STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1784 By: Shortey

AS INTRODUCED

An Act relating to special judges; amending 20 O.S. 2011, Section 122, which relates to appointments and vacancies; modifying election and vacancy procedures of special judges; removing authority to appoint certain judges; and providing an effective date.

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

SECTION 1. AMENDATORY 20 O.S. 2011, 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~~ elected 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~~ elected 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 appointment may be made from any county in the administrative district. Such 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 district.~~

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

a. one (1) special judge ~~appointed~~ elected 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~~ elected in the Oklahoma-Canadian Counties Judicial Administrative District comprised of District Court Judicial District Number Seven (7);

c. three (3) special judges ~~appointed~~ elected in the Tulsa-Pawnee Counties Judicial Administrative District comprised of District Court Judicial District Number Fourteen (14);

d. beginning January 11, 1999, one (1) special judge ~~appointed~~ elected 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;

e. one (1) special judge ~~appointed~~ elected in the North Central Judicial Administrative District comprised of District Court Judicial District Numbers Eight (8), Nine (9) and Twenty-three (23), to serve in Lincoln and Pottawatomie Counties;

f. beginning January 1, 2006, one (1) special judge ~~appointed~~ elected in the East Central Judicial Administrative District comprised of District Court Judicial District Numbers Fifteen (15), Eighteen (18) and Twenty-four (24), to serve in Pittsburg and McIntosh Counties;

g. beginning January 1, 2006, one (1) special judge ~~appointed~~ elected in the Northeastern Judicial Administrative District comprised of District Court Judicial District Numbers Ten (10), Eleven (11), Twelve (12) and Thirteen (13), to serve in Washington County; and

h. beginning January 1, 2007, one (1) special judge ~~appointed~~ elected in the Southeastern Judicial Administrative District comprised of District Court

Judicial District Numbers Sixteen (16), Seventeen (17), Nineteen (19), and Twenty-five (25), to serve in LeFlore 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 office, as determined by the presiding judge of the judicial administrative district, a person may become a candidate pursuant to the provisions of Section 92i of this title for 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 judges need not be based upon population figures.~~

SECTION 2. This act shall become effective November 1, 2012.

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