



IN THE SIXTH JUDICIAL DISTRICT OF THE STATE OF OREGON

In the Matter of Supervision of  
Judicial Staff

PRESIDING JUDGE ORDER

No. 16-008

**This order supersedes Presiding Judge Order 06-009  
and shall stand until superseded.**

WHEREAS Judicial Department Personnel Rule (JDPR) 1.02(8) assigns responsibility for supervision of direct support staff to the Trial Court Administrator absent an order of the Presiding Judge; and

WHEREAS Sixth District judges have expressed their preference for supervising directly assigned staff; and

WHEREAS it is the policy of this Judicial District that courtroom staff, the Judicial Assistant and Court Recorder when assigned, are positions that should rotate duty assignments and positions within the district for the employee to gain continuing work experience and expansion of their knowledge; and

WHEREAS JDPR 1.02(8)(a) applies JDPR 2.47 requirements to judges authorized by Presiding Judge Order and mandates that they shall equitably and consistently administer the role of supervisor; therefore

IT IS HEREBY ORDERED that, subject to the review of the Presiding Judge, each judge shall be responsible for the supervisory functions (defined in JDPR 2.47 and in accordance with JDPR 2.01) for a Judicial Assistant (JA). These duties shall include assisting in selecting, monitoring and approving attendance and leave, assigning duties consistent with the approved classification and position description, discipline, performance review and feedback, responding to first-step grievances, and applying personnel rules and personnel policies.

A supervising judge does not have judicial immunity from actions taken as supervisor and must adhere to performance expectations set forth in Judicial Department Personnel Rule 7.01, local court policies and presiding judge instructions applicable to court employees supervised by them.

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The supervising judge is not an administrative authority under JDPR 2.01. For individuals supervised by a judge the administrative authority is the Trial Court Administrator (TCA).

A judge may opt to be a full supervisor, responsible for all functions under JDPR 2.47, or elect a hybrid supervisory relationship in which the TCA or the TCA's designated representative acts as an "administrative supervisor" responsible to approve leave, monitor attendance, issue discipline, conduct performance review and feedback, and respond to first step grievances. Under hybrid supervision, the judge is responsible in conjunction with the TCA for determining available staff to meet the judge's needs, and to select an applicant for the JA position. The judge will assign duties consistent with the approved classification level and position description. The judge as "technical supervisor" will monitor overall and specific performance and present concerns to the TCA or the TCA's designee as "administrative supervisor" of the work done by the JA. The administrative supervisor will work with the JA on work performance improvement, provide mentoring and guide work production, and provide coverage for judicial support duties in the JA's absence.

A judge electing to continue full supervision must, in conjunction with his JA, coordinate for all immediate support and replacement assistance during periods of absence and essentially must manage the support calendar with the supporting supervisor.

A judge who elects to opt for hybrid representation may later elect to return to full supervision by notifying the PJ and TCA and working with the TCA to determine who will accept transfer to that assignment, including the current JA under hybrid supervision. Under the hybrid supervision model the TCA is responsible for working with the judge to determine his or her need for immediate and replacement support services during periods of absence.

In all circumstances when a JA is placed on a work improvement plan or disciplinary status, the TCA as administrative authority becomes supervisor of the JA for the duration of that situation.

In all circumstances the TCA administers overtime and compensatory time under JDPR 4.06, fully supervises any limited duration employee as defined by JDPR 2.25, and upon consultation with the judge and approval of the Presiding Judge, initiates personnel actions as defined by JDPR 2.33, including transfers and demotions under JDPR 6.05(1), and discipline above a written reprimand under JDPR 9.

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If an additional clerk is required for duty elsewhere with the judge, such as Morrow County Circuit Court, the JA or other clerk assigned by the supervisor may attend to Morrow County matters.



DATED: 8/12/16

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DANIEL J. HILL  
Presiding Judge of the Circuit Court