

JAN 1 1 2005
JUDICIARY

HOUSE FILE 30
BY MADDOX

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the confidentiality of proceedings and
2 documents of the commission on judicial qualifications.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 30

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1 Section 1. Section 602.2103, Code 2005, is amended to read
2 as follows:

3 602.2103 OPERATION OF COMMISSION.

4 A quorum of the commission is four members. ~~Only those~~
5 ~~commission~~ Commission members ~~that are~~ must be present at
6 commission meetings ~~or hearings may~~ to vote. An application
7 by the commission to the supreme court to retire, discipline,
8 or remove a judicial officer, or discipline or remove an
9 employee of the judicial branch, or an action by the
10 commission which affects the final disposition of a complaint,
11 requires the affirmative vote of at least four commission
12 members. Notwithstanding ~~chapter 21 and~~ chapter 22, all
13 ~~records, papers,~~ proceedings, meetings, and hearings of the
14 commission are confidential, ~~but if the commission applies to~~
15 ~~the supreme court to retire, discipline, or remove a judicial~~
16 ~~officer, or to discipline or remove an employee of the~~
17 ~~judicial branch, the application and all.~~ However, all of the
18 records and papers ~~in that~~ relating to a commission
19 proceeding, meeting, or hearing are public documents.

20 EXPLANATION

21 This bill relates to the commission on judicial
22 qualifications. All records and documents related to any
23 commission proceeding are made public documents by the bill.
24 Under current law only those records or documents relating to
25 the commission's application to the supreme court to
26 discipline a judge are public documents.

27 The commission on judicial qualifications considers
28 complaints against judges and, if the complaint is
29 substantiated, makes an application to the supreme court for
30 disciplining the judge.

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