

1 **HB 2647** - H AMD

2 By Representative Carrell

3 On page 1, beginning on line 6, after "tempore" strike all
4 material through "judge" on line 9, and insert the following: "~~(, who~~
5 ~~must be a member of the bar, agreed upon in writing by the parties~~
6 ~~litigant, or their attorneys of record, approved by the court, and~~
7 ~~sworn to try the case; and his))~~ either: (1) With the agreement of the
8 parties if the judge pro tempore is a member of the bar, is agreed upon
9 in writing by the parties litigant or their attorneys of record, and is
10 approved by the court and sworn to try the case; or (2) Without the
11 agreement of the parties if the judge pro tempore is a sitting elected
12 judge and is acting as a judge pro tempore pursuant to supreme court
13 rule. The supreme court rule must require assignments of judges pro
14 tempore based on the judges' experience and must provide for the right,
15 exercisable once during a case, to a change of judge pro tempore. Such
16 right shall be in addition to any other rights provided by law"

EFFECT: (1) Specifically states that a judge pro tempore can be appointed without the consent of the parties; and (2) sets out the requirement that the supreme court rule consider the experience of the judge pro tempore, and give a litigant the right to exercise one change of judge pro tempore, in addition to an affidavit of prejudice, during a case.