



Administrative Policies
And Procedures
Tennessee Supreme Court
Administrative Office of the Courts

R.A.P.

Index #: 2.05 Page 1 of 4

Effective Date: July 1, 2022

Supersedes: August 1, 2002
Employee Performance Evaluation
Policy

Approved by: Chief Justice Roger A. Page and Director Michelle J. Long

Subject: Employee Performance Management Policy

- I. **Authority:** Tenn. Const. art. VI, § 1; Tenn. Code Ann. § 16-3-502; and Tenn. Code Ann. § 16-3-803.
- II. **Definitions:**
 - A. "Employee" is any person who works for the AOC in a full-time or part-time status.
 - B. "Individual Performance Plan (IPP)" is a document created to assist with the performance-based culture aligned with the stated purpose in Section III herein.
 - C. "Rater" is the person measuring employee performance. The rater is the person who directly supervises the employee.
 - D. "Reviewer" is the person responsible for ensuring that the performance management process is timely and properly conducted. The reviewer's input and approval are required at each of the procedural steps throughout the performance cycle. The reviewer is generally the person to whom the rater reports or by whom the rater is supervised.
 - E. "Interim Reviews" are periodic discussions wherein the rater reviews the employee's performance of agency expectations and progress on work outcomes.
 - F. "Annual Reviews" are the documented final evaluation of the employee's performance during the performance cycle.
- III. **Purpose:** To establish a performance-based culture so that employee performance is aligned with the agency's goals and objectives and employees are eligible for reward by performance-based incentives as funds are available and/or approved.
- IV. **Application:** This policy shall apply consistently among AOC staff. This policy may be adopted for application to the employees of the Board of Professional Responsibility, Board of Law Examiners, Commission on Continuing Legal Education, Tennessee Lawyers Assistance Program, and the Appellate Court Clerk's Office.

- V. Policy:** It is the policy of the AOC that each employee has an IPP that is aligned with the agency's mission, goals, and objectives that defines detailed performance standards, expected work outcomes, and competency and that provides periodic feedback and written evaluation of the IPP for each employee. Each IPP shall be specific, measurable, achievable, relevant to a strategic objective of the agency and time sensitive (SMART) for the purpose of:
- A. Providing a fair and balanced assessment of an employee's job performance;
 - B. Establishing goals, objectives, and work outcomes that further the mission of the AOC;
 - C. Providing ongoing feedback relative to expectations and accomplishments;
and
 - D. Providing an objective basis for performance-based monetary increases when appropriate and funds are provided and approved in the annual Court System budget.
- VI. Procedures:** The following enumerates the minimum requirements for a successful performance management program for each employee during each performance cycle:
- A. The AOC shall establish annual goals and objectives selected to further the mission of the agency: "Serve as a trusted resource to assist in improving the administration of justice and promoting confidence in the judiciary." The goals and objectives will be established by the AOC Director in consultation with the AOC executive leadership team. The goals and objectives shall serve as the overall accomplishments by which each division/team and employees shall be evaluated;
 - B. The standard performance review cycle begins annually on October 1st and ends on September 30th of the following year;
 - C. The steps included in the standard review cycle are designed to be completed throughout a twelve (12) month period, with a minimum of two (2) interim reviews. However, under certain circumstances, it may be necessary to have a reduced or shortened review cycle. A short cycle is defined as a period of at least 120 days but no more than 180 days from the date of the performance plan and includes at least one (1) interim review. In these instances, the timeframe for completion of the IPP, at least one interim review, and the final review shall be at least one hundred and twenty (120) days from the date of the performance plan with no less than thirty (30) days between each step in the review cycle. This timeframe is designed to allow the employee an

opportunity to understand and perform to the stated expectations, receive feedback, and improve performance, if necessary, before the annual review;

- D. The IPP is created from an initial discussion between the rater and the employee, which details the performance management process, relevant agency goals and objectives, and establishes expected performance standards and work outcomes. The discussion shall result in a written IPP approved by the rater and agreed to by the employee. A copy of the IPP will be maintained by the rater, the employee, and Human Resources to be maintained in the employee's performance file—separate from the employee's personnel file;
- E. Interim Reviews must occur periodically between the rater and employee to discuss the employee's performance of agency expectations and progress on work outcomes. The discussion must provide constructive, objective performance feedback and coaching and offer ways in which the employee can enhance performance. Interim reviews must be documented in writing and shared with the reviewer; and
- F. Annual Reviews must occur near the end of the performance cycle between the rater and the employee to document in writing the final evaluation of the employee's performance. The annual review provides the employee with an opportunity to submit their accomplishments throughout the cycle and provides the employee with a rating of performance for each work outcome and for overall performance. Each rating must be justified by objective, measurable, fact-based statements by the rater. Documented annual reviews must be submitted to Human Resources to be maintained in the employee's performance file—separate from the employee's personnel file.
- VII. Internal Administrative Review:** An employee may request internal administrative review of a completed annual review when the employee believes that one or more of the procedural steps enumerated in Section VI herein has not been followed. Ratings assigned by the rater are not subject to administrative review.
- To initiate an internal administrative review, an employee must file a written request for review along with any appropriate documentation with the AOC Director within fourteen (14) calendar days after the date of the annual review. The AOC Director shall review the submitted documentation and respond in writing to the employee within fifteen (15) calendar days of receipt of the employee's written request for review. The AOC Director's decision is final and is not subject to further review.
- VIII. Public Inspection:** The performance evaluations of employees shall not be considered public records subject to inspection under Tennessee Code

Subject: Employee Performance Management Policy	Index #: 2.05	Page 4 of 4
--	----------------------	--------------------

Annotated § 10-7-503. Nothing in this section limits access to these records by law enforcement agencies, courts, or other governmental agencies performing official functions. See, e.g., Tenn. Code Ann. § 8-30-313(d).