

1 **ESJR 8208 - H AMD ADOPTED 4/9/01**

2 By Representative Carrell

3 On page 1, beginning on line 11, after "to do so." strike all
4 material through "tempore." on line 17 and insert "A case in the
5 superior court may be tried by a judge((~~τ~~)) pro tempore(~~((, who must~~
6 be)) either with the agreement of the parties if the judge pro tempore
7 is a member of the bar, is agreed upon in writing by the parties
8 litigant((~~τ~~)) or their attorneys of record, and is approved by the
9 court and sworn to try the case; or without the agreement of the
10 parties if the judge pro tempore is a sitting elected judge and is
11 acting as a judge pro tempore pursuant to supreme court rule. The
12 supreme court rule must require assignments of judges pro tempore based
13 on the judges' experience and must provide for the right, exercisable
14 once during a case, to a change of judge pro tempore. Such right shall
15 be in addition to any other right provided by law."

EFFECT: Conforms the language in the constitution regarding judges pro tempore with the language in the statute (assuming that statute is amended by ESB 5394); Amends the constitution to require that the supreme court rule take into consideration the judges' experience.