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MISSISSIPPI COMMISSION on JUDICIAL PERFORMANCE



2023-2027

STRATEGIC PLAN

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## **Purpose of the Strategic Plan:**

Developed under the direction of the Commission Members and the Director, our plan states the goals and policy directions of the Mississippi Commission on Judicial Performance. The goal of our agency is to ensure that all of the judges of this state maintain the level of conduct mandated by the Mississippi Code of Judicial Conduct and the Constitution of the State of Mississippi. This plan includes statewide initiatives targeted to protect the citizens of Mississippi and the judiciary from unfounded complaints. It further seeks to educate the judiciary and attorneys on judicial ethics, and run a more efficient agency. This strategic plan guides the priorities and work of the Commission.

This plan also serves as an agenda outlining actions needed to preserve not only this agency's successes but also the Mississippi judiciary's and, where appropriate, bring about positive change. Although its stated goals and strategies do not include every important activity, project, or initiative that is underway or being considered, the plan focuses on issues that affect this agency and the judiciary at large. Its intended outcome is a response to matters affecting the judiciary and agency in a way that benefits the entire judicial branch and the public it serves.

## **Mission:**

The Mississippi Commission on Judicial Performance is an independent, state agency which enforces the standards of judicial conduct, investigates allegations of judicial disability and misconduct, and protects the judiciary from unfounded allegations of misconduct.

The Commission serves a resource for judges and court staff in an effort to advance the consistent, independent, impartial, and accessible administration of justice.

## **Core Values:**

The goal of this agency is to ensure that all of the courts of this state uphold these tenets:

**Rule of Law:** legal predictability, continuity, and coherence; reasoned decisions made through publicly visible processes and faithfully based on the law.

**Equal Justice:** fairness and impartiality in the administration of justice; accessibility of court processes; treatment of all with dignity and respect.

**Judicial Independence:** the judge's ability to render justice without family, social, or other relational influence on the judge's conduct or judgment.

**Accountability:** stringent standards of conduct and ethical rules

**Service:** commitment to the faithful discharge of official duties; allegiance to the Constitution and laws of the State of Mississippi; dedication to meeting the needs of Mississippians in a timely and effective manner.

## **Relevant Statewide Goals and Benchmarks:**

- Protect the integrity of the judiciary.
- Promote accountability and transparency within the court system.
- Prioritize the agency's efficiency and effectiveness of government service to taxpayers and citizens.
- Educating the public on the role of the Commission.
- Protect Mississippians from instances of judicial misconduct and the physical or mental disability of members of the judiciary.
- Act as a resource for the judiciary and court staff in matters of judicial ethics.
- Educate court clerks, practicing attorneys, law enforcement officers, and the general public on the Commission and its mission.

## **Fundamental Challenges:**

In developing its strategic plan, the Mississippi Commission on Judicial Performance has regularly reviewed state and national trends, essential court system values, external mandates, citizen expectations, and other forces that shape the environment of the courts.

## **Overview of Agency's 5-Year Strategic Plan:**

The Commission has considered funding and activity levels and has conducted a review of its deficiencies and strengths in order to establish the following work plan for 2023-2027.

## **Agency Direction in 2023:**

### **Online Complaints:**

The Commission will continue to update its technology and its website to allow for all of its complaints to be filed electronically on the Commission's website. The move to electronic filing will allow the agency to be completely paperless which will save time, money, and agency resources, as well as provide access to the Commission and its resources from any location.

### **Complaint Tracking and Maintenance of Complaint Files:**

In an effort to maintain a completely paperless office, the Commission will continue to upgrade and maintain a complaint tracking program that allows all complaints to be scanned and filed electronically.

### **Canons and Rules Review:**

The Commission will begin conducting a comprehensive review of the Code of Judicial Conduct and Rules of the Mississippi Commission on Judicial Performance to ensure relevancy and eliminate any redundancies and impediments.

## **Commission Services:**

- Receive complaints of judicial misconduct and disability.
- Analyze complaints of judicial misconduct and disability.
- Assign complaints tracking information.
- Assign complaints of judicial misconduct and disability to a review panel.
- Present complaints of judicial misconduct and disability to the full commission.
- Hold regular Commission meetings in order to conduct Commission business.
- Investigate all complaints, as directed by the Commission.
- Litigate and adjudicate disciplinary cases.
- Present the Commission's mission to the public at various speaking engagements.
- Educate incoming law enforcement officers on Commission and encourage their participation in the complaint process
- Participate in national seminars devoted to judicial ethics.
- Mentor legal externs from Mississippi College School of Law and University of Mississippi School of Law.
- Teach Continuing Judicial Education courses.
- Teach Continuing Legal Education courses.
- Provide education and guidance to judges requesting assistance
- Coordinate with Judicial College in maintaining judicial educational excellence.
- Evaluate the inner workings of the agency and dedicate time and resources to ensure the agency runs as smoothly and economically as possible.
- Review the Code of Judicial Conduct and the Rules of the Mississippi Commission on Judicial Performance, and seek revisions as needed.

## **Agency Direction in Years 2023 to 2027:**

### **Maintain and Continue Full Slate of Services:**

- Receive complaints of judicial misconduct and disability.
- Analyze complaints of judicial misconduct and disability.
- Assign complaints tracking information.
- Assign complaints of judicial misconduct and disability to a review panel.
- Present complaints of judicial misconduct and disability to the full commission.
- Hold regular Commission meetings in order to conduct Commission business.
- Investigate all complaints, as directed by the Commission.
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## **Agency's External/Internal Assessment and Internal Management Systems:**

### **External/Internal Assessment:**

The Commission's mission is narrowly focused and requires advanced skills in its undertaking. As such, personnel/payroll is the largest expenditure for the Commission, and its total budget is controlled exclusively by the legislature.

Internally, the Commission has the capability to exact fines against offending judges; however, those fine amounts must be approved by the Mississippi Supreme Court and are typically nominal in amount. Further, the final imposition of any fine by the Mississippi Supreme Court is, on average, one year from the time the Commission initially recommends one.

Externally, Commission has no ability to influence its budget, other than traditional lobbying methods. As a practical matter, even if it could influence the number of instances of judicial misconduct resulting in fines, the outcome would not justify those means

### **Internal Management Systems:**

The Commission is required to meet monthly, although in previous years has reduced the meeting frequency to alternating months. Utilizing virtual capabilities allows for Commission to meet more frequently in order to increase the efficiency of the complaint review process.

## **Agency Goals, Objectives, Strategies and Measures:**

Commission has one focus: Enforce the high standard of conduct mandated by the Code of Judicial Conduct.

- Judicial Integrity: Protect the integrity of the judiciary and well-being of the public.

Objective:

- Receive and process all complaints of judicial misconduct in a timely and efficient manner.

Outcome:

- Competent, impartial, and independent judiciary.

Strategy:

- Streamline the complaint process.

**Output:**

- Number of complaints processed a year.
- Review procedures by which complaints are processed and implement changes to ensure a more efficient process.
- Time in which complaints are fully adjudicated.

**Efficiency:**

- Percentage of complaints completed electronically.
- Percentage of Commission meetings held virtually or electronically.
- Percentage of complaints fully resolved within three (3) months.

**Explanatory:**

- Number of complaints received.

**Judicial Competency:**

- To educate the judiciary when requested or needed.
- Provide rehabilitative opportunities to the members of the judiciary when needed.

**Objective:**

- Provide guidance to judges seeking direction and teach at Continuing Judicial Education (CJE) seminars.

**Outcome:**

- Number of judges maintaining requisite number of CJE's.
- Competent and knowledgeable judiciary.

**Communications, Outreach and Organizational Effectiveness:**

- Proactively educate court clerks, law enforcement officers, practicing attorneys, and the general public.

**Objective:**

- Increase public and professional awareness of Commission's mission, activities, and services.

**Outcome:**

- The Commission will become more visible to the public and the legal community.

**Strategy:**

- Demonstrate a commitment to being fiscally responsible and responsive.

**Output:**

- Number of inquiries answered.

**Efficiency:**

- Percentage of participants satisfied with the level of service provided (from participants' surveys).
- Percentage of expenditure budget spent.
- Percentage of Commission staff actively engaged in speaking/teaching engagements and seminars.

**Access, Fairness, and Diversity:**

Mississippi Commission on Judicial Performance serves an increasingly diverse population. The Commission must work to remove all barriers to access and fairness by being responsive to the state's cultural; ethnic; socio-economic; linguistic; physical; gender; age diverse, and to all people. Commission's efforts in this regard must include ensuring that the courts are free from both bias and the appearance of bias, meeting the needs of increasing numbers of self-represented litigants, remaining receptive to the needs of all court system constituents, ensuring that court procedures are fair and understandable, and providing culturally responsive programs and services. Finding effective strategies for removing barriers in all case types requires a continued statewide commitment to innovation, excellence in public service, and strong leadership at local and state levels.

In addition, to serving the state of Mississippi's effectively, the Commission should reflect the diversity of the state and continue efforts to enhance public trust and confidence by working with other branches of government toward a judicial system that mirrors the state's diversity.

**Recommended Best Practices:**

- Identify and work to eliminate all barriers to access to our agency.
- Broaden and facilitate access to, understanding of, and trust and confidence in the judicial system, for all persons served by the judicial branch.
- Work to prevent bias, and the appearance of bias, in the judicial branch.
- Work to achieve procedural fairness in all types of cases.
- Collaborate with law schools, the State Bar, local bar associations, and specialty bars to achieve higher educational training within our judicial system.
- Continue to promote broad diversity among the membership of the Commission and staff.

**Safety and Security of Members and Staff:**

The Mississippi Commission on Judicial Performance is dedicated to the safety and security of its members and staff. The Commission has and will continue to make every effort to make the work environment safe and secure.

**Independence:**

The Mississippi Commission on Judicial Performance is an independent agency of state government charged with preserving the rule of law, upholding Mississippi's constitutional rights, and ensuring fair and impartial courts. To discharge these important constitutional responsibilities, the Commission must maintain its independence and resist pressures that would compromise the independence of the Commission's decision making. Increasingly, Commission members must contend with a variety of challenges as they make decisions on issues that are charged with public controversy.