

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2071

BY: ISTOOK

AS INTRODUCED

AN ACT RELATING TO COURTS; CREATING THE OFFICE OF LAW
CLERK; PROVIDING FOR THE APPOINTMENT,
QUALIFICATIONS, COMPENSATION AND BENEFITS OF LAW
CLERKS; AUTHORIZING THE ACCEPTANCE FOR THE STATE
JUDICIAL FUND OF PRIVATE OR FEDERAL FUNDING FOR
SALARIES; PROVIDING FOR CODIFICATION; PROVIDING AN
EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 127 of Title 20, unless there is
created a duplication in numbering, reads as follows:

A. There is hereby created the office of law clerk for the
district courts. The Supreme Court shall establish, by court rule,
a minimum case load requirement for the assignment of law clerks.
The Chief Justice of the Supreme Court, based on the recommendations
of the Administrative Director of the Courts, shall designate by
administrative directive the number and assignments of law clerks in
all judicial administrative districts of the state.

B. In accordance with the administrative directive of the Chief
Justice, the presiding judge of a judicial administrative district
may authorize any district judge, associate district judge, or

special judge within the district, whose case load meets or exceeds the minimum case load requirement established by the Supreme Court, to employ a full-time or part-time law clerk, to the extent that funding is available. The presiding judge may authorize the appointment of a law clerk for more than one judge, such appointment to be made by order of the presiding judge.

C. A person employed as a law clerk shall have completed at least one (1) year of law school prior to appointment. Each law clerk shall serve at the will of the appointing judge as an unclassified employee of the state, exempt from the provisions of the Oklahoma Merit System of Personnel Administration. Each law clerk shall be paid from the State Judicial Fund a salary established by the annual appropriation for the district courts. The Administrative Director of the Courts shall develop and promulgate job descriptions and salary schedules for law clerks. The Chief Justice, through the Office of the Administrative Director of the Courts, shall promulgate and adopt rules for the compensation for overtime for all law clerks. The Administrative Director of the Courts shall be authorized to accept, for deposit in the State Judicial Fund, gifts, grants, private donations, and federal funding for the payment of salaries for law clerks.

D. Persons who serve as full-time law clerks shall be eligible to participate in the state retirement system and state insurance programs and any other benefits as are provided to state employees in the unclassified service.

SECTION 2. This act shall become effective July 1, 1992.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

