

A bill for an act

relating to courts; including appellate court appointments in the Commission on
Judicial Selection process; amending Minnesota Statutes 2008, section 480B.01,
subdivisions 1, 6, 8, 10.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 480B.01, subdivision 1, is amended to read:

Subdivision 1. **Judicial vacancies.** If a vacancy occurs in the office of a judge of
the Supreme Court, Court of Appeals, district court, or Workers' Compensation Court of
Appeals dies, resigns, retires, or is removed during the judge's term of office, or if a new
district or Workers' Compensation Court of Appeals judgeship is created, the resulting
vacancy must be filled by the governor as provided in this section.

Sec. 2. Minnesota Statutes 2008, section 480B.01, subdivision 6, is amended to read:

Subd. 6. **Temporary ineligibility for vacancy.** Members of the commission who
would otherwise be eligible to hold judicial office may not be considered or appointed to
fill a ~~district court~~ judicial vacancy while they are members of the commission or for one
year following the end of their membership on the commission.

Sec. 3. Minnesota Statutes 2008, section 480B.01, subdivision 8, is amended to read:

Subd. 8. **Candidate evaluation.** The commission shall evaluate the extent to which
candidates have the following qualifications for judicial office: integrity, maturity, health if
job related, judicial temperament, diligence, legal knowledge, ability and experience, and
community service. The commission shall give consideration to women and minorities.
For a district court vacancy, the commission shall solicit, in writing, recommendations

from attorney associations in the judicial district and from organizations that represent minority or women attorneys in the judicial district who have requested solicitation. For other vacancies, recommendations must be solicited from statewide attorney associations and from organizations that represent minority or women attorneys who have requested solicitation.

Sec. 4. Minnesota Statutes 2008, section 480B.01, subdivision 10, is amended to read:

Subd. 10. **Notice to the public.** Upon receiving notice from the governor that a judicial vacancy has occurred or will occur on a specified date, the chair shall provide notice of the following information:

(1) the office that is or will be vacant;

(2) that applications from qualified persons or on behalf of qualified persons are being accepted by the commission;

(3) that application forms may be obtained from the governor or the commission at a named address; and

(4) that application forms must be returned to the commission by a named date.

For a district court vacancy, the notice must be made available to attorney associations in the judicial district where the vacancy has occurred or will occur and to at least one newspaper of general circulation in each county in the district. For a ~~Workers' Compensation Court of Appeals~~ vacancy on the Supreme Court, Court of Appeals, or Workers' Compensation Court of Appeals, the notice must be given to state attorney associations and all forms of the public media.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective July 1, 2009, and apply to vacancies that occur on or after that date.