

# HOUSE RESEARCH

## Bill Summary

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**Authors:** Anderson, D. and others  
**Subject:** Judicial election precincts; judicial retirement  
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### Overview

This bill requires the establishment of judicial election precincts in Hennepin and Ramsey Counties, and modifies provisions related to the retirement of judges, including a requirement that a judge's retirement annuity be decreased by 25 percent if the judge retires at a time that results in the appointment of a successor by the governor, with certain exceptions.

- 1 Judicial election districts.** Requires each judge to be elected by the voters residing in the county in which the judge is chambered, with the exception of the Second and Fourth Judicial Districts. If there are no judges chambered in a county, the commission on judicial selection is required to assign a judgeship to a contiguous group of counties, at least 30 days prior to a general election.

In the Second (Ramsey) and Fourth (Hennepin) Judicial Districts, judges must be assigned to individual election precincts. The boundaries of the precincts must be established by the commission on judicial standards. Requirements for the makeup of the districts are provided, including a requirement that each district be substantially equal in population.

This section is effective July 1, 2011.

- 2 Time for filing; statements of economic interest.** Eliminates an exception for judicial office candidates from the requirement that economic interest statements be filed with the campaign finance and public disclosure board.
- 3 Judicial candidates.** Prohibits an incumbent justice or judge from appearing on an election ballot unless the justice or judge commits in writing to serve the full term in office, with some exceptions. A deadline for filing the commitment with the secretary of state is provided.

This section also requires that, upon an incumbent justice or judge reaching age 70, the office of the justice or judge must be placed on the ballot in the general election year of the judge's mandatory retirement date, if the judge is serving in office 30 days prior to the general election.

- 4 Election of judges to fill vacancies.** Provides that, upon a judicial vacancy, the governor shall appoint a "placeholder" to fill the vacancy until a successor is elected and qualified. The election of a

successor must occur at the next general election occurring more than one year after the appointment of the placeholder.

If an individual appointed as a placeholder dies, resigns, or is removed from office, the governor must appoint a new qualified person to fill the vacancy until a successor is elected, if the general election is more than 12 months away. If the general election is less than 12 months away, the judgeship is to remain vacant until a successor is elected.

Certain definitions of terms are provided in the bill.

- 5** **Compelling physical or personal reason.** Enacts a definition of "compelling physical or personal reason" in the chapter of law related to retirement of judges. This term is used in later sections of the bill.
- 6** **Mandatory retirement date.** Modifies the mandatory judicial retirement date in law to mean December 31 of the year of a general election after a judge has attained 70 years of age.
- The current mandatory retirement date is the last day of the month in which the judge attains 70 years of age.
- 7** **Optional retirement date.** Enacts a definition of "optional retirement date" in the chapter of law related to retirement of judges. This term is used in later sections of the bill.
- 8** **Basic retirement annuity.** Adds references to "optional retirement date" and a new procedure for the Court of Appeals to approve the retirement date of a judge, enacted later in the bill, to the section of law providing for judges to receive a retirement annuity.
- 9** **Early reduced retirement.** Enacts conforming references related to changes made elsewhere in the bill.
- 10** **Partial forfeiture of retirement annuity.** Requires a judge's retirement annuity to be reduced by 25 percent if the judge retires at a time that results in appointment of a successor by the governor. Certain exceptions are provided.
- This section is effective July 1, 2011 and applies to judges elected or appointed to a new term of office on or after that date.
- 11** **Compelling physical or personal reason retirement.** Permits an incumbent judge to retire at any time for a compelling physical or personal reason, upon approval of the retirement by the Court of Appeals. "Compelling physical or personal reason" is defined in section 5 of the bill. Provisions related to the judge's salary and time-of-service credit are also provided.