

MEMORANDUM

To: Members of the General Assembly
From: Iowa Judicial Branch
Re: Judicial Residency
Date: 1/3/2019

Iowa's eight judicial districts are divided into fourteen judicial election districts for the purpose of the selection and retention of district judges and district associate judges. There is ambiguity between statutes regarding residency requirements of applicants for district judgeships. Currently, section 46.14 requires district judge nominees to reside within the judicial district at the time of nomination, however, section 602.6201 requires district judges to reside within the judicial *election* district at the time of appointment.

This bill will not alter the requirement that district judge nominees live within the judicial district at the time of nomination. This bill amends section 602.6201 to clarify that, once appointed, a district judge must live within the judicial *election* district within 90 days of appointment. Accordingly, at the time of nomination, a district judge nominee must reside within the judicial district, but need not reside within the judicial *election* district, however, once appointed, a district judge must live within the judicial *election* district within 90 days of appointment.

This bill amends section 602.6305 to conform the residency requirements for district associate judge appointees to the residency requirements for district judge appointees as amended by this bill as discussed in the paragraph above. Accordingly, at the time of nomination, a district associate judge nominee must reside within the judicial district, but need not reside within the judicial *election* district, however, once appointed, a district associate judge must live within the judicial *election* district within 90 days of appointment.

The abovementioned Code changes will not only clarify the residency requirements for district judges and district associate judges at various points during the nomination and appointment process, it will also broaden the pool of potential applicants for district judge and district associate judge positions in judicial districts that are divided into judicial election districts.