

28 for at least six months immediately preceding appointment; and

29 (e) a qualified voter of the [county of residence] municipality or jurisdictional area served
30 by the court if the court serves multiple municipalities or counties.

31 (3) Justice court judges are not required to be admitted to practice law in the state as a
32 qualification to hold office but shall have at the minimum a diploma of graduation from high
33 school or its equivalent. This educational requirement does not apply to justice court judges
34 holding office on July 1, 1989, who successfully complete continuing education requirements
35 under Section 78-5-127.

36 (4) A justice court judge shall be a person who has demonstrated maturity of judgment,
37 integrity, and the ability to understand and apply appropriate law with impartiality.

38 (5) (a) Except as provided in Subsections (5)(b) and (c), a county or municipal justice court
39 judge shall retire upon attaining the age of 75 years.

40 (b) A county justice court judge serving on July 1, 1996, who is 75 years of age or older
41 on July 1, 1996, or who attains 75 years of age on or before the first Monday in February 1999,
42 may not be a candidate in the 1998 judicial retention elections and shall retire on or before the first
43 Monday in February 1999.

44 (c) A municipal justice court judge serving on July 1, 1996, who is 75 years of age or older
45 on July 1, 1996, or who attains 75 years of age on or before the first Monday in February 2000,
46 may not be reappointed and shall retire on or before the first Monday in February 2000.

47 (6) (a) A justice court judge whose tenure in office has terminated due to retirement and
48 who is physically and mentally able to perform the duties of the office may hear a case as
49 prescribed by rule of the Supreme Court.

50 (b) The retired justice court judge shall take and subscribe an oath of office only upon the
51 first appointment. The retired justice court judge shall receive reasonable compensation for
52 services as set by local ordinance of the municipality or county.

Legislative Review Note
as of 2-2-99 10:16 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel