

1 **Rule 3-106. Legislative Activities.**

2 **Intent:**

3 To identify the Council as the principal authority for establishing and representing the position of
4 the judiciary in legislative matters.

5 To identify the role of other offices and entities within the judicial branch in legislative matters.

6 To establish a procedure for considering legislative initiatives by the judiciary.

7 To establish a procedure for agencies, groups, and individuals to seek Council review of
8 legislative initiatives.

9 **Applicability:**

10 This rule shall apply to the legislative activities of the judiciary.

11 **Statement of the Rule:**

12 (1) **Authority and responsibility of the council.**

13 (1)(A) The Judicial Council or its Liaison Committee shall be the authority for
14 establishing and representing the position of the judiciary in legislative matters.

15 (1)(B) The Council shall be the principal authority for coordinating judicial participation
16 in legislative matters.

17 (1)(C) The Council shall schedule time prior to the legislative session to consider those
18 legislative items proposed for Council action by the Liaison Committee and the
19 Boards.

20 (1)(D) The Council may endorse, oppose, ~~amend~~ recommend amendments to, or take
21 no position on proposed legislative initiatives. The Council shall limit its
22 consideration of legislative matters to those which affect the Constitutional
23 authority, the statutory authority, the jurisdiction, the organization, or the
24 administration of the judiciary.

25 (2) **Responsibility of presiding officer of council.**

26 (2)(A) The presiding officer shall be responsible for representing the interest of the
27 judiciary through the presentation of "The State of the Judiciary" speech during
28 the regular session of the legislature.

29 (2)(B) The presiding officer shall be responsible for overseeing the day to day
30 legislative activities of the Court Administrator.

31 (3) **Authority and responsibility of liaison committee.**

32 (3)(A) The Liaison Committee shall meet periodically throughout the year and regularly
33 during the legislative session to consider proposed legislative initiatives which
34 affect the judiciary. The Liaison Committee shall recommend positions to the
35 Council and is authorized to take positions on behalf of the Council when the
36 exigencies of the legislative process preclude full discussion of the issues by the
37 Council.

38 (3)(B) Any individual, group or agency may request that the Council consider proposed
39 legislative initiatives by transmitting a copy of the legislation with their request to
40 the State Court Administrator. The State Court Administrator shall submit the
41 request to the Liaison Committee. The Liaison Committee shall review the
42 legislative initiative, recommend whether the matter should be placed on the
43 Council agenda, recommend whether a guest should be invited to explain the
44 issues involved, and recommend a position to the Council.

45 (4) **Authority and responsibility of the boards.**

46 (4)(A) Boards may direct the staff of the Administrative Office to prepare legislation and
47 may recommend that legislation to the Council. The Boards may also review
48 legislative issues and recommend positions to the Council, but may not take
49 public positions independent of the Council.

50 (5) **Authority and responsibility of the court administrator.**

51 (5)(A) Consistent with this Code and the policies and priorities of the Council, the Court
52 Administrator shall act as the official spokesperson for the judiciary and is
53 authorized to negotiate, on behalf of the Council, positions related to budget and
54 legislative matters.

55 (5)(B) Under the direction of the Council, the Court Administrator is responsible for
56 coordinating all interaction between the judiciary and the legislative branch
57 including the following:

58 (5)(B)(i) scheduling meetings between the Council and the legislative branch;

59 (5)(B)(ii) meeting with legislators and other representatives of the legislative
60 branch to convey the position of the judiciary; **and**

61 (5)(B)(iii) calling on individual judges to participate in legislative activities.

62 *Effective May 1, 2019*