

SHORT TITLE: Courts; deleting requirement for appointment of additional special judges; effective date.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 601

By: Shedrick

AS INTRODUCED

An Act relating to courts; amending 20 O.S. 1991, Sections 92.1 and 122, as amended by Section 27, Chapter 335, O.S.L. 1992 (20 O.S. Supp. 1994, Section 122), which relate to judicial districts and special judges; adding statutory reference; deleting requirement for appointment of additional special judges; modifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 20 O.S. 1991, Section 92.1, is amended to read as follows:

Section 92.1 The state is hereby divided into twenty-six (26) district court judicial districts with the number of authorized districts and district judges to be as provided in Sections ~~2 through 27 of this act~~ 92.2 through 92.27 of this title.

SECTION 2. AMENDATORY 20 O.S. 1991, Section 122, as amended by Section 27, Chapter 335, O.S.L. 1992 (20 O.S. Supp. 1994, Section 122), is amended to read as follows:

Section 122. The number of special judges that may be appointed in each judicial administrative district shall be determined as follows:

1. A special judge shall be appointed on the basis of one special judge for each county within the administrative district with a population of at least twenty-four thousand (24,000), as

determined by the 1960 Federal Decennial Census. An additional special judge shall be appointed for each additional fifty thousand (50,000) in population in a county within the administrative district, as determined by the 1960 Federal Decennial Census. ~~Such~~ The appointment may be made from any county in the administrative district. ~~Such~~ The appointments shall be made by the district judges in their respective judicial administrative districts. Any judge of a special sessions court shall be one of the special judges for the balance of his term and shall be within the number prescribed for ~~said~~ the district.

2. In addition to the special judges that may be appointed pursuant to the provisions of paragraph 1 of this section, there shall be:

- a. one (1) special judge appointed in the Northwest-Panhandle Judicial Administrative District comprised of District Court Judicial Districts Numbers One (1), Two (2) and Four (4), to serve in Custer County;
- b. one (1) special judge appointed in the Oklahoma-Canadian Counties Judicial Administrative District comprised of District Court Judicial District Number Seven (7); and
- c. two (2) special judges appointed in the Tulsa-Pawnee Counties Judicial Administrative District comprised of District Court Judicial District Number Fourteen (14).

3. If a vacancy occurs in the office of associate district judge, or if an associate district judge becomes unable to perform the duties of his office, as determined by the presiding judge of the judicial administrative district, a special judge may be appointed within the judicial administrative district to hold office for the duration of said vacancy or incapacity. After the vacancy is filled, or after the associate district judge becomes able to

perform the duties of his office, the special judge shall have the power to act in regard to any case which he has already tried, but the presiding judge of the judicial administrative district may transfer such a case to any other judge in the judicial administrative district.

4. The Chief Justice of the Supreme Court may authorize the appointment of ~~such~~ additional special judges as may be necessary for the proper administration of justice. ~~Such additional special judges shall be appointed after application by a majority of the district judges of a judicial administrative district, stating the reason why an additional special judge is needed. Such additional~~ Appointment of additional special judges need not be based upon population figures.

SECTION 3. This act shall become effective November 1, 1995.

45-1-0718

KSM