

House Study Bill 640 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED JUDICIAL BRANCH
BILL)

A BILL FOR

1 An Act relating to the appointment of judicial officers, senior
2 judges, court reporters, and clerks of the district court,
3 and creating a full-time magistrate office.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 46.16, Code 2009, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. Subject to removal for cause, the
4 initial term of office of a full-time magistrate shall be for
5 one year after appointment and until January 1 following the
6 next judicial election after expiration of such year, and the
7 regular term of office of a magistrate retained at a judicial
8 election shall be six years from the expiration of the initial
9 or previous regular term, as the case may be.

10 Sec. 2. Section 46.20, Code 2009, is amended to read as
11 follows:

12 **46.20 Declaration of candidacy.**

13 1. At least one hundred four days before the judicial
14 election preceding expiration of the initial or regular term
15 of office, a judge of the supreme court, court of appeals, or
16 district court including a district associate judges judge,
17 full-time associate juvenile judges judge, or full-time
18 associate probate judges judge, a full-time magistrate, or
19 a clerk of the district court who is required to stand for
20 retention under section 602.1216 may file a declaration of
21 candidacy with the state commissioner of elections to stand
22 for retention or rejection at that election. If a judge,
23 magistrate, or clerk fails to file the declaration, the office
24 shall be vacant at the end of the term. District associate
25 judges, full-time associate juvenile judges, ~~and~~ full-time
26 associate probate judges, and full-time magistrates filing the
27 declaration shall stand for retention in the judicial election
28 district of their residence except as provided in subsection 2.

29 2. a. If a full-time magistrate is a resident of a county
30 contiguous to the county of appointment and the counties are
31 located in different judicial election districts, the full-time
32 magistrate shall stand for retention in the judicial election
33 district in which the county of appointment is located.

34 b. If a full-time magistrate is appointed to serve in more
35 than one county and the counties are located in different

1 judicial election districts, the full-time magistrate shall
2 stand for retention simultaneously in each of the judicial
3 election districts. For purposes of determining if a full-time
4 magistrate is retained pursuant to section 46.24, the votes
5 of the judicial election districts shall be combined and the
6 full-time magistrate must receive more affirmative votes than
7 negative votes from the combined vote totals.

8 Sec. 3. Section 46.21, Code 2009, is amended to read as
9 follows:

10 **46.21 Conduct of elections.**

11 At least sixty-nine days before each judicial election, the
12 state commissioner of elections shall certify to the county
13 commissioner of elections of each county a list of the judges
14 of the supreme court, court of appeals, and district court
15 including district associate judges, full-time associate
16 juvenile judges, and full-time associate probate judges,
17 full-time magistrates, and clerks of the district court to
18 be voted on in each county at that election. The county
19 commissioner of elections shall place the names upon the ballot
20 in the order in which they appear in the certificate. The
21 state commissioner of elections shall rotate the names in the
22 certificate by county. The names of all judges, full-time
23 magistrates, and clerks to be voted on shall be placed upon one
24 ballot, which shall be in substantially the following form:

25 STATE OF IOWA
26 JUDICIAL BALLOT
27 (Date)

28 VOTE ON ALL NAMES BY PLACING AN X IN THE APPROPRIATE BOX AFTER EACH
29 NAME.

30 SUPREME COURT

31 Shall the following judges of the Supreme Court be retained
32 in office?

33 CANDIDATE'S NAME YES NO
34 CANDIDATE'S NAME YES NO

35 COURT OF APPEALS

1 Shall the following judges of the Court of Appeals be
2 retained in office?

3 CANDIDATE'S NAME YES NO

4 CANDIDATE'S NAME YES NO

5 DISTRICT COURT

6 Shall the following judge, associate judge, associate
7 juvenile judge, or associate probate judge of the District
8 Court be retained in office?

9 CANDIDATE'S NAME YES NO

10 Shall the following full-time magistrate be retained in
11 office?

12 CANDIDATE'S NAME _____ YES _____ NO

13 Shall the following clerk of the District Court be retained
14 in office?

15 CANDIDATE'S NAME YES NO

16 Sec. 4. Section 46.24, Code 2009, is amended to read as
17 follows:

18 **46.24 Results of election.**

19 1. A judge of the supreme court, court of appeals, or
20 district court including a district associate judge, full-time
21 associate juvenile judge, or full-time associate probate judge,
22 a full-time magistrate, or a clerk of the district court must
23 receive more affirmative than negative votes to be retained in
24 office. When the poll is closed, the election judges shall
25 publicly canvass the vote forthwith. The board of supervisors
26 shall canvass the returns on the Monday or Tuesday after the
27 election, and shall promptly certify the number of affirmative
28 and negative votes on each judge, magistrate, or clerk to the
29 state commissioner of elections.

30 2. The state board of canvassers shall, at the time of
31 canvassing the vote cast at a general election, open and
32 canvass all of the returns for the judicial election. Each
33 judge of the supreme court, court of appeals, or district court
34 including a district associate judge, full-time associate
35 juvenile judge, or full-time associate probate judge, full-time

1 magistrate, or a clerk of the district court who has received
2 more affirmative than negative votes shall receive from
3 the state board of canvassers an appropriate certificate so
4 stating.

5 Sec. 5. Section 602.1215, subsection 1, Code 2009, is
6 amended to read as follows:

7 1. Subject to the provisions of section 602.1209,
8 subsection 3, the ~~district judges of each~~ chief judge of
9 the judicial election district, after consultation with the
10 district judges of the district, shall ~~by majority vote~~ appoint
11 persons to serve as clerks of the district court within the
12 judicial election district. The ~~district judges of a judicial~~
13 ~~election district~~ chief judge may appoint a person to serve
14 as clerk of the district court for more than one but not more
15 than four contiguous counties in the same judicial district.
16 A person does not qualify for appointment to the office of
17 clerk of the district court unless the person is at the time of
18 application a resident of the state. A clerk of the district
19 court may be removed from office for cause by a ~~majority vote~~
20 ~~of the district judges of the~~ chief judge of the judicial
21 ~~election~~ district. ~~Before~~ Prior to removal, the clerk of the
22 district court shall be notified of the cause for removal.

23 Sec. 6. NEW SECTION. 602.2301 Judicial officer appointment
24 — delay.

25 1. Notwithstanding section 46.12, the chief justice
26 may order the state commissioner of elections to delay, for
27 budgetary reasons, the sending of a notification to the proper
28 judicial nominating commission that a vacancy in the supreme
29 court, court of appeals, or district court has occurred or will
30 occur.

31 2. Notwithstanding sections 602.6304, 602.7103B, and
32 633.20B, the chief justice may order any county magistrate
33 appointing commission to delay, for budgetary reasons,
34 publicizing the notice of a vacancy for a district associate
35 judgeship, associate juvenile judgeship, or associate probate

1 judgeship.

2 3. Notwithstanding section 602.6403, subsection 3, if a
3 magistrate position is vacant due to a death, resignation,
4 retirement, an increase in the number of positions authorized,
5 or to the removal of a magistrate, the chief justice may order
6 any county magistrate appointing commission to delay, for
7 budgetary reasons, the appointment of a magistrate to serve the
8 remainder of an unexpired term.

9 Sec. 7. Section 602.3201, Code 2009, is amended to read as
10 follows:

11 **602.3201 Requirement of certification — use of title.**

12 A person shall not engage in the profession of shorthand
13 reporting unless the person is certified pursuant to this
14 chapter, or otherwise exempted pursuant to ~~section 602.6603,~~
15 ~~subsection 4~~ by court rule. Only a person who is certified by
16 the board may assume the title of certified shorthand reporter,
17 or use the abbreviation C.S.R., or any words, letters, or
18 figures to indicate that the person is a certified shorthand
19 reporter.

20 Sec. 8. Section 602.6105, subsection 3, Code 2009, is
21 amended to read as follows:

22 3. ~~a.~~ The chief judge of a judicial district shall
23 designate times and places for magistrates to hold court to
24 ensure accessibility of magistrates at all times throughout the
25 district, including the availability of a magistrate in each
26 county on a regular basis. The schedule of times and places of
27 availability of magistrates and any schedule changes shall be
28 disseminated by the chief judge to the peace officers within
29 the district.

30 ~~b.~~ ~~The chief judge of a judicial district shall schedule a~~
31 ~~magistrate to hold court in a city other than the county seat~~
32 ~~if all of the following apply:~~

33 ~~(1) Magistrate court was regularly scheduled in the city on~~
34 ~~or after July 1, 2001.~~

35 ~~(2) The population of the city is at least two times greater~~

1 ~~than the population of the county seat or the population of the~~
2 ~~city is at least thirty thousand.~~

3 ~~(3) The city requests the chief judge to schedule magistrate~~
4 ~~court.~~

5 ~~In addition to paying the costs in section 602.1303,~~
6 ~~subsection 1, the city requesting the magistrate court shall~~
7 ~~pay any other costs for holding magistrate court in the city~~
8 ~~which would not otherwise have been incurred by the judicial~~
9 ~~branch.~~

10 **Sec. 9. NEW SECTION. 602.6113 Apportionment of certain**
11 **judicial officers — substantial disparity.**

12 Notwithstanding section 602.6201, 602.6301, 602.6304,
13 602.7103B, or 633.20B, if a vacancy occurs in the office of a
14 district judge, district associate judge, associate juvenile
15 judge, or associate probate judge, and the chief justice of
16 the supreme court makes a finding that a substantial disparity
17 exists in the allocation of such judgeships and judicial
18 workload between judicial election districts, the chief
19 justice may apportion the vacant office from the judicial
20 election district where the vacancy occurs to another judicial
21 election district based upon the substantial disparity finding.
22 However, such a judgeship shall not be apportioned pursuant
23 to this section unless a majority of the judicial council
24 approves the apportionment. This section does not apply to a
25 district associate judge office authorized by section 602.6302
26 or 602.6307.

27 **Sec. 10. Section 602.6305, subsections 2 and 3, Code 2009,**
28 **are amended to read as follows:**

29 **2. A person does not qualify for appointment to the office**
30 **of district associate judge unless the person is at the time**
31 **of appointment a resident of the county judicial election**
32 **district in which the vacancy exists, licensed to practice law**
33 **in Iowa, and will be able, measured by the person's age at the**
34 **time of appointment, to complete the initial term of office**
35 **prior to reaching age seventy-two. An applicant for district**

1 associate judge shall file a certified application form, to
2 be provided by the supreme court, with the chairperson of the
3 county magistrate appointing commission.

4 3. A district associate judge must be a resident of a
5 ~~county~~ the judicial election district in which the office is
6 held during the entire term of office. A district associate
7 judge shall serve within the judicial district in which
8 appointed, as directed by the chief judge, and is subject to
9 reassignment under section 602.6108.

10 Sec. 11. Section 602.6401, subsection 2, Code Supplement
11 2009, is amended by adding the following new paragraph:

12 NEW PARAGRAPH. e. A case-related workload formula.

13 Sec. 12. Section 602.6401, subsection 3, Code Supplement
14 2009, is amended by striking the subsection.

15 Sec. 13. Section 602.6403, subsection 1, Code 2009, is
16 amended to read as follows:

17 1. By June 1 of each year in which magistrates' terms
18 expire, the county magistrate appointing commission shall
19 appoint, except as otherwise provided in section 602.6302 and
20 602.6406, the number of magistrates apportioned to the county
21 by the state court administrator under section 602.6401, the
22 number of magistrates required pursuant to substitution orders
23 in effect under section 602.6303, and may appoint an additional
24 magistrate when allowed by section 602.6402. The commission
25 shall not appoint more magistrates than are authorized for the
26 county by this article.

27 Sec. 14. Section 602.6403, subsection 3, Code 2009, is
28 amended to read as follows:

29 3. Within thirty days following receipt of notification of
30 a vacancy in the office of magistrate, the commission shall
31 appoint a person to the office to serve the remainder of the
32 unexpired term, except as provided in section 602.6406. For
33 purposes of this section, vacancy means a death, resignation,
34 retirement, or removal of a magistrate, or an increase in the
35 number of positions authorized.

1 Sec. 15. Section 602.6404, subsection 1, Code Supplement
2 2009, is amended to read as follows:

3 1. A magistrate shall be a resident of the county of
4 appointment or a resident of a county contiguous to the county
5 of appointment during the magistrate's term of office. A
6 magistrate shall serve within the judicial district in which
7 appointed, as directed by the chief judge, provided that the
8 chief judge may assign a magistrate to hold court outside of
9 the county of ~~the magistrate's residence~~ appointment for the
10 orderly administration of justice. A magistrate is subject to
11 reassignment under section 602.6108.

12 Sec. 16. NEW SECTION. **602.6406 Appointment of full-time**
13 **magistrate.**

14 1. The chief judge, upon approval of the supreme court,
15 may designate by order of substitution that a full-time
16 magistrate be appointed pursuant to this section in lieu of the
17 appointment of two magistrates appointed pursuant to section
18 602.6403 subject to the limitations of this section.

19 2. A full-time magistrate shall be subject to the same
20 appointment process, qualifications, and shall have the same
21 jurisdictional limits of a magistrate appointed pursuant
22 to sections 602.6403 through 602.6405, except as otherwise
23 provided in this section.

24 3. A full-time magistrate shall serve an initial term and
25 stand for retention in office as provided under sections 46.16
26 through 46.24.

27 4. A person does not qualify for appointment to the office
28 of full-time magistrate unless the person is at the time of
29 appointment a resident of the county in which the vacancy
30 exists or of a contiguous county, licensed to practice law in
31 Iowa, and will be able, measured by the person's age at the
32 time of appointment, to complete the initial term of office
33 prior to reaching age seventy-two. An applicant for full-time
34 magistrate shall file a certified application form, to be
35 provided by the supreme court, with the chairperson of the

1 county magistrate appointing commission.

2 5. A full-time magistrate shall be a resident of a county in
3 which the office is held or of a contiguous county during the
4 entire term of office.

5 6. A full-time magistrate shall qualify for office as
6 provided in chapter 63 for district judges.

7 7. In the case of a full-time magistrate to be appointed
8 to serve in more than one county, the appointment shall be
9 from persons nominated by the county magistrate appointing
10 commissions acting jointly.

11 8. The appointment of a full-time magistrate shall be
12 subject to the following limitations:

13 a. The county of appointment must have two or more
14 magistrates apportioned to the county pursuant to section
15 602.6401. If the appointment is for service in more than one
16 county, the counties, in the aggregate, must have two or more
17 magistrates apportioned to the counties pursuant to section
18 602.6401.

19 b. A majority of district judges in the judicial election
20 district must vote in favor of the substitution and find that
21 the substitution will provide a more timely and efficient
22 performance of judicial business within the judicial election
23 district. In the case of a full-time magistrate to be
24 substituted for two magistrates from different judicial
25 election districts, the vote in favor of the substitution
26 requires a majority of the district judges in each judicial
27 election district affected.

28 9. An order of substitution shall not take effect unless,
29 a copy of the order is received by the chairperson of the
30 applicable county magistrate appointing commission no later
31 than May 31 of the year in which the substitution is to take
32 effect.

33 10. For a county in which a substitution order is in
34 effect, the number of magistrates actually appointed pursuant
35 to section 602.6403 shall be reduced by one for each full-time

1 magistrate substituted under this section. However, if the
2 substitution order is for a full-time magistrate appointed to
3 serve more than one county, the reduction of the magistrate
4 shall be as provided in the order of the chief judge of
5 the judicial district. Upon a subsequent reduction in the
6 apportionment of a magistrate to a county, the magistrate
7 appointing commission shall further reduce the number of
8 magistrates appointed.

9 11. *a.* Except as provided in subsections 1 through 10,
10 a substitution shall not increase or decrease the number of
11 magistrates authorized by this article.

12 *b.* A substitution shall not be made where the apportionment
13 of magistrates to a county is insufficient to permit the
14 reduction of magistrates as required by subsection 10.

15 12. If an apportionment by the state court administrator
16 pursuant to section 602.6401 reduces the number of magistrates
17 in a county to less than the number required to be apportioned
18 for a substitution order to remain in effect, or if a majority
19 of the district judges in each affected judicial election
20 district determines that a substitution is no longer desirable,
21 the substituted office shall be terminated. However, a
22 reversion pursuant to this subsection, irrespective of cause,
23 shall not take effect until the substitute full-time magistrate
24 fails to be retained in office at a judicial election or
25 otherwise leaves office, whether voluntarily or involuntarily,
26 and the office becomes vacant. Upon reversion of the office,
27 appointments shall be made pursuant to section 602.6403 as
28 necessary to reestablish terms of office pursuant to section
29 602.6403, subsection 4.

30 Sec. 17. Section 602.9203, subsection 1, Code 2009, is
31 amended to read as follows:

32 1. A supreme court judge, court of appeals judge, district
33 judge, district associate judge, full-time associate juvenile
34 judge, or full-time associate probate judge, who qualifies
35 under subsection 2 may become a senior judge by filing with

1 the clerk of the supreme court a written election in the form
2 specified by the ~~court administrator~~ supreme court. The
3 election shall be filed within six months of the date of
4 retirement.

5 Sec. 18. Section 602.9203, subsection 2, paragraph c, Code
6 2009, is amended to read as follows:

7 c. Agrees in writing on a form prescribed by the ~~court~~
8 ~~administrator~~ supreme court to be available as long as the
9 judicial officer is a senior judge to perform judicial duties
10 as assigned by the supreme court for an aggregate period of
11 thirteen weeks out of each successive twelve-month period.

12 Sec. 19. Section 602.9203, subsection 5, paragraph b, Code
13 2009, is amended to read as follows:

14 b. A senior judge may be reappointed to ~~an additional~~
15 ~~two-year~~ a one-year term upon attaining seventy-eight years of
16 age and to a succeeding one-year term, at the discretion of the
17 supreme court, if the judicial officer meets the requirements
18 of subsection 2.

19 Sec. 20. REPEAL. Section 602.6603, Code 2009, is repealed.

20 EXPLANATION

21 This bill relates to the appointment of judicial officers,
22 senior judges, court reporters, and clerks of the district
23 court, and creates a full-time magistrate office.

24 The amendments to Code sections 46.16, 46.20, 46.21, and
25 46.24, relate to the retention of a full-time magistrate
26 position created by the bill in new Code section 602.6406.

27 The bill creates new Code section 602.2301 granting
28 authority to the chief justice to delay the nomination of
29 a supreme court justice, court of appeals judge, district
30 judge, district associate judge, associate juvenile judge,
31 or associate probate judge. New Code section 602.2301 also
32 grants authority to the chief justice to delay the appointment
33 of a magistrate to serve the remainder of an unexpired term,
34 if the vacancy is due to a death, resignation, retirement,
35 an increase in the number of positions authorized, or to the

1 removal of a magistrate. New Code section 602.2301 does not
2 grant authority to the chief justice to delay the appointment
3 of magistrates when all magistrates' terms expire pursuant to
4 Code section 602.6403(1). Currently, the chief justice has the
5 authority, until June 30, 2010, to delay for budgetary reasons,
6 the nomination of any judicial officer, except magistrates, for
7 up to 180 days.

8 The amendment to Code section 602.3201 strikes a reference
9 to Code section 602.6603 (court reporters) which is repealed by
10 the bill. The bill specifies that the supreme court, by court
11 rule, may designate when an uncertified court reporter may
12 engage in the profession of shorthand reporting. Currently,
13 Code section 602.6603 governs when an uncertified court
14 reporter may engage in the profession of shorthand reporting.

15 The amendment to Code section 602.1215 changes the method
16 by which the clerk of the district court is appointed. The
17 amendment permits the chief judge of each judicial district to
18 appoint the clerk of the district court and remove the clerk
19 for cause after consultation with the district judges of the
20 judicial district. The clerk under current law is appointed by
21 a majority vote of all district judges in the judicial election
22 district, and removed by a majority vote.

23 The amendment to Code section 602.6105 specifies that
24 the chief judge of a judicial district has the authority to
25 designate the time and location a magistrate may hold court
26 to ensure the availability of a magistrate in each county on
27 a regular basis. The amendment to Code section 602.6105 also
28 strikes a provision granting authority to the chief judge to
29 schedule magistrate court in a city other than the county seat.

30 The bill creates new Code section 602.6113 authorizing
31 the chief justice to apportion a vacancy in the office of
32 district judge, district associate judge, associate juvenile
33 judge, or associate probate judge, from the judicial election
34 district where the vacancy occurs to another judicial election
35 district. An apportionment from one judicial election district

1 to another judicial election district shall not occur under the
2 bill, unless the chief justice finds a substantial disparity
3 exists in the allocation of judgeships and judicial workload
4 between judicial election districts, and the judicial council,
5 by a majority vote, approves the apportionment. Current law
6 does not permit the chief justice and the judicial council to
7 apportion vacant judgeships across judicial election district
8 boundaries.

9 The amendment to Code section 602.6305 requires a district
10 associate judge to reside in the judicial election district
11 at the time of appointment and throughout the entire term of
12 office. Currently, a district associate judge is required to
13 reside in the county where the vacancy exists at the time of
14 appointment and throughout the entire term of office.

15 The amendment to Code section 602.6401(2) modifies the
16 criteria used by the state court administrator to apportion
17 magistrates throughout the state. Under the bill, the state
18 court administrator must also consider a case-related workload
19 formula in addition to the other criteria listed in Code
20 section 602.6401(2).

21 The bill strikes Code section 602.6401(3) requiring at least
22 one magistrate in each county.

23 The amendment to Code section 602.6404(1) allows a
24 magistrate to be a resident of a county contiguous to the
25 county of appointment during the magistrate's term of office.
26 The bill permits the chief judge to assign a magistrate to hold
27 court outside of the magistrate's county of appointment for the
28 orderly administration of justice.

29 The bill creates new Code section 602.6406 providing for the
30 establishment of full-time magistrate positions. Under the
31 bill, the chief judge, upon approval of the supreme court, may
32 designate by order of substitution that a full-time magistrate
33 be appointed in lieu of two part-time magistrates.

34 The bill requires a full-time magistrate to stand for
35 retention every six years after serving an initial term and

1 requires a full-time magistrate to be a lawyer licensed to
2 practice law in Iowa.

3 The bill creates special retention provisions for full-time
4 magistrates pursuant to Code section 46.20. Under the bill,
5 if a full-time magistrate is a resident of a county contiguous
6 to the county of appointment and the counties are located
7 in different judicial election districts, the full-time
8 magistrate shall stand for retention in the judicial election
9 district containing the county of appointment. If a full-time
10 magistrate is appointed to serve in more than one county under
11 the bill, and the counties are in different judicial election
12 districts, the full-time magistrate shall simultaneously stand
13 for retention in each judicial election district and the vote
14 totals from each judicial election district shall be combined
15 to determine if the full-time magistrate is retained.

16 Under the bill, if a full-time magistrate is appointed
17 to serve in more than one county, the appointment shall be
18 from persons nominated by the applicable county magistrate
19 appointing commissions acting jointly.

20 The bill specifies a full-time magistrate shall have the
21 same jurisdictional limits of a magistrate appointed pursuant
22 to Code sections 602.6403 through 602.6405.

23 The bill also places other limits on the appointment of
24 a full-time magistrate. The bill requires the county of
25 appointment to have two or more magistrates apportioned to the
26 county pursuant to Code section 602.6401, or in the case of an
27 appointment of a full-time magistrate to serve in more than one
28 county, the counties, in the aggregate, shall be apportioned
29 two or more magistrates.

30 The bill requires a majority of district judges in the
31 judicial election district to vote in favor of substituting
32 a full-time magistrate for two magistrates and find that
33 the substitution will provide a more timely and efficient
34 performance of judicial business. In the case of a full-time
35 magistrate to be substituted for two magistrates from

1 different judicial election districts, the vote in favor of the
2 substitution requires a majority of the district judges in each
3 judicial election district affected.

4 In counties where a substitution order is in effect, the
5 bill requires the number of magistrates actually appointed in
6 the county to be reduced by one magistrate for each full-time
7 magistrate appointed. If the substitution order calls for
8 a full-time magistrate appointed to serve in more than one
9 county, the reduction of the magistrate shall be provided in
10 the substitution order of the chief judge of the judicial
11 district.

12 Under the bill, if an apportionment by the state court
13 administrator pursuant to Code section 602.6401 reduces the
14 number of magistrates in a county to less than the number
15 required to permit a substitution order to remain in effect, or
16 if a majority of the district judges in each affected judicial
17 election district determines that a substitution is no longer
18 desirable, then the substituted office shall be terminated.
19 The bill prohibits a reversion of a full-time magistrate office
20 back to two magistrate offices until the substitute full-time
21 magistrate fails to be retained in office at a judicial
22 election or otherwise leaves office, whether voluntarily or
23 involuntarily, and the office becomes vacant. Upon reversion
24 of the office, the bill requires the appointments of the two
25 magistrates to be made pursuant to Code section 602.6403 as
26 necessary to reestablish terms of office pursuant to Code
27 section 602.6403(4).

28 The amendments to Code section 602.9203(1) and (2) require
29 senior judge written forms to be prescribed by the supreme
30 court. Currently, the court administrator prescribes the
31 forms.

32 The amendment to Code section 602.9203(5) specifies that
33 a senior judge, upon attaining the age of 78, may serve a
34 one-year term and a succeeding one-year term at the discretion
35 of the supreme court. Currently, a senior judge, upon

1 attaining the age of 78, may serve a two-year term at the
2 discretion of the supreme court.

3 The bill repeals Code section 602.6603, permitting a
4 district judge or district associate judge to appoint a
5 certified court reporter, and permitting the appointment of an
6 uncertified court reporter under certain circumstances.