

28 (i) file a declaration of candidacy as if a candidate for county office in accordance with
29 Section 20A-9-202; and

30 (ii) pay a filing fee of \$25.

31 (3) (a) The lieutenant governor shall, by September 1 of each regular general election year:

32 (i) transmit a certified list containing the names of the justices of the Supreme Court and
33 judges of the Court of Appeals declaring their candidacy to the county clerk of each county; and

34 (ii) transmit a certified list containing the names of judges of other courts of record
35 declaring their candidacy to the county clerk of each county in the geographic division in which
36 the judge filing the declaration holds office.

37 (b) Each county clerk shall place the names of justices and judges standing for retention
38 election in the nonpartisan section of the ballot.

39 (4) At the general election, the ballots shall contain, as to each justice or judge of any court
40 of record to be voted on in the county, the following question:

41 "Shall _____(name of justice or judge) be retained in the
42 office of _____?" (name of office, such as "Justice of the Supreme
43 Court of Utah"; "Judge of the Court of Appeals of Utah"; "Judge of the District Court of the Third
44 Judicial District;" "Judge of the Juvenile Court of the Fourth Juvenile Court District"; "County
45 Justice Judge of (name of county) County")

46 Yes ()

47 No ()."

48 (5) (a) If the justice or judge receives ~~h [65%]~~ **55% h** or more yes votes [~~than no votes~~], the
48a justice

49 or judge is retained for the term of office provided by law.

50 (b) If the justice or judge receives [~~more no votes~~] less than ~~h [65%]~~ **55% h** yes votes, the
50a justice or

51 judge is not retained, and a vacancy exists in the office on the first Monday in January after the
52 regular general election.

53 (6) A justice or judge not retained is ineligible for appointment to the office for which the
54 justice or judge was defeated until after the expiration of that term of office.

Legislative Review Note
as of 12-9-99 9:25 AM

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

Office of Legislative Research and General Counsel