JUDICIAL SELECTION PROCEDURES AND 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 four members of the Senate, appointed by the president of the Senate;
- designates seven members of the House of Representatives, appointed by the speaker of the House;
- designates three judges appointed by the president of the Senate and speaker of the House, in consultation with the Utah Judicial Council; and
- authorizes a task force to review and make recommendations to the Judicial Council and the Legislature on issues related to the judicial selection procedures, the manner of judicial retention elections, and the information provided to the public regarding a judge's judicial performance.

Monies Appropriated in this Bill:

This bill appropriates:

- $8,120 to the Senate; and
- $14,210 to the House of Representatives.

Other Special Clauses:

This bill is repealed on November 30, 2007.

Uncodified Material Affected:

ENACTS UNCODIFIED MATERIAL

30

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

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

34 (1) There is created the Judicial Retention Election Task Force consisting of the
35 following 14 members:

36 (a) four members of the Senate appointed by the president of the Senate, no more than
37 three of whom may be from the same political party;

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

40 (c) three judges, each from a different court, appointed by the president of the Senate
41 and speaker of the House, in consultation with the Utah Judicial Council.

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

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

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

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

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

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

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

55 (a) judicial selection procedures;

56 (b) 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 (c) 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 judicial selection procedures, the manner of judicial retention elections, and the information
65 provided to the public 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) $8,120 to the Senate to pay for the compensation and expenses of senators on the
71 task force; and
72 (2) $14,210 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.