

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

SENATE BILL 732

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

1 administrative district, as determined by the 1960 Federal Decennial  
2 Census. ~~Such appointment may be made from any county in the~~  
3 ~~administrative district. Such appointments shall be made by the~~  
4 ~~district judges in their respective judicial administrative~~  
5 ~~districts. Any judge of a special sessions court shall be one of~~  
6 ~~the special judges for the balance of his term and shall be within~~  
7 ~~the number prescribed for said district.~~

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

- 11 a. one (1) special judge ~~appointed~~ elected in the  
12 Northwest-Panhandle Judicial Administrative District  
13 comprised of District Court Judicial Districts Numbers  
14 One (1), Two (2) and Four (4), to serve in Custer  
15 County;
- 16 b. one (1) special judge ~~appointed~~ elected in the  
17 Oklahoma-Canadian Counties Judicial Administrative  
18 District comprised of District Court Judicial District  
19 Number Seven (7);
- 20 c. three (3) special judges ~~appointed~~ elected in the  
21 Tulsa-Pawnee Counties Judicial Administrative District  
22 comprised of District Court Judicial District Number  
23 Fourteen (14);
- 24

1 d. beginning January 11, 1999, one (1) special judge  
2 ~~appointed~~ elected in the Northeastern Judicial  
3 Administrative District comprised of District Court  
4 Judicial Districts Numbers Ten (10), Eleven (11),  
5 Twelve (12) and Thirteen (13), to serve in Rogers  
6 County;

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

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

18 g. beginning January 1, 2006, one (1) special judge  
19 ~~appointed~~ elected in the Northeastern Judicial  
20 Administrative District comprised of District Court  
21 Judicial District Numbers Ten (10), Eleven (11),  
22 Twelve (12) and Thirteen (13), to serve in Washington  
23 County; and  
24

1 h. beginning January 1, 2007, one (1) special judge  
2 ~~appointed~~ elected in the Southeastern Judicial  
3 Administrative District comprised of District Court  
4 Judicial District Numbers Sixteen (16), Seventeen  
5 (17), Nineteen (19), and Twenty-five (25), to serve in  
6 LeFlore County.

7 3. If a vacancy occurs in the office of associate district  
8 judge, or if an associate district judge becomes unable to perform  
9 the duties of his office, as determined by the presiding judge of  
10 the judicial administrative district, a person may become a  
11 candidate pursuant to the provisions of Section 92i of this title  
12 for special judge ~~may be appointed within the judicial~~  
13 ~~administrative district~~ to hold office for the duration of said  
14 vacancy or incapacity. After the vacancy is filled, or after the  
15 associate district judge becomes able to perform the duties of his  
16 office, the special judge shall have the power to act in regard to  
17 any case which he has already tried, but the presiding judge of the  
18 judicial administrative district may transfer such a case to any  
19 other judge in the judicial administrative district.

20 ~~4. The Chief Justice of the Supreme Court may authorize the~~  
21 ~~appointment of such additional special judges as may be necessary~~  
22 ~~for the proper administration of justice. Such additional special~~  
23 ~~judges shall be appointed after application by a majority of the~~  
24 ~~district judges of a judicial administrative district, stating the~~

1 ~~reason why an additional special judge is needed. Such additional~~  
2 ~~judges need not be based upon population figures.~~

3 SECTION 2. This act shall become effective November 1, 2015.

4  
5 55-1-1183 TEK 2/18/2016 7:11:33 PM  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24