

1st Sub. H.B. 289

JUDICIAL NOMINATING COMMISSION AMENDMENTS

Representative **Curtis Oda** proposes the following amendments:

1. *Page 8, Lines 217 through 228:*

217 78A-10-203. Procedure.

218 (1) ~~{ Except for the chief justice of the Supreme Court, each commissioner is a voting~~
219 ~~member of the Appellate Court Nominating Commission.~~

220 ~~—(2)}~~ Four commissioners are a quorum.

221 ~~{(3)}~~ (2) The ~~[state court administrator shall]~~ governor shall appoint a member of the
222 governor's staff to serve as [secretary] staff to the Appellate Court Nominating Commission.

223 ~~{(4)}~~ (3) The ~~[chief justice of the Supreme Court]~~ governor shall:

224 (a) ensure that the commission follows the rules promulgated by the ~~[Judicial Council]~~
225 governor; and

226 (b) resolve any questions regarding those rules.

227 ~~{(5)}~~ (4) A member of the commission who is also a member of the Utah State Bar may
228 recuse himself if there is a conflict of interest that makes the member unable to serve.

2. *Page 9, Lines 260 through 272:*

260 78A-10-303. Procedure.

261 (1) ~~{ Except for the chief justice of the Supreme Court, each trial court nominating~~
262 ~~commissioner is a voting member of the commission.~~

263 ~~—(2)}~~ Four commissioners are a quorum.

264 ~~{(3)}~~ (2) The ~~[state court administrator shall]~~ governor shall appoint a member of the
265 governor's staff to serve as [secretary] staff to each Trial Court Nominating Commission.

266 ~~{(4)}~~ (3) The ~~[chief justice of the Supreme Court]~~ governor shall:

267 (a) ensure that each Trial Court Nominating Commission follows the rules
268 promulgated by the ~~[Judicial Council]~~ governor; and

269 (b) resolve any questions regarding those rules.

270 ~~{(5)}~~ (4) A member of a Trial Court Nominating Commission who is also a member of the
271 Utah State Bar may recuse himself if there is a conflict of interest that makes the member
272 unable to serve.