

CHAPTER 1259

RETIRED SUPREME COURT JUDGES

H. F. 33

AN ACT relating to temporary service by retired supreme court judges, quorum, and divisions of the supreme court.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section six hundred five point twenty-five (605.25),
2 Code 1973, is amended to read as follows:

3 **605.25 Temporary service by retired judges.** Judges of the su-
4 preme court and district court who are hereafter retired by reason of
5 age, or who are drawing benefits under section 605A.6, may with their
6 consent be assigned by the supreme court to temporary judicial duties
7 on any court in the state ~~other than~~, *however only retired supreme*
8 *court judges may be assigned to the supreme court and only in the*
9 *case of temporary absence of a member of the supreme court.* No such
10 judge shall engage in the practice of law unless he shall file with the
11 clerk of the supreme court an election to practice law, in which event
12 he shall thereafter be ineligible for assignment to temporary judicial
13 duties at any time. While serving under temporary assignment as
14 herein provided, a retired judge shall receive the compensation and
15 actual expense provided by law for judges on the court to which he is
16 assigned, but shall not receive any annuity payments to which he may
17 be entitled under the judicial retirement system. He may be author-
18 ized in the order of assignment to appoint a temporary reporter, who
19 shall receive the compensation and actual expense provided by law for
20 a regular reporter in the court to which the judge is assigned. The
21 order of assignment shall be filed in the offices of the clerks of court
22 at the places where the judge is to serve.

1 SEC. 2. Section six hundred eighty-four point one (684.1), Code
2 1973, is amended by striking the section and inserting in lieu thereof
3 the following:

4 **684.1 Judges—quorum.** The supreme court shall consist of nine
5 judges. A majority of the judges sitting shall constitute a quorum
6 but in no case shall a quorum consist of less than three judges.

1 SEC. 3. Section six hundred eighty-four point two (684.2), Code
2 1973, is amended to read as follows:

3 **684.2 Division into sections Divisions.** The supreme court may be
4 divided into ~~two sections~~ *divisions of three or more judges* in such
5 manner as it may by rule prescribe. Said ~~sections~~ *divisions* may hold
6 open court separately and cases may be submitted to each ~~section~~
7 *division* separately, in accordance with such rules as the court may
8 adopt.

1 SEC. 4. Section six hundred eighty-four point three (684.3), Code
2 1973, is amended to read as follows:

3 **684.3 Submission to entire court—rules.** The ~~said~~ supreme court
4 shall also adopt rules for the submission of any case or petition for
5 rehearing whenever differences shall arise between members of ~~either~~
6 ~~section~~ *divisions* or whenever the chief justice shall order or direct
7 the submission of said question or petition for rehearing to the whole

8 court. The supreme court shall make all rules and regulations neces-
 9 sary to provide for the submission of cases to the entire bench, or to
 10 the separate ~~sections~~ *divisions*.

Approved March 4, 1974

CHAPTER 1260

JUDICIAL RETIREMENT SYSTEM

S. F. 314

AN ACT relating to the administration of the judicial retirement system.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section six hundred five A point two (605A.2), Code
 2 1973, is amended to read as follows:

3 **605A.2 Administered by state ~~comptroller~~ court administrator.**
 4 The ~~state comptroller~~ *court administrator* shall be vested with author-
 5 ity to administer the system *and related reports* and may promulgate
 6 rules therefor not inconsistent with the provisions of this chapter.

1 SEC. 2. Section six hundred five A point four (605A.4), unnum-
 2 bered paragraph one (1), Code 1973, as amended by the Acts of the
 3 Sixty-fifth General Assembly, 1973 Session, chapter two hundred
 4 eighty-two (282), section fifty-six (56), is amended to read as follows:

5 **605A.4 Deposit by judge—deductions—contributions by governing**
 6 **body.** Each judge coming within the purview of this chapter shall, on
 7 or before retirement, pay to the ~~state comptroller~~ *court administrator*
 8 for deposit with the treasurer of state to the credit of a fund to be
 9 known as the "judicial retirement fund", hereinafter called the "fund",
 10 a sum equal to four percent of his basic salary for services as such
 11 judge for the total period of service as a judge of a municipal, superior,
 12 district or supreme court, including district associate judges, before
 13 the date of said notice, and after the date of the notice there shall be
 14 deducted and withheld from the basic salary of each judge coming
 15 within the purview of this chapter a sum equal to four percent of such
 16 basic salary. Provided that the maximum amount which any judge shall
 17 be required to contribute for past service shall not exceed for municipal
 18 or superior or district associate judges thirty-five hundred dollars, for
 19 district judges four thousand dollars and for supreme court judges
 20 five thousand dollars. The amounts so deducted and withheld from the
 21 basic salary of each said judge shall be paid to the ~~state comptroller~~
 22 *court administrator* for deposit with the treasurer of state to the credit
 23 of the judicial retirement fund, and said fund is hereby appropriated
 24 for the payment of annuities, refunds, and allowances herein provided,
 25 except that the amount of such appropriations affecting payment of
 26 annuities, refunds, and allowances to judges of the municipal and
 27 superior court shall be limited to that part of said fund accumulated
 28 for their benefit as hereinafter provided. The judges of the municipal,
 29 superior, district and supreme court, including district associate
 30 judges, coming within the provisions of this chapter shall be deemed