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MY VIEW DAVID K. THOMSON

Judicial commission helps evaluate judges' performance

By David K. Thomson
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Assessing how state judges perform on the job is difficult, particularly for New Mexico voters in today's divisive political environment. But information from the state's Judicial Performance Evaluation Commission can assist New Mexicans in deciding whether to vote "yes" or "no" to retain judges and justices on the general election ballot.

JPEC was established to specifically help voters carry out their role in ensuring competent, professional judges in New Mexico. The commission's evaluations also provide feedback to judges for improving their performance. The result is a judicial system that better serves New Mexicans.

I am writing not to endorse or advocate the retention of any particular judge on the ballot. Ethical rules in the Code of Judicial Conduct prohibit judges and justices from endorsing or opposing any candidate for elective office.

My purpose is to help voters understand a judge's role in our justice system and the work they do every day in our courts. Judges do not write laws or create policy. Judges do not prosecute criminal cases. They do not advocate for or against legal matters. Judges must decide cases based on the law's requirements and the evidence presented in court.

Why is that? Our Constitution created the judiciary as an independent branch of government to protect the rights of all the people and impartially deliver justice. To do that, judges must cast aside their personal opinions and remain free of influence from popular sentiment about the issues in a pending case.

At times, the public may question why a judge ruled a certain way. But what one learns about the ruling from the internet or news reports may be incomplete or even misleading.

JPEC assesses a judge's impartiality and integrity, knowledge and understanding of the law, management of cases to efficiently decide them, and skills in communicating their rulings. The commission's evaluation of a judge's performance is free from partisan bias and not influenced by any particular viewpoint in favor against a specific issue.

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Ultimately, it falls to voters to decide whether to keep a judge on the job.

That is how our system works. More than 30 years ago, voters adopted a requirement for periodic retention election of judges by establishing a merit selection system for appellate, district and metropolitan court judges. It is a rigorous selection process that screens people who wish to become judges and ensures qualified individuals are recommended to the governor for appointment to the bench.

Serving as a judge is a demanding job. I trust that voters, in carrying out their responsibility, will review information from JPEC to make an informed decision when they reach the judicial selection portion of their ballots.

We all benefit from what our Constitution requires of judges: Fair and impartial justice, free of bias and prejudice.

David K. Thomson is chief justice of the New Mexico Supreme Court. He was born and raised in Santa Fe and has served on the Supreme Court since 2019.