

Introduced by

Representative Magrum

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

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

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

7 ~~— **27-23-02. Creation and composition of commission, terms of office, appointment, and**~~
8 ~~**powers.**~~

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

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

23 **SECTION 1. AMENDMENT.** Subsection 4 of section 27-23-01 of the North Dakota Century
24 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.