

February 15, 1963.  
Place on Calendar.

**House File 264**  
By COMMITTEE ON JUDICIARY 1.

Passed House, Date 3-12-63

Passed Senate, Date.....

Vote: Ayes 105 Nays 0

Vote: Ayes..... Nays.....

Approved.....

*Passed on file 3/13  
Judiciary 3/18*

## A BILL FOR

An Act relating to mandatory retirement and temporary service  
by retired judges.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. Section six hundred five A point three (605A.3),  
2 Code 1962, is amended by adding at the end thereof the following:  
3 “; except that any judge who was a member of the supreme or  
4 district courts on July 1, 1962, may, in any event, give such  
5 notice on or before July 1, 1964.”

1 Sec. 2. Chapter six hundred five (605), Code 1962, is amended  
2 by adding the following new sections:

3 A. “Mandatory retirement. All judges of the supreme court  
4 and district court who shall have reached the mandatory retire-  
5 ment age shall cease to hold office. Such mandatory retirement  
6 age shall be seventy-five (75) years.”

7 B. “Temporary service by retired judges. Judges of the supreme  
8 court and district court who are hereafter retired by reason  
9 of age, or who are drawing benefits under section six hundred  
10 five A point six (605A.6) of the Code, may with their consent be  
11 assigned by the supreme court to temporary judicial duties on  
12 any court in the state other than the supreme court. No such  
13 judge shall engage in the practice of law unless he shall file  
14 with the clerk of the supreme court an election to practice law,  
15 in which event he shall thereafter be ineligible for assignment

16 to temporary judicial duties at any time. While serving under  
17 temporary assignment as herein provided, a retired judge shall  
18 receive the compensation and actual expense provided by law for  
19 judges on the court to which he is assigned, but shall not re-  
20 ceive any annuity payments to which he may be entitled under the  
21 judicial retirement system. He may be authorized in the order  
22 of assignment to appoint a temporary reporter, who shall re-  
23 ceive the compensation and actual expense provided by law for a  
24 regular reporter in the court to which the judge is assigned.  
25 The order of assignment shall be filed in the offices of the  
26 clerks of court at the places where the judge is to serve.”

1 Sec. 3. Severability clause. If any provision of this Act  
2 or the application thereof to any person or circumstances is held  
3 invalid, the invalidity shall not affect other provisions or ap-  
4 plications of the Act which can be given effect without the in-  
5 valid provision or application, and to this end the provisions  
6 of this Act are severable.

EXPLANATION OF HOUSE FILE 264

This bill is required to implement the recently adopted constitutional amendment re-  
lating to mandatory retirement of judges.

---

1 Amend House File 264 by striking from lines three (3) and  
2 four (4) of section two (2) the words “supreme court and district  
3 court” and inserting in lieu thereof the words “municipal,  
4 superior, district, or supreme court”.

Filed  
February 27, 1963.

*Lost 3/12*

ELY of Linn.