

## LEGISLATIVE BILL 246

Approved by the Governor April 2, 1997

Introduced by Kristensen, 37

AN ACT relating to courts; to amend section 24-1101, Reissue Revised Statutes of Nebraska; to provide for selection of the Chief Judge of the Court of Appeals by the judges of the court and to change the term of the office; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 24-1101, Reissue Revised Statutes of Nebraska, is amended to read:

24-1101. (1) There is hereby created the Court of Appeals which shall consist of six judges. The court shall sit in panels of three judges to conduct the business of the court. The decision of a majority of the judges of the panel to which a case is submitted shall constitute the decision of the court for that case. The membership of the panels shall be assigned and regularly rotated by the Chief Judge of the Court of Appeals in such a manner as to provide each judge the opportunity to serve a proportionate amount of time with every other judge on the court.

(2) One judge of the Court of Appeals shall be appointed by the Governor from each Supreme Court judicial district. For purposes of this section, a judge's residence on the effective date of appointment shall be considered the judge's residence while he or she serves on the Court of Appeals. Prior to the effective date of this act, the Supreme Court shall each year select one judge of the Court of Appeals as Chief Judge. Upon the expiration of the term of the Chief Judge in office on the effective date of this act and each two years thereafter, the judges of the Court of Appeals shall by majority vote nominate one of their number to be Chief Judge for the ensuing two years, which judge shall, upon the ratification of the selection by the Supreme Court, serve as Chief Judge for that two-year period.

(3) Judges of the Court of Appeals shall be paid an amount equal to ninety-five percent of the salary set for the Chief Justice and judges of the Supreme Court.

(4) Judges of the Court of Appeals shall be subject to the same provisions relating to selection, filling of a vacancy, term of office, discipline, removal from office, and retirement as are all other judges covered by Article V of the Constitution of Nebraska.

Sec. 2. Original section 24-1101, Reissue Revised Statutes of Nebraska, is repealed.