

JUDICIAL RETENTION ELECTION TASK FORCE

2007 GENERAL SESSION STATE OF UTAH

Chief Sponsor: D. Chris Buttars

House Sponsor: Curtis Oda

LONG TITLE

General Description:

This bill creates the Judicial Retention Election Task Force.

Highlighted Provisions:

This bill:

- designates three members of the Senate, appointed by the president of the Senate;
designates five members of the House of Representatives, appointed by the speaker

of the House; and

designates one member of the Utah Supreme Court, one member of the Court of Appeals, and one member of the District Court, appointed jointly by the president of the Senate and speaker of the House] designates four judges jointly appointed by the president of the Senate, speaker of the House, and the Utah Judicial Council.

Monies Appropriated in this Bill:

This bill appropriates:

- \$6,090 to the Senate; and
\$10,150 to the House of Representatives.

Other Special Clauses:

This bill is repealed on November 30, 2007.

Uncodified Material Affected:

ENACTS UNCODIFIED MATERIAL

S.B. 221



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. **Judicial Retention Election Task Force -- Creation -- Membership --**
30 **Interim rules followed -- Compensation -- Staff.**

31 (1) There is created the Judicial Retention Election Task Force consisting of the
32 following ~~§~~→ [11] ~~H~~→ [12] 10 ~~←H~~ ~~←S~~ members:

33 (a) three members of the Senate appointed by the president of the Senate, no more than
34 two of whom may be from the same political party;

35 (b) five members of the House of Representatives appointed by the speaker of the
36 House of Representatives, no more than three of whom may be from the same political party;

37 (c) ~~§~~→ [one member of the Utah Supreme Court, appointed jointly by the president of the
38 Senate and speaker of the House of Representatives;

39 ~~—— (d) one member of the Utah Court of Appeals, appointed jointly by the president of the~~
40 ~~Senate and speaker of the House of Representatives; and~~

41 ~~—— (e) one district court judge, appointed jointly by the president of the Senate and speaker~~
42 ~~of the House of Representatives] ~~H~~→ [four] two ~~←H~~ judges, each from a different court,~~
42a1 appointed ~~H~~→ jointly ~~←H~~ by the ~~H~~→ president of the Senate, speaker of the House,
42b and the ~~←H~~ Utah

42a Judicial Council. ~~←S~~ .

43 (2) (a) The president of the Senate shall designate a member of the Senate appointed
44 under Subsection (1)(a) as a cochair of the task force.

45 (b) The speaker of the House of Representatives shall designate a member of the House
46 of Representatives appointed under Subsection (1)(b) as a cochair of the task force.

47 (3) In conducting its business, the task force shall comply with the rules of legislative
48 interim committees.

49 (4) Salaries and expenses of the members of the task force shall be paid in accordance
50 with Section 36-2-2 and Legislative Joint Rule 15.03.

51 (5) The Office of Legislative Research and General Counsel shall provide staff support
52 to the task force.

53 Section 2. **Duties -- Interim report.**

54 (1) The task force shall review and make recommendations to the Judicial Council and
55 the Legislature on the following issues:

56 (a) the value of the formal judicial evaluation program established by rule of the
57 Judicial Council pursuant to Section 78-3-21, in providing the public with sufficient
58 information to make an accurate assessment of a judge's performance; and

59 (b) an evaluation of and potential changes to:
60 (i) the questions on the attorneys' surveys for appellate and trial court judges;
61 (ii) selection methods of attorney respondents for judicial performance surveys; and
62 (iii) the certification process of judges to stand for a retention election.
63 (2) The task force may study and make recommendations upon any other issue related
64 to the manner of judicial retention elections and the information provided to the public
65 regarding a judge's judicial performance.

66 (3) A final report, including any proposed legislation shall be presented to the Judiciary
67 Interim Committee before November 30, 2007.

68 Section 3. **Appropriation.**

69 There is appropriated from the General Fund for fiscal year 2007 only:

70 (1) \$6,090 to the Senate to pay for the compensation and expenses of senators on the
71 task force; and

72 (2) \$10,150 to the House of Representatives to pay for the compensation and expenses
73 of representatives on the task force.

74 Section 4. **Repeal date.**

75 This bill is repealed on November 30, 2007.

Legislative Review Note
as of 1-30-07 12:03 PM

Office of Legislative Research and General Counsel

S.B. 221 - Judicial Retention Election Task Force

Fiscal Note

2007 General Session
State of Utah

State Impact

This bill appropriates \$16,240 from the General Fund for FY 2007. These funds will be distributed \$6,090 to the Senate and \$10,150 to the House of Representatives.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
General Fund, One-Time	\$16,240	\$0	\$0	\$0	\$0	\$0
Total	\$16,240	\$0	\$0	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.