

House Joint Resolution 2002 - Introduced

HOUSE JOINT RESOLUTION 2002
BY WHEELER

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to the terms of supreme court
3 justices.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 1. Section 17 of Article V of the Constitution of the
4 State of Iowa, as added by the Amendment of 1962, is amended
5 beginning with appointments made on or after January 1, 2021,
6 to read as follows:

7 **Terms — judicial elections.** SEC. 17. Members of all courts
8 shall have such tenure in office as may be fixed by law, but
9 terms of supreme court judges shall be not less than ~~eight~~
10 four years and terms of district court judges shall be not
11 less than six years. Judges shall serve for one year after
12 appointment and until the first day of January following the
13 next judicial election after the expiration of such year.
14 They shall at such judicial election stand for retention in
15 office on a separate ballot which shall submit the question of
16 whether such judge shall be retained in office for the tenure
17 prescribed for such office and when such tenure is a term of
18 years, on their request, they shall, at the judicial election
19 next before the end of each term, stand again for retention on
20 such ballot. Present supreme court and district court judges,
21 at the expiration of their respective terms, may be retained in
22 office in ~~like~~ the manner for the tenure prescribed for such
23 office. The general assembly shall prescribe the time for
24 holding judicial elections.

25 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
26 amendment to the Constitution of the State of Iowa is referred
27 to the general assembly to be chosen at the next general
28 election for members of the general assembly, and the secretary
29 of state is directed to cause the proposed amendment to be
30 published for three consecutive months previous to the date of
31 that election as provided by law.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This joint resolution proposes an amendment to the

1 Constitution of the State of Iowa relating to the terms of
2 supreme court justices.

3 The resolution modifies the term of a supreme court justice
4 from not less than eight years to not less than four years,
5 beginning January 1, 2021. The initial term of a supreme court
6 justice shall be for one year after appointment and until
7 January 1 following the next judicial election. After standing
8 for retention for the initial term, the supreme court justice
9 shall stand for retention before the electorate every four
10 years.

11 The resolution, if adopted, would be published and then
12 referred to the next general assembly (88th) for adoption,
13 before being submitted to the electorate for ratification.