

JUDICIARY COMMITTEE

January 10, 1977

The fourth meeting of the House Judiciary Committee was held in Room 436 of the Capitol Building on Monday, January 10, 1977 at 8:00 a.m. Chairman Scully presided. All members were present.

Scheduled for hearing were House Joint Resolutions #2 and 3.

JOHN VINCENT: Sponsor - District #78
When the interim committee took this on, they found they did not have the information necessary. The members of the committee spent hours looking into it to justify the action they took. The case loads, time spent, etc.

REPRESENTATIVE TEAGUE: Why was the number of case loads important?

REPRESENTATIVE VINCENT: We tried to tell how busy a court is, and this would lead us in that direction. We did not have any statistical data to see if the requests were justified.

Several comments were made about reports, court records, etc.

The sponsor closed with the comment, "In order to make a rational judgment, we had to convene to appoint a special committee."

Hearing closed on House Joint Resolution #2.

Hearing opened on House Joint Resolution #3.

JOHN VINCENT: This bill deals with a request that the use of law clerk and secretarial assistance be investigated before creating additional judgeships. Rather than ask for a new district or a new judge, you should look into less expensive and less sweeping suggestions, before you start redistricting lines.

REPRESENTATIVE COURTNEY: Did you survey the district judges to see if they needed law clerks and secretaries?

REPRESENTATIVE VINCENT: It was very conclusive that this help was needed.

CHAIRMAN SCULLY: Would you have any objection if it was acted upon and then held until the bill on the new three district judges came through the committee?

REPRESENTATIVE VINCENT: "No" The interim committee wanted to clarify and expedite and make the judicial system more efficient.

Hearing closed on House Joint Resolution #3.

The committee then went into executive session.

REPRESENTATIVE LORY: I move the adoption of HJR #3.
Second by Representative Dussault.

There was some discussion about whether clerks and secretaries could be used.

RAY STEWART: New court administration:
It would be 90% funded by the court of criminal control. He explained the kinds of cases, whether civil or criminal, the collecting of data process, etc.

REPRESENTATIVE CONROY: What confusion will this bill create? If we hold it up.

CHAIRMAN SCULLY: I just thought it would be better for confusions sake. The bill would come out after the bill for additional judges has been heard.

The motion carried to "Do Pass".

REPRESENTATIVE LORY: I move the adoption of HJR #2.
Second by Representative Eudaily.

REPRESENTATIVE TEAGUE: I move a substitute motion to amend line 1 page 2 following "report" "prepared by the court administrator staff." to be stricken
Second by Representative Holmes.

REPRESENTATIVE LORY: I move to strike "staff". (substitute motion)
Second by Representative Holmes.

The motion to amend carried with unanimous vote.

THE MOTION "do pass as amended" carried, by Representative Lory, with a unanimous vote.

HOUSE BILL #14 The motion was made "do pass" by Representative Dussault.
Second by Representative Holmes.

REPRESENTATIVE RAMIREZ: I move to amend page 20 line 21
Strike: "or" and insert "and".

Discussion about the meaning of custodian.

"do pass as amended" The motion carried as amended by unanimous vote.

HOUSE BILL #27 Representative Keyser moved "do pass".
Second by Representative Day

REPRESENTATIVE RAMIREZ: move to amend page 1 line 17
Second by Representative Roth
strike: "forms" and insert "is".

The motion carried "do pass as amended" with a unanimous vote.

HOUSE BILL #36 Representative Hand moved "do pass".
Second by Representative Seifert.

The motion carried with a unanimous vote.

HOUSE BILL #43 Representative Keyser made the motion
"do pass"
Second by Representative Seifert.

The motion was made by Representative Holmes
on page 16, line 6
Second by Conroy.
Amend by inserting a new subsection (f) "to
the library of each custodial institution,
one copy;"
Renumber subsequent subsections.

The motion carried unanimously on the amendment.

REPRESENTATIVE LORY: I move to hold for more information.
Second by Representative Holmes.


REPRESENTATIVE RAMIREZ: will check all categories and see whether
someone other than an elected official can
be impeached.

REPRESENTATIVE RAMIREZ: Page 7, lines 11 through 14,
judicial officers and officers of the court.
line 10, page 32,

There followed discussion about heads of depart-
ments, executive officers, etc.

The meeting recessed subject to the call of the
chair.

After some deliberation the meeting adjourned
at 11:45 a.m.


REPRESENTATIVE JOHN SCULLY
CHAIRMAN
Mary Ellen Connelly, Secretary