

ENROLLED SENATE
CONCURRENT
RESOLUTION NO. 42

By: Taylor of the Senate

and

Benson of the House

A Concurrent Resolution creating the Legislative Task Force on Judicial Selection and limiting its duration; stating purpose; requiring report to certain officials and setting deadline; stating number and qualifications of members; providing for appointment; providing for vacancies; providing for meetings and stating quorum requirement; prohibiting compensation of members; authorizing reimbursement for travel expenses; requiring the Senate and House of Representatives to provide staff assistance; and providing for distribution.

WHEREAS, maintaining an independent judiciary is vital to our system of justice and to the system of checks and balances which has served so long and so well to protect the rights of all citizens; and

WHEREAS, maintaining the independence of the judicial branch of government has become increasingly difficult in the modern age of electronic campaigning; and

WHEREAS, it is in the interests of all citizens that members of the judiciary be selected in a manner which preserves their independence and avoids even the appearance of impropriety.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 47TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. A. There is hereby created the Legislative Task Force on Judicial Selection which shall continue in existence until June 1, 2000, unless earlier terminated or extended. The Task Force shall conduct a comprehensive study of the current system of selecting justices and judges and may recommend any needful reforms. The Task Force shall submit its report in writing no later than January 15, 2000, to the Chief Justice of the Supreme Court, the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the President of the Oklahoma Bar Association.

B. The Task Force shall be composed of twenty (20) persons to be appointed no later than July 15, 1999 as follows:

1. Four members shall be appointed by the Chief Justice of the Supreme Court;
2. Four members shall be appointed by the Governor;
3. Four members shall be appointed by the President Pro Tempore of the Senate;
4. Four members shall be appointed by the Speaker of the House of Representatives; and
5. Four members shall be appointed by the President of the Oklahoma Bar Association.

C. Each of the appointing officials shall appoint at least one attorney, one judge or justice of a district or appellate court, and one layperson. Appointments shall be made with due regard for creating diversity among those appointed.

D. Vacancies on the Task Force shall be filled by the original appointing authority.

SECTION 2. A. The initial meeting of the Legislative Task Force on Judicial Selection shall be called by the Administrative Director of the Courts.

B. At the initial meeting, the members shall select a chair and vice-chair from the membership of the Task Force.

C. After the initial meeting, the Task Force shall meet pursuant to the call of the chair or, if the chair should become vacant, at the call of the vice-chair.

D. Eight members of the Task Force shall constitute a quorum.

E. A majority of the members of the Task Force present shall be necessary for any official action.

SECTION 3. A. Members of the Legislative Task Force on Judicial Selection shall receive no compensation for serving on the Task Force, but may receive reimbursement for travel expenses by their appointing authority, except for the President of the Oklahoma Bar Association's appointees who shall be reimbursed by the Legislative Service Bureau. Members of the Task Force who are also members of the Legislature shall receive reimbursement pursuant to Section 456 of Title 74 of the Oklahoma Statutes except when the Legislature is in session and the meeting for which reimbursement is sought is held in Oklahoma City on a day on which the Legislature is in session. Members of the Task Force who are not members of the Legislature may be reimbursed pursuant to the State Travel Reimbursement Act.

B. The Senate and House of Representatives shall provide staff assistance to the Task Force.

SECTION 4. Copies of this resolution shall be distributed to the Chief Justice of the Supreme Court, the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the President of the Oklahoma Bar Association, the Administrative Director of the Courts, the Director of the Legislative Service Bureau, the President of the Oklahoma Judicial Conference, and the Chair of the Bench and Bar Committee of the Oklahoma Bar Association.

Adopted by the Senate the 28th day of May, 1999.

President of the Senate

Adopted by the House of Representatives the 26th day of May, 1999.

Speaker of the House of Representatives