

FEB 12 1997

JUDICIARY

HOUSE FILE 210
BY KREIMAN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the appointment of district associate judges
2 in lieu of associate juvenile judges.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 210

1 Section 1. Section 602.6301, Code 1997, is amended to read
2 as follows:

3 602.6301 NUMBER AND APPORTIONMENT OF DISTRICT ASSOCIATE
4 JUDGES.

5 There shall be one district associate judge in counties
6 having a population, according to the most recent federal
7 decennial census, of more than thirty-five thousand and less
8 than eighty thousand; two in counties having a population of
9 eighty thousand or more and less than one hundred twenty-five
10 thousand; three in counties having a population of one hundred
11 twenty-five thousand or more and less than two hundred
12 thousand; four in counties having a population of two hundred
13 thousand or more and less than two hundred thirty-five
14 thousand; five in counties having a population of two hundred
15 thirty-five thousand or more and less than two hundred seventy
16 thousand; six in counties having a population of two hundred
17 seventy thousand or more and less than three hundred five
18 thousand; and seven in counties having a population of three
19 hundred five thousand or more. However, a county shall not
20 lose a district associate judgeship solely because of a
21 reduction in the county's population. If the formula provided
22 in this section results in the allocation of an additional
23 district associate judgeship to a county, implementation of
24 the allocation shall be subject to prior approval of the
25 supreme court and availability of funds to the judicial
26 department. A district associate judge appointed pursuant to
27 section 602.6302, ~~or~~ 602.6303, or 602.6303A shall not be
28 counted for purposes of this section.

29 Sec. 2. NEW SECTION. 602.6303A APPOINTMENT OF DISTRICT
30 ASSOCIATE JUDGE IN LIEU OF ASSOCIATE JUVENILE JUDGES.

31 Notwithstanding section 602.7103, subsection 1, if a
32 vacancy occurs in the office of associate juvenile judge, the
33 chief judge of the judicial district shall authorize by order
34 the appointment of a district associate judge in lieu of the
35 appointment of an associate juvenile judge and shall notify

1 the county magistrate appointing commission of the
2 authorization.

3 Sec. 3. Section 602.6304, subsection 1, Code 1997, is
4 amended to read as follows:

5 1. The district associate judges authorized by sections
6 602.6301, 602.6302, and 602.6303, and 602.6303A shall be
7 appointed by the district judges of the judicial election
8 district from persons nominated by the county magistrate
9 appointing commission. In the case of a district associate
10 judge to be appointed to more than one county, the appointment
11 shall be from persons nominated by the county magistrate
12 appointing commissions acting jointly and in the case of a
13 district associate judge to be appointed to more than one
14 judicial election district of the same judicial district, the
15 appointment shall be by a majority of the district judges in
16 each judicial election district.

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EXPLANATION

18 This bill provides for the appointment of a district
19 associate judge when a vacancy occurs in the position of
20 associate juvenile judge. District associate judges
21 authorized by this bill are not subject to the restriction on
22 the number of district associate judges pursuant to the
23 population-based formula in Code section 602.6301.

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