House Study Bill 74

A BILL FOR

1 An Act making changes to the procedures related to reorganizing
2   judicial districts and judicial election districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1212DP 80
5 jm/sh/8

PAG LIN

1 1   Section 1. Section 602.6107, Code 2003, is amended by
1 2 striking the section and inserting in lieu thereof the
1 3 following:
1 4   602.6107 REORGANIZATION OF JUDICIAL DISTRICTS AND JUDICIAL
1 5 ELECTION DISTRICTS.
1 6   1. The supreme court shall, at least every ten years,
1 7 review the division of the state into judicial districts and
1 8 judicial election districts in order to determine whether the
1 9 composition or the total number of the judicial districts and
1 10 judicial election districts is the most efficient and
1 11 effective administration of the district court and the
1 12 judicial branch.
1 13   2. If the supreme court determines that the administration
1 14 of the district court and the judicial branch would be made
1 15 more efficient and effective by reorganizing the judicial
1 16 districts and judicial election districts, which may include
1 17 expanding or contracting the total number of judicial
1 18 districts and judicial election districts, the supreme court
1 19 shall develop and submit to the general assembly by November
1 20 15 a plan that reorganizes the judicial districts and judicial
1 21 election districts. The legislative service bureau shall
1 22 draft a bill embodying the plan for submission by the supreme
1 23 court to the general assembly. The bill shall take effect
1 24 upon the general assembly passing legislation, which is
1 25 approved by the governor including an effective date for the
1 26 reorganization of the judicial districts and judicial election
1 27 districts. The general assembly shall bring the bill to a
1 28 vote in either the senate or the house of representatives
1 29 within thirty days of the bill's submission by the supreme
1 30 court to the general assembly, under a procedure or rule
1 31 permitting no amendments by either house except those of a
1 32 purely corrective nature. If both houses pass the bill, the
1 33 bill shall be presented as any other bill to the governor for
1 34 approval.
1 35   3. The composition of the judicial districts in section
2 1 602.6107, Code 2003, and judicial election districts in
2 2 section 602.6109, Code 2003, shall remain in effect until the
2 3 division of the state into judicial districts and judicial
2 4 election districts is modified pursuant to this section.
2 5   4. It is the intent of the general assembly that the
2 6 supreme court prior to developing a plan pursuant to this
2 7 section consult with and receive input from members of the
2 8 general public, court employees, judges, members of the
2 9 general assembly, the judicial departments of correctional
2 10 services, county officers, officials from other interested
2 11 political subdivisions, and attorneys. In submitting a plan
2 12 pursuant to this section, the supreme court shall also submit
2 13 to the general assembly a report stating the reasons for
2 14 developing the plan and describing in detail the process used
2 15 in developing the plan.
2 16   Sec. 2. Section 602.6109, Code 2003, is amended by
2 17 striking the section and inserting in lieu thereof the
2 18 following:
2 19   602.6109 JUDICIAL ELECTION DISTRICTS AND JUDGESHIPS.
2 20   1. The reorganized judicial election districts established
2 21 pursuant to section 602.6107 shall be used solely for purposes
2 22 of nomination, appointment, and retention of judges of the
2 23 district court.

2 24   2. If the judicial election districts are reorganized
2 25 under section 602.6107, the state court administrator shall
2 26 reapportion the number of judgeships to which each judicial
2 27 election district is entitled. The reapportionment shall be
2 28 determined according to section 602.6201, subsection 3.
2 29   EXPLANATION
2 30   This bill relates to reorganizing judicial districts and
2 31 judicial election districts.
2 32   The bill provides that the supreme court shall, at least
2 33 every 10 years, review the division of the state into judicial
2 34 districts and judicial election districts in order to
2 35 determine whether the current composition of the judicial
3 1 districts and judicial election districts is the most
3 2 efficient and effective administration of the district courts
3 3 and the judicial branch.
3 4   Under the bill, if the supreme court determines that
3 5 reorganizing the judicial districts and judicial election
3 6 districts would bring about more efficiencies and be more
3 7 effective for the administration of the district court and
3 8 judicial branch, the supreme court shall develop and submit a
3 9 reorganization plan to the general assembly by November 15.
3 10   The bill provides that the legislative service bureau shall
3 11 draft legislation embodying the reorganization plan for
3 12 submission to the general assembly. The general assembly
3 13 shall bring the legislation to a vote within 30 days of the
3 14 legislation's submission by the supreme court, under a
3 15 procedure or rule permitting no amendments by either house
3 16 except those that are of a purely corrective nature. The bill
3 17 must pass both houses and be approved by the governor to
3 18 become law.
3 19   The bill provides that the supreme court, prior to
3 20 developing the reorganization plan, shall consult and receive
3 21 input from members of the general public, court employees,
3 22 judges, members of the general assembly, the judicial
3 23 departments of correctional services, county officers,
3 24 officials from other interested political subdivisions, and
3 25 attorneys.
3 26   The bill provides that the current composition of the
3 27 judicial districts in Code section 602.6107 and judicial
3 28 election districts in Code section 602.6109 shall remain in
3 29 effect until the composition of the judicial districts and
3 30 judicial election districts is modified using the procedure
3 31 outlined in this bill.
3 32 LSB 1212DP 80
3 33 jm/sh/8.1