

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 486

By: Weedn

AS INTRODUCED

An Act relating to courts; amending 20 O.S. 1991, Section 122, as last amended by Section 4, Chapter 383, O.S.L. 1998 (20 O.S. Supp. 1998, Section 122), which relates to special judges; providing for additional special judge; and declaring an emergency.

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

SECTION 1. AMENDATORY 20 O.S. 1991, Section 122, as last amended by Section 4, Chapter 383, O.S.L. 1998 (20 O.S. Supp. 1998, 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~~ which appointment may be made from any county in the administrative district. ~~Such appointments~~ 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 or her term and shall be within the number prescribed for ~~said~~ that 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; and
- 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); and
- d. ~~beginning January 11, 1999,~~ one (1) special judge appointed in the Northeastern Judicial Administrative District comprised of District Court Judicial Districts Numbers Ten (10), Eleven (11), Twelve (12), and Thirteen (13), to serve in Rogers County; and
- e. one (1) special judge appointed in the South-Central Administrative District comprised of District Court Judicial Districts Numbers Twenty (20), Twenty-one (21), and Twenty-two (22), to serve in McClain County;

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~~ the 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~~ the vacancy or incapacity. After the vacancy is filled, or after the associate district judge becomes

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

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~~ Additional special judges shall be appointed after application by a majority of the district judges of a judicial administrative district, ~~stating the reason why~~ reasons for the appointment of an additional special judge ~~is needed~~. ~~Such~~ These additional judges need not be appointed based upon population figures.

SECTION 2. 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.