

Sixty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1313

Introduced by

Representative Magrum

A BILL for an Act to amend and reenact ~~section 27-23-02~~ subsection 4 of section 27-23-01 of the North Dakota Century Code, relating to the composition of ~~the~~ judicial conduct committee hearing panels.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

~~SECTION 1. AMENDMENT. Section 27-23-02 of the North Dakota Century Code is amended and reenacted as follows:~~

~~27-23-02. Creation and composition of commission, terms of office, appointment, and powers.~~

~~The judicial conduct commission consists of two judges of the district court, one lawyer licensed to practice law in this state, and four seven citizens who are not judges, retired judges, or lawyers. Members representing the district court must be appointed by their state association and the lawyer member must be appointed by the board of governors of the state bar association of North Dakota. The citizen members must be active or retired military and must be appointed by the governor adjutant general. The term of each member is three years. A member may not serve more than two full three-year terms. Membership terminates if a member ceases to hold the position that qualified the member for appointment. A vacancy must be filled by the appointing power adjutant general for the remainder of the term. Any appointment to fill a vacancy not made within forty-five days after the vacancy occurs or the term of office ends must be made by the supreme court. The commission shall select one of its members as chair.~~

~~The commission has the power to investigate complaints against any judge in the state and the chair may appoint a hearing panel to conduct hearings concerning the discipline, removal, retirement, or transfer to incapacity inactive status of any judge.~~

SECTION 1. AMENDMENT. Subsection 4 of section 27-23-01 of the North Dakota Century Code is amended and reenacted as follows:

- 1 4. "Hearing panel" means a ~~four-member~~five-member panel consisting of at least
- 2 ~~two~~three citizen members of the commission, appointed by the chair to conduct a
- 3 hearing and make recommendations after the filing of formal charges or a petition for
- 4 transfer to incapacity inactive status.