

Gavel to Gavel

A review of state legislation affecting the courts

Week ending January 21, 2011

Volume 5, Issue 4

Jurisdiction: Newly Introduced

[Alaska HB 88](#) Prohibits a court, arbitrator, mediator, administrative agency, or enforcement authority from applying a foreign law if application of the foreign law would violate an individual's right guaranteed by the Constitution of the State of Alaska or the United States Constitution. In House State Affairs Committee.

[Arizona HCR 2013 \(Constitutional Amendment\)](#) Grants Superior Court original jurisdiction over "Annulment and dissolution of marriage" (currently reads "Divorce and for Annulment of marriage.") In House (no committee).

[Arkansas SB 97](#) Prohibits any court, arbitration, tribunal, or administrative agency ruling or decision shall violate the public policy of this state and be void and unenforceable if the court, arbitration, tribunal, or administrative agency bases its rulings or decisions in the matter at issue in whole or in part on any foreign law, legal code, or system that would not grant the parties affected by the ruling or decision the same fundamental liberties, rights, and privileges granted under the United States Constitution and the Arkansas Constitution In Senate Committee on Judiciary.

[Indiana SJR 16 \(Constitutional Amendment\)](#) Provides a court may not enforce a law, rule, or legal code or system established and either used or applied in a jurisdiction outside the states of the United States, the District of Columbia, or the territories of the United States if doing so would violate a right guaranteed by this constitution or the Constitution of the United States. In Senate Committee on Judiciary.

[Nebraska LB 647](#) Declares a court, arbitration, tribunal, or administrative agency ruling or decision shall violate the public policy of this state and be void and

unenforceable if the court, arbitration, tribunal, or administrative agency bases its rulings on any foreign law, legal code, or system that would not grant the parties affected by the ruling or decisions the same fundamental liberties, rights, and privileges granted under the United States Constitution and the Constitution of Nebraska. In Senate Judiciary Committee.

[Oklahoma HB 1552](#) Provides any court, arbitration, tribunal, or administrative agency ruling or decision shall violate the public policy of this state and be void and unenforceable if the court, arbitration, tribunal, or administrative agency bases its rulings or decisions in the matter at issue in whole or in part on any law, rule, legal code or system that would not grant the parties affected by the ruling or decision the same fundamental liberties, rights, and privileges granted under the United States and Oklahoma Constitutions. Prefiled (no committee).

[South Carolina SB 125](#) Increases magistrate court's jurisdiction to \$10,000 from \$7,500. In Senate Committee on Judiciary.

[Wyoming HJR 8 \(Constitutional Amendment\)](#) Prohibits court use of sharia law. Prohibits Wyoming courts from referencing law of other U.S. states if law of the other state does include sharia law. Requires Wyoming courts uphold and adhere to the law as provided in the constitution of the United States, the Wyoming constitution, the United States Code and federal regulations promulgated pursuant thereto, laws of this state, and established common law as specified by legislative enactment. Prohibits courts from considering the legal precepts of other nations or cultures including, without limitation, international law and Sharia law. In House Judiciary Committee.



ADVANCED GOVERNMENT SOLUTIONS
Intelligence Analytics | Investigative | Screening & Identity Verification | Research | Case Management | Digital Asset Management

Legislative tracking provided by LexisNexis



Jurisdiction: Floor and Committee Activity

[Virginia HB 1590](#) Increases from \$15,000 to \$25,000 the maximum civil jurisdictional limit of general district courts. Approved with substitute by House Courts of Justice Committee 1/19/11.

[Wyoming HJR 1 \(Constitutional Amendment\)](#)

Eliminates provision that district court commissioners may act only 1) in the absence of the district judge from the county or 2) where it is improper for the district judge to act. Approved as amended by full House 1/18/11.

[Wyoming SB 15](#) AS AMENDED: Increases circuit court's jurisdiction to \$50,000 from \$20,000. Approved as amended by full Senate 1/19/11.

Qualifications and Terms: Newly Introduced

[Arizona HB 2352](#) Requires court commissioners have resided and been a members of the Arizona state bar for at least five years prior to appointment. In House Judiciary Committee.

[Arizona HB 2424](#) Provides that if county wishes to create a probate court, each judge serving in that court must first demonstrate competence in all areas of probate jurisprudence as prescribed by the supreme court. In House Judiciary Committee.

[Connecticut SB 352](#) Requires additional training for judges assigned to hear domestic violence cases in the Superior Court. In Joint Committee on Judiciary.

[Indiana SB 463](#) Repeals or otherwise removes all provisions that establish a mandatory retirement age for superior court and county court judges. In Senate Committee on Judiciary.

[Iowa HB 58](#) Eliminates requirement that a nominee for a district judgeship be a resident of the judicial election district prior to nomination. The nominee must still

become a resident of the judicial election district upon appointment. In House Judiciary Committee.

[Oregon HB 2785](#) Requires judges and other elected officials and public employees who must swear or affirm to support Constitution as condition of office or employment to take examination on constitutional principles. Makes results of examination accessible to public. In House Rules Committee. In House Rules Committee.

[Pennsylvania SB 57 \(Constitutional Amendment\)](#)

Requires certain limited jurisdiction judges complete a course of training and instruction on judicial duties prior to *nomination* to fill a judicial vacancy (currently, must complete prior to *taking office*). In Senate Judiciary Committee.

[Washington HB 5147](#) Removes mandatory retirement age for judges. In House Judiciary Committee.

[Washington HJR 4203 \(Constitutional Amendment\)](#)

Removes mandatory retirement age for judges. In House Judiciary Committee.

[Washington HJR 4204 \(Constitutional Amendment\)](#)

Permits salary reduction for state employees, judicial officers, and public officials in those fiscal years where budget stabilization account funds have been used. In House State Government & Tribal Affairs Committee.

[Washington SB 5323](#)

Allows judges to retire at the expiration of term of office after attaining age 75 (currently, must retire at end of calendar year turned 75). In Senate Judiciary Committee.

[Washington SB 8200 \(Constitutional Amendment\)](#)

Allows judges to retire at the expiration of term of office after attaining age 75 (currently, must retire at end of calendar year turned 75). In Senate Judiciary Committee.

[Washington SJR 8204 \(Constitutional Amendment\)](#)

Removes mandatory retirement age for judges. In Senate Judiciary Committee.

Qualifications and Terms: Floor and Committee Activity

[Virginia HB 1978](#) Allows an assistant attorney for the Commonwealth, on a volunteer basis, to be appointed a substitute judge to serve no more than two days a month in any locality other than the one in which he presently serves with the written concurrence of the attorney for the Commonwealth employing such assistant and the chief general and juvenile and domestic relations district judges of the judicial district. Tabled in House Committee for Courts of Justice subcommittee 1/19/11.

[Wyoming HB 19](#) Permits retired circuit court judges not practicing law to serve temporarily on any circuit court with the consent of the chief justice. Approved as amended by full House 1/18/11.

Rule Making Authority: Newly Introduced

[Arizona SB 1185](#) Provides supreme court and superior courts shall (currently may) provide for the electronic filing of documents and electronic access to court records. Adds bulk data to required material courts shall provide. Provides the custodian of bulk data may require a dissemination contract and disclaimer before an individual, private company or public organization receives electronic access to court records or bulk data. In Senate Banking and Insurance Committee.

[Indiana HB 1530](#) Requires the judicial conference to adopt rules concerning swift and certain sanctions that a probation officer may use in supervising persons on probation. Requires the board of directors of the judicial conference of Indiana to adopt rules to establish standards of probation supervision provided by probation departments based on validated risk assessments of offenders. In House Committee on Courts and Criminal Code.

[Indiana SB 561](#) Requires the judicial conference to adopt rules concerning swift and certain sanctions that a probation officer may use in supervising persons on

probation. Requires the board of directors of the judicial conference of Indiana to adopt rules to establish standards of probation supervision provided by probation departments based on validated risk assessments of offenders. In Senate Committee on Corrections, Criminal, and Civil Matters.

[Montana D. 1706](#) Redefines “practicing law” in state as meaning “those authorized by the Montana supreme court to practice before the courts of this state, in the course of that person's avocation.” Defines actions not considered practice of law. Draft requested.

[Nebraska LB 644](#) Prohibits supreme court from requiring attorneys join or pay dues to Nebraska State Bar Association. Authorizes dues to pay for Nebraska State Bar Commission. Prohibits supreme court rules from requiring qualifications to practice law beyond those specified in statute. In Senate Judiciary Committee.

[Oregon HB 2690](#) Allows Chief Justice of Supreme Court to adopt rules governing use of electronic applications for all records of courts and for transmission of jury information to circuit courts. Allows Chief Justice to establish reasonable subscription fees, and other user and transaction fees, for remote access to case information and other Judicial Department forms, reports and services that are available in electronic form. Provides that master jury list for county may be composed of all names on source lists or group of randomly selected names from source lists. Allows State Court Administrator to establish procedures for destruction of state court records, not just circuit court records. Modifies laws on filing of transcript on appeal to allow electronic filing of transcript. In House Judiciary Committee.

[South Dakota HB 1041](#) Provides presiding judge of a circuit shall arrange that a circuit judge is available to hold court in the county seat of each county in the circuit as necessary to distribute the work of the courts, alleviate congestion, and secure the prompt disposition of cases for each county. In House Committee on Judiciary.

Rule Making Authority: Floor and Committee Activity

NONE

Salary and Budget: Newly Introduced

[Arizona HB 2198](#) Modifies requirements for judges and others elected after effective date of law to qualify for Elected Officials' Retirement Plan (EORP) benefits. In House (no committee)

[Arizona HB 2355](#) Redefines for budget and other purposes various assessments as surcharges. In House Judiciary Committee.

[Arizona HB 2373](#) Permits counties to create Judicial Facility Districts for the purpose of acquiring, constructing, operating, maintaining and financing county judicial facilities. Permits imposition of Judicial Facility Tax to fund special county judicial facility district general fund. In House Ways & Means Committee.

[Connecticut SB 195](#) Establishes a centralized database of bank account information to facilitate the collection of judgments issued by Connecticut and federal courts. In Joint Committee on Banks.

[Hawaii SB 77](#) Prohibits use of courtrooms and rooms within a courthouse by judges and justices to conduct private ceremonies for which the judge or justice is paid a fee. In Senate Judiciary and Labor Committee.

[Illinois HB 216](#) Permits counties to authorize a fee of up to \$10 for court interpreter services on criminal and traffic convictions, for deposit into a Court Interpreter Services Fund under the control of the local chief judge. In House Rules Committee.

[Indiana SB 549](#) Consolidates judges' retirement fund and 9 other retirement funds into a new Indiana Public Retirement System. In Senate Committee on Pensions and Labor.

[Michigan SJR 2 \(Constitutional Amendment\)](#) Provides that the salaries of all judges and other government employees are to be reduced 5% for three years starting in 2012. In Senate Reforms, Restructuring and Reinventing Committee.

[Missouri HB 218](#) Allows a senior judge or senior commissioner to elect to forgo his or her regular salary and receive only the minimum wage during times of budget stress. In House Judiciary Committee.

[Montana D. 737](#) Provides for "partial" zero-based budgets in judicial branch and other branches/agencies. Draft requested.

[Montana LB 450](#) Extends Supreme Court authority over various cash funds until 2013. In Senate Appropriations Committee.

[Nebraska LB 452](#) Provides for lottery winnings and tax refund intercept for debts owed to courts. In Senate Judiciary Committee.

[Nebraska LB 509](#) Provides for adjustment and recalculations regarding Judges Retirement System. In Senate Retirement Systems Committee.

[Nebraska LB 679](#) Prohibits new judges from joining Nebraska Retirement Fund for Judges. Requires new judges join State Employees Retirement System. In Senate Retirement Systems Committee.

[New Hampshire HB 150](#) Clarifies that the rate of accrual of annual and sick leave shall be according to continuous years worked for judicial branch employees who transfer without a break in service from the judicial branch to state service in the executive branch or the legislative branch. In House Executive Departments and Administration Committee.

[Oklahoma SB 557](#) Eliminates procedure linking salaries of other state officers/elected officials to judicial salaries. Prefiled (no committee).

[Oklahoma SB 626](#) Repeals requirement that counties provide the courts attendants, fuel, lights and stationery,

electricity, water, other utilities, toilet facilities and janitorial service, suitable and sufficient for the transaction of court business in such facilities. Provides county shall not be responsible for providing security, telephone, and utility service for the county courthouse or any annex thereto without an agreement with the Administrative Director of the Courts providing that the county will be reimbursed from the court fund for such services. Prefiled (no committee).

[Oregon HB 2653](#) Expands collection mechanisms that Collections Unit of Department of Revenue may use to collect judgments in criminal actions assigned to unit by justice courts. In House Judiciary Committee.

[Oregon HB 2710](#) Amends, creates, or redefines numerous laws related to court fees. Creates Court Fees Account in General Fund and directs disbursement to state bar, to counties of law libraries, etc. Repeals Judicial System Surcharge Account. In House Judiciary Committee.

[Oregon HB 2711](#) Creates Joint Committee on State Courts Revenue Structure. Requires committee report each odd-numbered year. In House Judiciary Committee.

[Pennsylvania HB 15](#) Establishes searchable budget database-driven Internet website detailing certain information concerning State expenditures by judicial and other agencies. In House State Government Committee.

[Pennsylvania HB 38](#) Provides for higher filing fee for commencement of a civil action above \$12,000 (high fee currently applies for claims at \$8,000 or \$10,000, depending on court). In House Judiciary Committee.

[Pennsylvania HB 61](#) Allows private collection agency to pursue fees or costs owed the court for 48 months (currently limited to 180 days). In House Judiciary Committee.

[Pennsylvania SB 105](#) Establishes searchable budget database-driven Internet website detailing certain

information concerning State expenditures by judicial and other agencies. In Senate Finance Committee.

[South Dakota HB 1038](#) Requires clerk of supreme court collect certain fees for the electronic transmission of court records. In House Committee on Judiciary.

[Texas HB 777](#) Increases several court security fees for conviction: felony - \$10, misdemeanor \$8 or \$9. In House (no committee).

[Virginia SB 1369](#) Provides that clerks may charge a fee of \$25 for civil or criminal proceedings filed electronically and an additional \$10 fee for subsequent filings in such proceedings. Requires fee go to clerk's local fund to cover operational expenses of the electronic filing system. Clarifies that clerks may provide official certificates and certified copies of records that contain personal identifying information electronically upon request of a party or attorney. Makes various changes to clerks' duties regarding electronic filing. In Senate Courts of Justice Committee.

[Washington HB 1276](#) Provides county clerk legal financial obligations funds are not be subject to the administrative office of the courts administrative budget reductions or other budget reductions unless specifically identified by the legislature. Modifies various provisions relating to the collection of court ordered legal financial obligations by county clerks. In House Judiciary Committee.

[Washington SJR 8202 \(Constitutional Amendment\)](#) Permits salary reduction for state employees, judicial officers, and public officials to reflect compensation reductions implemented for other public employees in the jurisdiction in which such officers and judges serve. In Senate Committee on Ways & Means.

[Washington SJR 8203 \(Constitutional Amendment\)](#) Provides that if the Legislature, as part of budget reduction legislation, reduces the compensation of state employees who do not hold elected or appointed positions, the compensation of all elected and appointed state officers, including judges and legislators, must be

reduced in the same manner. In Senate Committee on Ways & Means.

[Wyoming HB 190](#) Provides for the electronic submittal of fees, fines, bonds and penalties to circuit courts. Allowing for the creation of an internet based electronic transaction system for such fees, fines, etc. Provides that the supreme court may reduce fines, bonds and penalties if submitted electronically. In House Judiciary Committee.

Salary and Budget: Floor and Committee Activity

[Virginia SB 816](#) Increases several civil filing fees by \$50 each to finance judicial salaries. Stricken at Patron's request by Senate Committee for Courts of Justice 1/17/11.

[Virginia SB 855](#) Allows localities to raise the fee assessed for courthouse construction, renovation, or maintenance above the current authorized amount of \$2 once every two years beginning July 1, 2012, based upon the percentage increase in the Consumer Price Index (fee is assessed as part of the costs in civil, criminal and traffic cases.) Stricken at Patron's request by Senate Committee for Courts of Justice 1/17/11.

Selection: Newly Introduced

[Arizona HCR 2020 \(Constitutional Amendment\)](#) Ends merit selection system. Allows governor to fill judicial vacancies subject to senate confirmation. Provides that judges must be reappointed and reconfirmed at end of terms. In House (no committee).

[Arizona HCR 2026 \(Constitutional Amendment\)](#) Raises merit selection threshold from counties of 250,000 to counties of 500,000. In House (no committee).

[Maryland SB 52](#) Prohibits, under specified circumstances, a judge from filing a certificate of candidacy for judicial office or a campaign finance entity more than 2 years before the general election for

the judicial office. In Senate Education Health and Environmental Affairs Committee

[Montana SB 175](#) Creates merit selection system for justices of the supreme court. Majority of merit selection commission must be lay members who are neither attorneys nor elected officeholders. Initial terms limited to a maximum of 3 years. Requires creation of judicial performance evaluation system. Referendum to be submitted to voters in November 2012. In Senate Judiciary Committee.

[New Hampshire HB 151](#) Requires executive council to hold a public hearing prior to its confirmation of the appointment of a marital master. Requires the governor and council to review the performance of a marital master and hold a public hearing prior to his or her reappointment. Clarifies that reappointed marital masters shall serve for 3-year terms. In House Judiciary Committee.

[Oklahoma SB 327](#) Provides for nonpartisan election for court clerks and other county officers. Prefiled (no committee).

[Oklahoma SB 543](#) Provides for partisan election for district judges and associate district judges. Prefiled (no committee).

[Oregon HB 2256](#) Requires county judge who exercises judicial functions to file for candidacy with county clerk. Modifies requirements regarding obligation of Secretary of State to reimburse county clerk for recall election for county judge who exercises judicial functions. In House Rules Committee.

[Pennsylvania SB 55 \(Constitutional Amendment\)](#) Provides for retention elections for justices of the peace. In Senate Judiciary Committee

[Rhode Island HB 5091](#) Vests with the governor the sole authority to nominate, on the basis of merit, from a list submitted by the judicial nominating commission with the advice and consent of the senate, all judges and magistrates, to all courts. (Currently presiding judges & chief judges appoint certain magistrates). In House Judiciary Committee.

[Tennessee SB 82](#) Allows the governor to fill a vacancy in the office of an appellate court by appointing any licensed attorney who is otherwise qualified if the governor is not satisfied with the list of nominees submitted by the judicial selection commission or the commission does not furnish a list of nominees within 60 days after receiving written notice from the governor that a vacancy has occurred. Provides that if the governor appoints a judge who is not from the list of nominees submitted by the commission, the judge appointed shall run in a contested election. In Senate (no committee).

[Tennessee SJR 23 \(Constitutional Amendment\)](#)

Requires popular election of attorney general (currently selected by supreme court). In Senate (no committee).

[Washington HB 1245](#) Provides that all municipal court judges are to be elected (currently appointed by municipality). In House Judiciary Committee.

Selection: Floor and Committee Activity

NONE

Structure Changes: Newly Introduced

[Indiana HB 1437](#) Permits a city, town, or county to establish an ordinance violation court to adjudicate ordinance or code violations. Establishes the powers and duties of the court, and provides that the only court fee that may be collected by the ordinance violation court is an ordinance violation fee, which may not exceed \$100. Specifies that the fee must be deposited in the general fund of city, town or county. In House Committee on Courts and Criminal Code.

[Oregon HB 2691](#) Authorizes presiding judge for judicial district with more than one place where court regularly sits to consolidate court administrative functions for specified purposes, subject to approval of Chief Justice. Allows Chief Justice to designate any circuit court judge to serve as acting presiding judge. Allows Chief Justice to establish reasonable

subscription fees, and other user and transaction fees, for remote access to case information, and other Judicial Department forms, reports and services, that are available in electronic form. Allows Chief Justice to establish consolidated judicial administrative districts composed of two or more judicial districts. In House Judiciary Committee.

[Oklahoma SB 452](#) Authorizes supreme court to create veterans court divisions in district courts. Prefiled (no committee).

[Texas HB 768](#) Authorizes the presiding judges of the administrative judicial regions, after conferring with the judges of courts in their regions with a county population of not more than 200,000, to appoint one or more full-time or part-time associate judges to operate a drug court program. In House (no committee).

Structure Changes: Floor and Committee Activity

[Indiana HB 1153](#) Expands the types of persons that may participate in court established alcohol and drug services programs. Establishes procedures to be used by a problem solving court to terminate an individual's participation in a problem solving court program. Specifies that a city or town user fee fund or county user fee fund includes problem solving court fees collected by the clerk of the court. Approved by House Committee on Judiciary 1/20/11.

[Montana HB 245](#) Reduces size of supreme court from 7 to 5 justices. Removes seats number 5 and 6, which were created in 1979 and whose terms are currently set to expire in 2013 (Justices James Nelson and Brian Morris). Tabled by House Judiciary Committee 1/21/11.

[Vermont SB 1](#) Makes technical corrections to Judicial Restructuring Act of 2010. Approved by full Senate 1/18/11.

[Virginia HB 1691](#) Allows the establishment of servicemembers and veterans courts as specialized court dockets within the existing structure of Virginia's

court system. Creates state military members and veterans court advisory committee. Grants Supreme Court of Virginia administrative oversight for the implementation of the Act. Tabled in House Committee for Courts of Justice subcommittee 1/17/11.

Other: Newly Introduced

[Arizona SB 1192](#) Requires supreme court select a nationally recognized independent research organization to review and assess the methodology used in creating the child outcome based support model for child support and the effect that model would have on child support for families in this state if that model were adopted. In Senate Public Safety and Human Services Committee.

[Florida HB 4067](#) Repeals requirement that the clerk of the circuit court, or a deputy, shall reside at the county seat or within 2 miles thereof. In House (no committee).

[Hawaii SB 11](#) Transfers responsibility for judiciary security personnel from department of public safety to newly created office of the sheriff within the department of the attorney general. In Senate Public Safety, Government Operations, and Military Affairs Committee.

[Idaho SB 1008](#) Requires the Administrative Director to make reports/ transmit data on the business of the courts and other matters each *fiscal* year, rather than each calendar year. In Senate Judiciary Committee.

[Indiana SB 593](#) Moves duties concerning the administration of an electronic system for receiving information related to individuals possessing firearms from the division of state court administration to the attorney general's office. Provides that the clerk of a circuit court (clerk) is the official custodian of all records and writings of the court. Provides that the clerk shall provide copies of any public record in its possession to a party who requests the record. Provides that if the clerk maintains a case management system and receives funds from the automated record keeping fee, the case management system must meet certain

standards. Prohibits certain court case information from being shared with the division of state court administration (division). Provides that the division shall not deny a person access to any public records that the division maintains. Removes certain duties of the division. Changes the responsibility of developing and maintaining the protective order registry from the division to attorney general's office. Corrects conflicting language regarding protective orders. Creates the e-citation fund. Provides that certain money in the state user fee fund will be deposited in the e-citation fund. Requires each clerk to establish an automated record keeping fund. Requires the prosecuting attorneys council to prescribe the contents of electronic traffic tickets. Repeals the judicial technology and automation project fund. In Senate Committee on Judiciary.

[Maryland SB 33](#) Requires the Commission on Judicial Disabilities and the Attorney Grievance Commission to refer specified matters to the Office of the State Prosecutor if there are reasonable grounds to believe that an officer of the court may have committed a criminal offense. In Senate Judicial Proceedings Committee.

[Montana HB 332](#) Permits jury nullification. Requires judge inform jurors they may judge both the facts and the law in the case and must be provided state and federal constitutions and any statute books a juror might request. In criminal cases, judge must inform jurors they may vote their conscience to acquit an accused in spite of technical guilt. Defines "obstruction" of these provisions as reversible error. In House Judiciary Committee.

[Montana LB 649](#) Requires the Judiciary Committee to develop legislative recommendations for guardians ad litem for children and youth. Declares Nebraska should renovate court facilities to make them adequate for the needs of children and youth. In Senate Judiciary Committee.

[Nebraska LB 451](#) Makes numerous changes to judiciary law(s). Repeals county court's authority to sit in divisions outside the county seat. Requires clerk

magistrate as clerk of the county court assist district court where the district court clerk or staff are present in the county only part time. Requires reciprocal assistance to county clerk by district court clerk & staff, where applicable. Authorizes supreme court to appoint and direct by rules adopted by the court judicial hearing officers. Provides for qualifications for hearing officers. In Senate Judiciary Committee.

[Nebraska LB 597](#) In counties with a population below 25,000, requires no more than 5 people hold 11 offices, including district court clerk, county court clerk, sheriff, etc. Permits 11 offices to be outright consolidated, except that the office of district court clerk cannot be consolidated into county sheriff and vice versa. In Government, Military and Veterans Affairs Committee.

[New Hampshire HB 146](#) Jury nullification. Provides “In all court proceedings the court shall instruct the jury of its inherent right to judge the law as well as the facts and to nullify any and all actions they find to be unjust. The court is mandated to permit the defendant or counsel for the defendant to explain this right of jury nullification to the jury.” In House Judiciary Committee.

[Oklahoma HB 1234](#) Authorizes district courts to use videoconferencing for certain court proceedings. Prefiled (no committee).

[Oregon HB 2403](#) Directs Judicial Department and other state branches/agencies to partner with Oregon Military Department to provide reintegration services for veterans. In House Veterans Affairs Committee.

[Oregon HB 2585](#) Applies provisions of Public Contracting Code to the judicial department. In House General Government and Consumer Protection Committee.

[Oregon HB 2664](#) Increases number of members of Council on Court Procedures selected by Board of Governors of Oregon State Bar from 12 to 14. In House Judiciary Committee.

[Pennsylvania SB 104](#) Requires judiciary and other agencies/branches list online all those issued state owned cars. In Senate State Government Committee.

[Pennsylvania SB 50](#) Creates crimes of simulated legal process, impersonating public official or legal tribunal, and hindering public official related to filing of false liens and similar items against judges and others. In Senate Judiciary Committee.

[Pennsylvania SB 56 \(Constitutional Amendment\)](#) Makes editorial changes by replacing the phrase “justice of the peace” with “magisterial district judge”. In Senate Judiciary Committee.

[Pennsylvania SB 59](#) Requires Judicial Conduct Board review every complaint filed against a judicial officer that addresses potential ethical violations and make a determination whether further action should be taken on the complaint. Prohibits dismissal based solely on decision by the board's chief counsel. Prohibits deferral of investigation of complaint because of possible pending criminal investigations or charges. Requires judge who is notified of pending criminal investigation forward notice to Board, who must start its own investigation. In Senate Judiciary Committee.

[Pennsylvania SB 87](#) Provides for exemption from jury service for state and federal judges. In Senate Judiciary Committee.

[South Carolina HB 3395](#) Makes capital murder the killing of any elected or appointed official, including clerks of court. In House Committee on Judiciary.

[South Carolina HB 3405](#) Allows any elected or appointed official, including clerks of court, to carry a firearm. In House Committee on Judiciary.

[South Carolina SB 394](#) Clarifies that nothing in existing law prohibits a county or area with

a population of more than thirty thousand but less than one hundred fifty thousand from having a part time or a full-time master in equity. In Senate Committee on Judiciary.

[Texas HB 693](#) Alters whether a justice of the peace court can be held outside the county seat. In House (no committee).

[Texas HB 720](#) Requires Office of Court Administration post online list of all persons declared vexatious litigants. In House (no committee).

Other: Floor and Committee Activity

[Colorado HB 1018](#) Permits a seal to be electronically attached to or logically associated with an electronic record or document, including court records and warrants. Approved by House Judiciary Committee 1/20/11.

[Virginia HB 1565](#) Clarifies that the secure remote access to court records restrictions do not apply to secure access by attorneys and governmental agencies as authorized by the clerk. Stricken from docket by House Courts of Justice Committee 1/19/11.

[Virginia SB 857](#) Requires Executive Secretary of the Supreme Court recompute maximum fine for a misdemeanor annually based on the annual rate of inflation. Stricken at Patron's request by Senate Committee for Courts of Justice 1/17/11.

[Virginia SB 902](#) Permits retired justices or judges to appear as counsel in cases in courts of the Commonwealth if (i) the retired justice or judge is at least 70 years old, (ii) the retired justice or judge is appearing as counsel, pro bono, for an indigent person in a civil matter, (iii) such civil matter is assigned or referred to the retired justice or judge by a nonprofit legal

aid program organized under the auspices of the Virginia State Bar, and (iv) the retired justice or judge is not an employee, officer, or board member of such nonprofit legal aid program. Approved by Senate Committee on Finance 1/18/11.

[Washington SB 5046](#) Increases penalties for assaults on court-related employees, including judicial officers, court-related employees, county clerks, and county clerk employees. Approved by Senate Committee on Judiciary 1/18/11.

[West Virginia HB 2464](#) Requires Ethics Commission publish on the Internet all financial disclosure statements filed members of and candidates for the Supreme Court of Appeals starting in 2012. Approved by full House 1/19/11.