

House Research Act Summary

CHAPTER: 202

SESSION: 2014 Regular Session

TOPIC: District court decisions; compliance with 90-day requirement

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Overview

Pursuant to section 546.27, district court matters under advisement must be disposed of, and the decision filed, within 90 days. A judge's salary shall not be paid unless there is full compliance with this statute. Current statute provides for an annual compliance review by the Board on Judicial Standards and notice of noncompliance to MMB. This act provides for monthly reports from the state judicial information system and outlines new procedures for reviewing infractions.

Section

- 1 **Applicable compliance procedures.** Provides that procedures in section 2 shall be used unless the Board on Judicial Standards sets different procedures.
- 2 **Board on Judicial Standards review.** Provides for monthly reports sent to chief judges regarding district judges' compliance with the 90-day requirement. Establishes a new review procedure:
 - Upon the first 90-day infraction, the chief judge of the judicial district where the infraction occurred shall be notified.
 - For a second 90-day infraction in five years, the matter shall again be referred to the chief judge who shall develop, and notify the board of, a written plan to remedy and prevent infractions. The plan must include: measures taken to release timely decisions, timelines for substantial compliance, and audit procedures to monitor progress. The chief judge must notify the board if the judge fails to follow the written plan.

Section

- Upon a third 90-day infraction in five years, the board shall take immediate action.

Nothing in this section affects duties or authority of the chief judge or Board on Judicial Standards under the Code of Judicial Conduct.

If an infraction involves the chief judge, the assistant chief judge takes on the above responsibilities.