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State Lawmakers Press for Change at Judicial Performance Commission

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Legislation that would create a committee charged with recommending potentially sweeping changes to the structure and function of California's judicial disciplinary agency passed a key legislative panel Tuesday.

The Assembly Judiciary Committee unanimously approved [AB 1577](#), a bill that would establish a 15-member group of judges, attorneys, judicial ethics experts and public residents to scrutinize the Commission on Judicial Performance. The group will be required to file a report and recommendations with state leaders and the public by March 2023.

The idea for the Committee to Review the Operations and Structure of the Commission on Judicial Performance was born after a critical 2019 [report](#) by the state auditor concluded the agency had "missed opportunities" to fully investigate allegations of judicial wrongdoing.

Assembly Judiciary Chairman Mark Stone, D-Scotts Valley, planned to pursue similar legislation last year but was derailed by a reduction in hearings and bills tied to the pandemic.

"If the Legislature passes the bill and the governor signs it into law, I look forward to working with the committee ... to discuss and study possible improvements to the operations of the commission," said Gregory Dresser, the commission's director and counsel in chief.

Dresser would serve on the 15-member committee as would its chair—Trinity County Superior Court Judge Michael Harper—a current or former member of the commission and the agency's legal adviser. The governor would choose another seven members and legislative leaders would select the remaining four.

The commission's mandate would be broad. Members would be asked to review the auditor's findings, to study the judicial disciplinary operations of other states, to consider whether the agency's structure should be changed, to examine discipline options and to hold at least two public hearings on related issues.

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