben F. Hill, III

President

Florida Bar No. 94585

Joseph P. Metzger, Jr.

Chairman, Judicial Evaluation

[Exhibit A] Committee, Florida Bar No. \_\_\_\_\_