

House Joint Resolution 2004 - Introduced

HOUSE JOINT RESOLUTION 2004
BY HEARTSILL

HOUSE JOINT RESOLUTION

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

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 15 of Article V of the Constitution of the
4 State of Iowa, as added by the Amendment of 1962, is repealed
5 beginning January 1, 2021, and the following adopted in lieu
6 thereof:

7 **Vacancies in courts.** SEC. 15. Vacancies in the supreme
8 court and district court shall be filled by appointment by the
9 governor subject to confirmation by the senate.

10 2. Section 16 of Article V of the Constitution of the
11 State of Iowa, as added by the Amendment of 1962, is repealed
12 beginning January 1, 2021.

13 Sec. 2. REFERRAL AND PUBLICATION. The foregoing amendment
14 to the Constitution of the State of Iowa is referred to the
15 general assembly to be chosen at the next general election
16 for members of the general assembly, and the secretary of
17 state is directed to cause the same to be published for three
18 consecutive months previous to the date of that election as
19 provided by law.

20 EXPLANATION

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

23 This joint resolution proposes an amendment to the
24 Constitution of the State of Iowa relating to the appointment
25 of supreme court justices and district judges.

26 The state judicial nominating commission currently nominates
27 persons for appointment by the governor to the supreme court
28 and court of appeals and each district judicial nominating
29 commission nominates persons for appointment by the governor to
30 the district court bench.

31 The resolution eliminates the state judicial nominating
32 commission and district judicial nominating commissions and
33 establishes a new procedure for the appointment of persons
34 to the supreme court or district court. The resolution
35 requires the governor to appoint persons to the supreme court

1 or district court, subject to confirmation by the senate.
2 Retention elections for the supreme court justices and district
3 judges required by the constitution remain in place. The
4 resolution is silent, as is the current Iowa Constitution,
5 regarding the nomination and appointment of judges of the court
6 of appeals.

7 The resolution, if adopted, would be referred to the next
8 general assembly (88th) for adoption a second time before the
9 amendment is submitted to the electorate for ratification.

10 The amendment, if adopted and ratified by the electorate,
11 takes effect January 1, 2021.