

# House Amendment 1335

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1 1 Amend Senate File 283, as passed by the Senate, as  
1 2 follows:  
1 3 #1. By striking page 1, line 1, through page 3,  
1 4 line 34, and inserting the following:  
1 5 <Section 1. Section 46.12, unnumbered paragraph 1,  
1 6 Code 2009, is amended to read as follows:  
1 7 When a vacancy occurs or will occur within one  
1 8 hundred twenty days in the supreme court, the court of  
1 9 appeals, or district court, the state commissioner of  
1 10 elections shall forthwith so notify the chairperson of  
1 11 the proper judicial nominating commission unless the  
1 12 chief justice has ordered the state commissioner of  
1 13 elections to delay sending the notification for up to  
1 14 one hundred eighty days for budgetary reasons. The  
1 15 chairperson shall call a meeting of the commission  
1 16 within ten days after such notice; if the chairperson  
1 17 fails to do so, the chief justice shall call such  
1 18 meeting.>  
1 19 #2. By striking page 4, line 17, through page 6,  
1 20 line 17, and inserting the following:  
1 21 <Sec. \_\_\_\_\_. Section 602.6304, subsections 2 and 3,  
1 22 Code 2009, are amended to read as follows:  
1 23 2. In November of any year in which an impending  
1 24 vacancy is created because a district associate judge  
1 25 is not retained in office pursuant to a judicial  
1 26 election, the county magistrate appointing commission  
1 27 shall publicize notice of the vacancy in at least two  
1 28 publications in the official county newspaper. The  
1 29 commission shall accept applications for consideration  
1 30 for nomination as district associate judge for a  
1 31 minimum of fifteen days prior to certifying  
1 32 nominations. The commission shall consider the  
1 33 applications and shall, by majority vote, certify to  
1 34 the chief judge of the judicial district not later  
1 35 than December 15 of that year the names of three  
1 36 applicants who are nominated by the commission for the  
1 37 vacancy, unless the chief justice has ordered the  
1 38 commission to delay the certification of the nominees  
1 39 for up to one hundred eighty days for budgetary  
1 40 reasons. If there are three or fewer applicants the  
1 41 commission shall certify all applicants who meet the  
1 42 statutory qualifications. Nominees shall be chosen  
1 43 solely on the basis of the qualifications of the  
1 44 applicants, and political affiliation shall not be  
1 45 considered.  
1 46 3. Within thirty days after a county magistrate  
1 47 appointing commission receives notification of an  
1 48 actual or impending vacancy in the office of district  
1 49 associate judge, other than a vacancy referred to in  
1 50 subsection 2, the commission shall certify to the  
2 1 chief judge of the judicial district the names of  
2 2 three applicants who are nominated by the commission  
2 3 for the vacancy, unless the chief justice has ordered  
2 4 the commission to delay the certification of the  
2 5 nominees for up to one hundred eighty days for  
2 6 budgetary reasons. The commission shall publicize  
2 7 notice of the vacancy in at least two publications in  
2 8 the official county newspaper. The commission shall  
2 9 accept applications for consideration for nomination  
2 10 as district associate judge for a minimum of fifteen  
2 11 days prior to certifying nominations. The commission  
2 12 shall consider the applications and shall, by majority  
2 13 vote, certify to the chief judge of the judicial  
2 14 district the names of three applicants who are  
2 15 nominated by the commission for the vacancy. If there  
2 16 are three or fewer applicants the commission shall  
2 17 certify all applicants who meet the statutory  
2 18 qualifications. Nominees shall be chosen solely on  
2 19 the basis of the qualifications of the applicants, and  
2 20 political affiliation shall not be considered. As  
2 21 used in this subsection, a vacancy is created by the  
2 22 death, retirement, resignation, or removal of a  
2 23 district associate judge, or by an increase in the  
2 24 number of positions authorized.>

2 25 #3. By striking page 6, line 26, through page 12,  
2 26 line 30, and inserting the following:  
2 27 <Sec. \_\_\_\_\_. Section 602.7103B, subsections 2 and 3,  
2 28 Code 2009, are amended to read as follows:  
2 29 2. In November of any year in which an impending  
2 30 vacancy is created because a full-time associate  
2 31 juvenile judge is not retained in office pursuant to a  
2 32 judicial election, the county magistrate appointing  
2 33 commission shall publicize notice of the vacancy in at  
2 34 least two publications in the official county  
2 35 newspaper. The commission shall accept applications  
2 36 for consideration for nomination as full-time  
2 37 associate juvenile judge for a minimum of fifteen days  
2 38 prior to certifying nominations. The commission shall  
2 39 consider the applications and shall, by majority vote,  
2 40 certify to the chief judge of the judicial district  
2 41 not later than December 15 of that year the names of  
2 42 three applicants who are nominated by the commission  
2 43 for the vacancy, unless the chief justice has ordered  
2 44 the commission to delay the certification of the  
2 45 nominees for up to one hundred eighty days for  
2 46 budgetary reasons. If there are three or fewer  
2 47 applicants, the commission shall certify all  
2 48 applicants who meet the statutory qualifications.  
2 49 Nominees shall be chosen solely on the basis of the  
2 50 qualifications of the applicants, and political  
3 1 affiliation shall not be considered.  
3 2 3. Within thirty days after a county magistrate  
3 3 appointing commission receives notification of an  
3 4 actual or impending vacancy in the office of full-time  
3 5 associate juvenile judge, other than a vacancy  
3 6 referred to in subsection 2, the commission shall  
3 7 certify to the chief judge of the judicial district  
3 8 the names of three applicants who are nominated by the  
3 9 commission for the vacancy, unless the chief justice  
3 10 has ordered the commission to delay the certification  
3 11 of the nominees for up to one hundred eighty days for  
3 12 budgetary reasons. The commission shall publicize  
3 13 notice of the vacancy in at least two publications in  
3 14 the official county newspaper. The commission shall  
3 15 accept applications for consideration for nomination  
3 16 as full-time associate juvenile judge for a minimum of  
3 17 fifteen days prior to certifying nominations. The  
3 18 commission shall consider the applications and shall,  
3 19 by majority vote, certify to the chief judge of the  
3 20 judicial district the names of three applicants who  
3 21 are nominated by the commission for the vacancy. If  
3 22 there are three or fewer applicants, the commission  
3 23 shall certify all applicants who meet the statutory  
3 24 qualifications. Nominees shall be chosen solely on  
3 25 the basis of the qualifications of the applicants, and  
3 26 political affiliation shall not be considered. As  
3 27 used in this subsection, a vacancy is created by the  
3 28 death, retirement, resignation, or removal of a  
3 29 full-time associate juvenile judge, or by an increase  
3 30 in the number of positions authorized.  
3 31 Sec. \_\_\_\_\_. Section 633.20B, subsections 2 and 3,  
3 32 Code 2009, are amended to read as follows:  
3 33 2. In November of any year in which an impending  
3 34 vacancy is created because a full-time associate  
3 35 probate judge is not retained in office pursuant to a  
3 36 judicial election, the county magistrate appointing  
3 37 commission shall publicize notice of the vacancy in at  
3 38 least two publications in the official county  
3 39 newspaper. The commission shall accept applications  
3 40 for consideration for nomination as full-time  
3 41 associate probate judge for a minimum of fifteen days  
3 42 prior to certifying nominations. The commission shall  
3 43 consider the applications and shall, by majority vote,  
3 44 certify to the chief judge of the judicial district  
3 45 not later than December 15 of that year the names of  
3 46 three applicants who are nominated by the commission  
3 47 for the vacancy, unless the chief justice has ordered  
3 48 the commission to delay the certification of the  
3 49 nominees for up to one hundred eighty days for  
3 50 budgetary reasons. If there are three or fewer  
4 1 applicants, the commission shall certify all  
4 2 applicants who meet the statutory qualifications.  
4 3 Nominees shall be chosen solely on the basis of the  
4 4 qualifications of the applicants, and political  
4 5 affiliation shall not be considered.

4 6 3. Within thirty days after a county magistrate  
4 7 appointing commission receives notification of an  
4 8 actual or impending vacancy in the office of full-time  
4 9 associate probate judge, other than a vacancy referred  
4 10 to in subsection 2, the commission shall certify to  
4 11 the chief judge of the judicial district the names of  
4 12 three applicants who are nominated by the commission  
4 13 for the vacancy, unless the chief justice has ordered  
4 14 the commission to delay the certification of the  
4 15 nominees for up to one hundred eighty days for

4 16 budgetary reasons. The commission shall publicize  
4 17 notice of the vacancy in at least two publications in  
4 18 the official county newspaper. The commission shall  
4 19 accept applications for consideration for nomination  
4 20 as full-time associate probate judge for a minimum of  
4 21 fifteen days prior to certifying nominations. The  
4 22 commission shall consider the applications and shall,  
4 23 by majority vote, certify to the chief judge of the  
4 24 judicial district the names of three applicants who  
4 25 are nominated by the commission for the vacancy. If  
4 26 there are three or fewer applicants, the commission  
4 27 shall certify all applicants who meet the statutory  
4 28 qualifications. Nominees shall be chosen solely on  
4 29 the basis of the qualifications of the applicants, and  
4 30 political affiliation shall not be considered. As  
4 31 used in this subsection, a vacancy is created by the  
4 32 death, retirement, resignation, or removal of a  
4 33 full-time associate probate judge, or by an increase  
4 34 in the number of positions authorized.

4 35 Sec. \_\_\_\_ JUDICIAL OFFICER == VOLUNTARY FURLOUGHS.  
4 36 Notwithstanding the annual salary rates for judicial  
4 37 officers established by 2008 Iowa Acts, chapter 1191,  
4 38 section 11, for the fiscal period beginning July 1,  
4 39 2008, and ending June 30, 2010, a judicial officer may  
4 40 voluntarily agree to be furloughed on any day  
4 41 employees of the judicial branch are furloughed. If a  
4 42 judicial officer voluntarily agrees to be furloughed  
4 43 on a specific date, the judicial officer shall notify  
4 44 the state court administrator of the furlough date.  
4 45 If a judicial officer voluntarily agrees to be  
4 46 furloughed, the salary of the judicial officer shall  
4 47 be reduced accordingly for the pay period in which the  
4 48 furlough date occurred in the same manner as for  
4 49 noncontract employees of the judicial branch. Through  
4 50 the course of the fiscal period, the judicial branch  
5 1 may use an amount equal to the aggregate amount of  
5 2 salary reductions due to voluntary judicial officer  
5 3 furloughs for any purpose other than for judicial  
5 4 salaries.

5 5 Sec. \_\_\_\_ EFFECTIVE DATE. The section of this Act  
5 6 permitting voluntary judicial officer furloughs, being  
5 7 deemed of immediate importance, takes effect upon  
5 8 enactment.>

5 9 #4. Title page, by striking lines 1 and 2 and  
5 10 inserting the following: <An Act relating to the  
5 11 appointment of judicial officers, providing an  
5 12 effective date, and providing for>.

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5 16 COMMITTEE ON JUDICIARY  
5 17 SWAIM of Davis, Chairperson  
5 18 SF 283.501 83  
5 19 jm/jm/23278