

TMCLGR 29
PRESIDING JUDGE

(a) Election and Term of Presiding Judge:

(1) The judges shall elect by a majority of all the judges a Presiding Judge for a term of not less than two years. The term of office shall commence on January 1 following election. The election should occur a minimum of two months prior to the beginning of the new term.

(2) In the same manner, the judges will elect an Assistant Presiding Judge for a term of not less than two years. The term of office for Assistant Presiding Judge shall commence on January 1 following election. The election should occur a minimum of two months prior to the beginning of the new term.

(3) Vacancies in the office of Presiding Judge or Assistant Presiding Judge shall be filled as provided in in above section (a).(1) within 30 days after the vacancy occurs. In the case of a vacancy in the office of Presiding Judge, the Assistant Presiding Judge shall serve as the acting Presiding Judge until said election. In the case of vacancy in the office of Assistant Presiding Judge, the remaining Judge shall act as interim Assistant Presiding Judge. The judge elected to fill the vacancy shall serve the remainder of the term of the Presiding Judge or Assistant Presiding Judge.

(4) The Presiding Judge or Assistant Presiding Judge may be removed by majority vote of the judges at a regular or special meeting of the judges called by any judge upon at least 10 days notice in writing or by court electronic mail sent to all judges stating that removal of the Presiding Judge or Assistant Presiding Judge is at issue.

(b) Notification of Chief Justice:

The Presiding Judge so elected shall send notice of the election of the Presiding Judge and Assistant Presiding Judge to the Chief Justice of the Supreme Court within 30 days of election.

(c) Caseload Adjustment:

To the extent possible, the judicial caseload should be adjusted to provide the Presiding Judge with sufficient time and resources to devote to the management and administrative duties of the office.

(d) General Responsibilities:

The Presiding Judge shall be responsible for leading the management and administration of the court's business, recommending policies and procedures that improve the court's effectiveness, and allocating resources in a way that maximizes the court's ability to resolve disputes fairly and expeditiously.

(e) Duties and Authority:

The judicial and administrative duties set forth in this rule cannot be delegated to persons in either the legislative or executive branches of government. A Presiding Judge may delegate the performance of ministerial duties to court employees; however, it is still the Presiding Judge's responsibility to ensure they are performed in accordance with this rule. When the Presiding Judge is unavailable, the Assistant Presiding Judge shall undertake the duties of the Presiding Judge. In addition to exercising general administrative supervision over the court, except those duties assigned to clerks of the superior court pursuant to law, the Presiding Judge shall:

- (1) Supervise the business of the judicial district and judicial officers in such manner as to ensure the expeditious and efficient processing of all cases and equitable distribution of the workload among judicial officers;
- (2) Assign judicial officers to hear cases pursuant to statute or rule. The court may establish general policies governing the assignment of judges;
- (3) Coordinate judicial officers' vacations, attendance at education programs, and similar matters;
- (4) Develop and coordinate statistical and management information;
- (5) Supervise the daily operation of the court including:
 - (a) All personnel assigned to perform court functions; and
 - (b) All personnel employed under the judicial branch of government, including but not limited to working conditions, hiring, discipline, and termination decisions except wages, or benefits directly related to wages; and
 - (c) The court administrator, or equivalent employee, who shall report directly to the Presiding Judge.
- (6) Supervise the court's accounts and auditing the procurement and disbursement of appropriations and preparation of the court's annual budget request;
- (7) Appoint standing or special committees of judicial officers to tasks necessary for the proper performance of the duties of the court;
- (8) Delegate specific supervisory responsibilities to other judges;

(9) Promulgate local rules as a majority of the judges may approve or as the Supreme Court shall direct;

(10) Supervise the preparation and filing of reports required by statute and court rule;

(11) Act as the official spokesperson for the court in all matters with the executive or legislative branches of state and local government and the community unless the Presiding Judge shall designate another judge to serve in this capacity;

(12) Preside at meetings of the judicial officers;

(13) Determine the qualifications of and establish a training program for pro tem judges and pro tem court commissioners; and

(14) Perform other duties as may be assigned by statute or court rule.

(f) Oversight of judicial officers:

It shall be the duty of the Presiding Judge to supervise judicial officers to the extent necessary to ensure the timely and efficient processing of cases. The Presiding Judge shall have the authority to address a judicial officer's failure to perform judicial duties and to propose remedial action. If remedial action is not successful, the Presiding Judge shall notify the Commission on Judicial Conduct of a judge's substantial failure to perform.