

ASSEMBLY JOINT RESOLUTION NO. 13—COMMITTEE ON
CONSTITUTIONAL AMENDMENTS

(ON BEHALF OF ADMINISTRATIVE OFFICE OF THE COURTS)

MARCH 5, 1999

Referred to Committee on Constitutional Amendments

SUMMARY—Proposes to amend Nevada Constitution to revise term of office of justice of the supreme court or judge of district court who is appointed to fill vacancy. (BDR C-916)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Proposing to amend the Constitution of the State of Nevada to revise the term of office of a justice of the supreme court or judge of a district court who is appointed to fill a vacancy.

- 1 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA,
2 JOINTLY, That section 20 of article 6 of the Constitution of the State of
3 Nevada be amended to read as follows:
4 Sec. 20. 1. When a vacancy occurs before the expiration of any term
5 of office in the supreme court or among the district judges, the governor
6 shall appoint a justice or judge from among three nominees selected for
7 such individual vacancy by the commission on judicial selection.
8 ~~{2.—The}~~ ***Except as otherwise provided in subsection 2, the*** term of
9 office of any justice or judge so appointed expires on the first Monday of
10 January following the ~~{next}~~ ***first*** general election ~~{,}~~ ***that is held at least 12***
11 ***calendar months after the date on which the appointment was made. At***
12 ***that general election, a justice or judge must be elected to fill the***
13 ***remainder of the term.***
14 ***2. If the date on which the appointment was made is within the 12***
15 ***calendar months immediately preceding the expiration of the term of the***
16 ***vacated office, the term of office of the justice or judge appointed***
17 ***pursuant to subsection 1 is the remainder of the unexpired term of office.***

1 3. Each nomination for the supreme court shall be made by the
2 permanent commission, composed of:

- 3 (a) The chief justice or an associate justice designated by him;
4 (b) Three members of the State Bar of Nevada, a public corporation
5 created by statute, appointed by its board of governors; and
6 (c) Three persons, not members of the legal profession, appointed by the
7 governor.

8 4. Each nomination for the district court shall be made by a temporary
9 commission composed of:

- 10 (a) The permanent commission;
11 (b) A member of the State Bar of Nevada resident in the judicial district
12 in which the vacancy occurs, appointed by the board of governors of the
13 State Bar of Nevada; and
14 (c) A resident of such judicial district, not a member of the legal
15 profession, appointed by the governor.

16 5. If at any time the State Bar of Nevada ceases to exist as a public
17 corporation or ceases to include all attorneys admitted to practice before
18 the courts of this state, the legislature shall provide by law, or if it fails to
19 do so the court shall provide by rule, for the appointment of attorneys at
20 law to the positions designated in this section to be occupied by members
21 of the State Bar of Nevada.

22 6. The term of office of each appointive member of the permanent
23 commission, except the first members, is 4 years. Each appointing authority
24 shall appoint one of the members first appointed for a term of 2 years. If a
25 vacancy occurs, the appointing authority shall fill the vacancy for the
26 unexpired term. The additional members of a temporary commission shall
27 be appointed when a vacancy occurs, and their terms shall expire when the
28 nominations for such vacancy have been transmitted to the governor.

29 7. An appointing authority shall not appoint to the permanent
30 commission more than:

- 31 (a) One resident of any county.
32 (b) Two members of the same political party.

33 No member of the permanent commission may be a member of a
34 commission on judicial discipline.

35 8. After the expiration of 30 days from the date on which the
36 commission on judicial selection has delivered to him its list of nominees
37 for any vacancy, if the governor has not made the appointment required by
38 this section, he shall make no other appointment to any public office until
39 he has appointed a justice or judge from the list submitted.

- 1 If a commission on judicial selection is established by another section of
- 2 this constitution to nominate persons to fill vacancies on the supreme court,
- 3 such commission shall serve as the permanent commission established by
- 4 subsection 3 of this section.

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