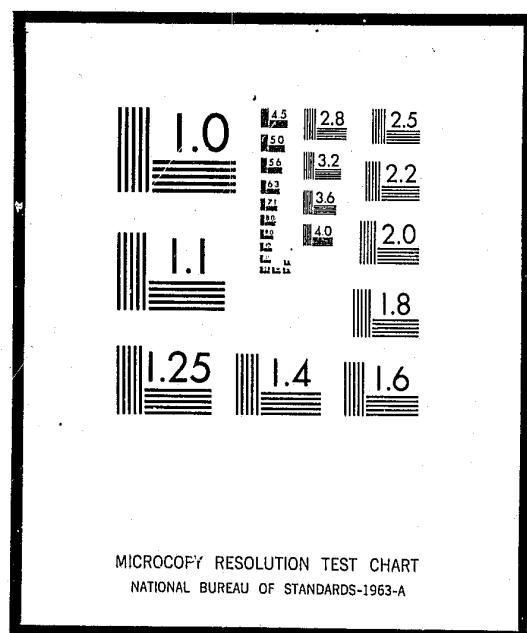


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## A SELECTED CHRONOLOGY AND BIBLIOGRAPHY OF COURT ORGANIZATION REFORM

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A SELECTED CHRONOLOGY AND BIBLIOGRAPHY  
OF COURT ORGANIZATION REFORM

This report is designed to provide a summary of the important court reorganization reforms of recent times, including minor court reforms as well as the reorganizations of entire state judiciaries.

Those interested in court organization reform may wish to consult three model court provisions which have been drafted in this century. The Society drafted a Statewide Judicature Act between 1914 and 1917 which was published as American Judicature Society Bulletin VII (first draft) and VII-A (second draft). In 1920 the National Municipal League (Carl H. Pforzheimer Building, 47 East 68th Street, New York 21, New York) first drafted its Model State Constitution, which has been continuously revised since then. Finally the American Bar Association's House of Delegates approved a Model Judicial Article in 1962. The June, 1963, issue of the Journal of the American Judicature Society was devoted to an analysis of the Model Article.

For each state the following information is indicated: the year in which court organization reform was enacted or was approved; citations to the pertinent constitutional or statutory provisions, where available; a summary of the most important features of the reform; and a short bibliography of materials describing or analyzing the reform involved. A selected bibliography of books and articles in this field follows.

ALASKA

1956

Alaska Const. Art. IV; Alaska Sess. Laws 1959, ch. 50, 184; Alaska Stats. 22.15.170 (amend. supp. 1968), 15.35.100 (Supp. 1968)

The Alaskan constitution provides for a three judge Supreme Court (number may be increased by law) with final appellate jurisdiction and power to make rules governing the administration of all courts and governing the practice and procedure in civil and criminal cases. The chief justice of the Supreme Court is administrative head of all the courts; he may assign judges for temporary service and appoint an administrative director to supervise the administrative operations of the state court system. The constitution also created a superior court (trial court of general jurisdiction) of five judges (number may be increased by law). Implementing legislation created district magistrate courts (trial court of limited monetary and misdemeanor jurisdiction) whose judges are appointed by the presiding judge of the superior court in each district.

The constitution also provides for a seven member judicial council composed of three attorneys appointed by the governing board of the state bar, three non-attorneys appointed by the governor with confirmation by a majority of the members of the state legislature and the chief justice of the Supreme Court, who acts as chairman. The council is authorized to conduct studies and make reports and recommendations on improvement of the administration of justice and perform any other duties assigned to it by law. Judges of the Supreme and superior courts are required to be United States and Alaskan citizens, licensed to practice law in the state and have a given number of years experience as a judge, lawyer or law teacher.

See: Stewart, A Model Judiciary for the 49th State, J. Amer. Jud. Soc. 52; text of Alaska's Judicial Article 54-55 (1958); Egan, "The Constitution of the New State of Alaska," 31 State Gov't. 209 (1958); Hellenthal, "Alaska's Heralded Constitution; the Forty-Ninth State Sets an Example, 44 A.B.A.J. 1147 (1958); Alaska Passes Enabling Act for Judiciary, 42 J. Amer. Jud. Soc. 202 (1959); Hermann, "Building a State Judiciary," 39 Neb. L. Rev. 265 (1960).

ARIZONA

1960

Constitution of Arizona, Article VI

A constitutional amendment created a unified judicial system under the administrative direction of the chief justice of the Supreme Court, aided by an administrative director of the courts. The chief justice was empowered to assign judges and the Supreme Court was allowed to sit in panels of three judges and to appoint a presiding judge in counties having more than two superior judges to exercise administrative supervision of the superior court. The amendment enabled the legislature to raise justice court jurisdiction and to create municipal courts as well as an intermediate appellate court.

See: "Modern Courts Amendment Will Go to Arizona Voters," 44 J. Amer. Jud. Soc. 37 (1960); "Voters Approve Judicial Amendments," 44 J. Amer. Jud. Soc. 117 (1960); Udall, "Modern Courts -- Where Do We Go From Here?" 2 Ariz. L. Rev. 167 (1960).

1964

A. R. S. 12-120

The legislature established the Court of Appeals as an intermediate appellate court sitting in two separate divisions. Each division has three judges. The court has appellate jurisdiction over actions appealable from the superior court except for criminal actions involving crimes punishable by death or life imprisonment. The court has original jurisdiction of habeas corpus and it may, by certiorari, review awards of the industrial commission.

See: "Judicial Reform in Arizona - court structure," H. R. Hink 6 Ariz. L. Rev. 13 (1964).

ARKANSAS

1965

Ark. Stat. Ann. 22-142, 143

The legislature made the chief justice the administrative director of the entire judicial establishment of the state, with general responsibility for its efficient operation and with authority to assign judges and to require from all courts reports and records as prescribed by Supreme Court rules. The justice is provided with an assistant, the executive secretary of the judicial department, to handle the nonjudicial business of the judiciary.

CALIFORNIA

1950

Constitution of State of California, Article VI, Sections 1, 11, 23

California Stats. 1949, pages 2268, 2681, 2694, 2695, 2697, 2698, 2699, 2701

A uniform system of municipal and justice courts was created to replace the old system of minor courts including six types of city courts and two classes of township courts. Because courts had been established on the basis of political subdivisions without regard to caseloads, some areas had more judicial business than could be handled by the existing courts and others did not have enough business for existing courts.

Under the reform, the legislature established districts each having a single court: a municipal court in districts with populations of 40,000 or more, a justice court in other districts.

Municipal courts were granted civil jurisdiction up to \$3,000 and criminal jurisdiction in cases involving crimes below a felony. Justice courts were granted civil jurisdiction up to \$500 and criminal jurisdiction in low-grade misdemeanors.

Municipal judges were required to have 5 years experience in the practice of law and justice court judges were required to be admitted to the practice of law or pass the qualifying examination prescribed by the state judicial council.

1966

California Constitution, Article 6, Sections 3, 11, and 12

Section 3 of the constitution was amended to allow the legislature to increase the number of judges in each Court of Appeal division. Prior to the amendment each division was limited to three judges.

Section 11 and 12 were amended to increase the Supreme Court's discretion over appellate jurisdiction. Except for appeals from the death penalty, most appeals will go to the Courts of Appeal and from there, on petition, to the Supreme Court.

See: "Proposition 3 -- For: A Simple, Uniform System of Courts in California," Journal of the State Bar of California, July-August, 1950; "State-Wide Minor Court Reorganization

...,"34 J. Amer. Jud. Soc. 58 (1950); "Report on the Reorganization of the Lower Courts, Judicial Council of California," 14th Biennial Report 13, 21 (1953).

COLORADO

1962

Colo. S.C. Res. 12 (1960) amending the Constitution of Colorado, Article VI

A new constitutional judicial article provides for a supreme court with general superintending power over the court system and authority to promulgate rules governing the administration, practice and procedure in all civil and criminal cases in the courts of the state.

The article eliminated justice of the peace courts. The district courts were retained and their existing jurisdiction in all causes in law and equity was expanded to include cases of probate, mental health and juvenile proceedings over which the county court formerly had jurisdiction. Jurisdiction of the county court is to be set by law.

The City of Denver retains its independently constituted probate and juvenile courts and the amendment guaranteed the power of home rule cities and towns to create municipal and police courts.

Judges must be licensed to practice law in the state for a period of at least five years.

See: "Colorado Becomes Sixth State to Send Judicial Amendment to Voters," 45 J. Amer. Jud. Soc. 77 (1961); "Court Reorganization Reform -- 1962," 46 J. Amer. Jud. Soc. 110 (1962); "Colorado Legislative Council Report to General Assembly," Research Pub. 49 (Dec. 1960), especially Appendix D: "Comparison of Judicial Article and Proposed Article."

1969

H.B. 1028 (passed 1969 - effective January 1, 1970)

S.B. 126 (passed 1969 - effective January 1, 1970)

An intermediate Court of Appeals was established as part of Colorado's unified court system. Practically all cases are appealable to the Intermediate Court. These cases can only reach the Supreme Court by special permission.

An act was also passed which provided for full state funding of the entire court system.

See: 52 Judicature 170 (1968).

CONNECTICUT

1959

Conn. Pub. Acts. Reg. Sess. 1959, No. 28

A state-wide system of circuit courts, staffed by full-time, salaried judges trained in the law, was established to replace justices of the peace, trial justices and borough, town and police judges. Under the supervision of the chief judge of the Supreme Court of Errors (final appellate court) and his administrative assistant, the circuit courts have state-wide territorial jurisdiction to hear criminal cases involving up to \$1,000 in fines and no more than one year imprisonment and to hear civil cases involving claims up to \$2,500. An appellate section composed of circuit judges was established to review most of the court's own decisions. Provision was also made for a uniform method of handling minor matters and for less expensive trials.

See: "Details of Connecticut's New Minor Court Act," 43 J. Amer. Jud. Soc. 25 (1959); Pettengill, "Court Reorganization: Success in Connecticut," 46 A.B.A.J. 58 (1960); Davis, Administration of Justice in Connecticut, Institute of Public Service, University of Connecticut (1963); Mars, "Court Reorganization in Connecticut," 41 J. Amer. Jud. Soc. 8 (1957).

1965

1965 P.A. 331

The legislature instituted the following reforms in an attempt to end Connecticut's court backlog.

The position of Chief Court Administrator was created. The administrator, who must be a judge of the Supreme Court, has the power to issue orders and regulations necessary for the efficient operations of the courts. He also appoints the chief judges of the various courts and transfers judges as needed. To handle the nonjudicial business of the judiciary, the legislature created the position of executive secretary, which will be filled by an appointee of the Administrator.

The number of Supreme Court justices was increased from five to six, superior court justices from 27 to 36, and court of common pleas justices from 12 to 14. The salaries of justices of the three above courts, the juvenile courts, and the circuit courts were increased.

The jurisdiction of the circuit courts and the courts of common pleas was enlarged while that of the superior courts was decreased.

The legislation provided for year-round court sessions instead of the previous nine month sessions.

DELAWARE

1965 and 1966

10 Del. Chs. 91, 92, 93, 95, 96, 97, and 98

The Delaware legislature completely overhauled its system of justices of the peace in 1965. The justices of the peace were placed under the supervision of the Chief Justice of the Supreme Court and are to be governed by rules promulgated by the Supreme Court. The

maximum number of justices was reduced from 94 to 46. (The 1966 amendment increased the latter figure to 53.) Specific residence requirements were eliminated. It was provided that at least one justice would be available at all times in Kent and Sussex Counties and two justices in the remaining county. The justices were granted an annual salary of \$8,000 and the fee system was abolished. The legislation called for offices and staffs to be provided for the justices, gave the Deputy Administrator to the Chief Justice of the Supreme Court the authority to assign justices to hold court where and when needed, and provided that the justices should have state-wide jurisdiction.

FLORIDA

1956

Committee Substitute for House Joint Resolution No. 810, revising Article V of the Constitution of Florida.

A court of appeals (intermediate appellate court) was created to lighten the supreme court caseload. Each of three districts has one five-judge court with final appellate jurisdiction in all matters except cases involving the death penalty, construction of state or federal statutes or treaties, constitutional questions, bond validations, matters certified to be of great public interest and cases in which district courts are in conflict on a point of law. The amendment empowered the supreme court to adopt rules governing practice and procedure in all courts.

See: Barns, "Courts, Lawyers and Taxpayers," 30 Fla. B. J. 162 (1956); "Status of Judicial Reform in State of Florida," 12 U. Miami L. Rev. 104 (1957).

1964 and 1965

Florida Constitution, Article 5, Sections 5 (1965) and 6 (1964), and F.S.A. 35.01 - 35.062 (1965).

The 1964 amendment permitted the establishment of 20 judicial circuits in comparison to 16 before the amendment.

Section 5 of the constitution was amended in 1965 to allow the legislature to create four or more appellate districts. Previously, there was a constitutional limitation of three districts. The constitutional restriction on the maximum number of judges for each district court of appeal was also removed. With its new constitutional authority, the legislature created a fourth district court of appeal. The new court has three judges. One judge was added to the first district making a total of 18 appellate district judges.

HAWAII

1950 Amend. 1968

Constitution of Hawaii, Article V

H. R. S. §§ 604-5, 604-8

The judicial article of the Hawaiian constitution, adopted by convention in 1950, and amended in 1968, provides for a unified court system including a five-judge Supreme Court, circuit courts and other inferior courts as may be established by law. The legislature has provided for district magistrates. The circuit courts exercise general trial jurisdiction. The district magistrates exercise exclusive civil jurisdiction up to \$50 and concurrent civil jurisdiction with the circuit courts in cases up to \$2,000 and have jurisdiction of misdemeanors. They exercise small claims jurisdiction in matters of assumpsit not exceeding \$150 and for recovery of wages not exceeding \$300.

The judicial article makes the chief justice of the Supreme Court the administrative head of the courts with power to assign judges from one court to another for temporary service and to appoint an administrative director of the courts. The Supreme Court has power to make rules and regulations in all civil and criminal cases in all courts.

All justices and judges must be admitted to practice law in the state for at least 10 years.

See: Anthony, "The Judiciary Under the Constitution of the State of Hawaii," 43 J. Amer. Jud. Soc. 13, text of judicial article 16 (1959).

1966

Family Court Law

Created a family court division for each circuit which may appoint a referee to deal with child neglect, adoption etc.

1968

Increased the term of Supreme Court Justices to ten years.

IDAHO

1962

Joint House Resolution No. 10 (1961 sess. Idaho Legislature) amending Idaho Constitution, Article V

All references to justice of the peace and probate courts were removed from the constitution thereby permitting reform by act of the legislature.

See: "A Proposed Amendment to Idaho's Constitution," 45 J. Amer. Jud. Soc. 107 (1962); "Court Reorganization Reform -- 1962," 46 J. Amer. Jud. Soc. 110 (1962).

1967

Idaho Code (1967) Title 1, Chapters 6, 8 and 21

The position of Administrative Assistant of the Courts was created and the Supreme Court was granted administrative authority over the state courts. The state was redistricted, creating seven judicial districts and a seven-member judicial council was created. The

council was empowered to conduct studies for the improvement of justice and to serve as both a judicial nominating and judicial discipline and removal committee.

See: 50 Judicature 244 (1967).

1969  
S.B. 1112 (passed 1969 - effective January, 1971)

Magistrate divisions were added to the existing district courts, replacing the municipal, justice and probate courts. New magistrates' commissions were created in each of the state's seven judicial districts.

See: 52 Judicature 438 (1969).

ILLINOIS

1962  
Ill. H. J. Res. 39 (1961) amending the Illinois Constitution, Article VI

A constitutional amendment provided for a unified state-wide court system. The Supreme Court was granted general administrative authority over all state courts including powers of assignment of judges among circuits, power to provide for inexpensive and expeditious appeals, power to convene an annual judicial conference and power to appoint an administrative director of the courts.

The intermediate appellate court, formerly staffed by circuit and superior judges, was provided with judges specifically selected to sit in that court.

A state-wide system of circuit courts staffed by circuit judges and magistrates appointed by circuit judges was created to replace the complex of courts which included circuit, superior, criminal, justice of the peace, police magistrate, municipal, city, village and incorporated town courts. The circuit court within each circuit is under the general supervision of the chief judge of the circuit, who is in turn subject to the supervisory powers of the supreme court. Jurisdiction of the circuit courts includes all justiciable matters. The legislature is to specify which matters may be assigned to magistrates.

All judges are required to be licensed attorneys of the state.

See: Allard and Breen, "A New Judicial Article for Illinois," 45 J. Amer. Jud. Soc. 281 (1962); Fins, "Analysis of the Illinois Judicial Article," 11 De Paul U. L. Rev. 185 (1962); "The Blue Ballot Judicial Amendment," 50 Ill. Bar Journal 651, Supplement, (1962).

INDIANA  
1969

A proposed constitutional amendment would completely rewrite the present Judicial Article, effective January 1, 1972, if approved by the voters in November 1970.

The major points include: 1) Adopting a unified court system with a Supreme Court, Court of Appeals, and Circuit Courts; 2) Justices and judges would be appointed by the Governor from names submitted by a Judicial Nominating Commission; 3) The Judicial Nominating Commission is established; 4) The restrictions on terms of office for judges are removed.

See: "The Indiana Judicial System: An Analysis and Some Renewed Proposals for Reform," 44 Ind. L. J. 57.

KANSAS

1965  
Kan. Stat. Ann., 20-319 to 324

The Judicial Reform Act of 1965 and the rules enacted by the Supreme Court in conjunction with the Act provided for the supervision by Supreme Court justices of all district courts. The state was divided into six departments and a Supreme Court justice assigned to each department. The position of judicial administrator was created, and the administrator was given the task of collecting data on the districts to enable the Supreme Court justices to reduce delays by transferring or assigning judges. The Supreme Court justices were given various rule-making powers and the authority to require reports from the district courts.

1969  
Kan. Stat. Ann., 20-2501, 20-1301, 61-1603 (a)

Increased the number of judicial districts from 29 to 41.

Expanded the jurisdiction of the city courts to include misdemeanors and preliminary examinations of felonies.

In effect abolished justice of the peace courts by reducing their jurisdiction to \$1.00.

Established magistrate's courts with jurisdiction of civil and criminal cases not exceeding \$3,000.

Established small debtor's courts.

See: "The Politics of Piecemeal Reform of Kansas Courts," Beverly Blair Cook, 53 J. Am. Jud. Soc. 274 (1970).

LOUISIANA

1956  
La. Acts Reg. Sess. 1956, No. 326

The office of justice of the peace in wards within cities of over 5,000 population was abolished and replaced by city judges who are required to be attorneys.

See: Elliot, "Judicial Administration -- 1956," 32 N.Y.U. L. Rev. 116 (1957).

1966

Louisiana Constitution, Article 7, Section 12.1

The office of Judicial Administrator was made a constitutional office. The Supreme Court has the power to appoint the administrator and to prescribe his duties and all necessary rules and regulations in connection with the office.

MAINE

1961

Me. Rev. Stat. Ann. ch. 108A (Supp. 1961)

A unified state-wide system of district courts replaced the old justice of the peace and municipal courts. Fourteen full-time district judges, sitting in 11 district court districts, replaced 50 part-time municipal court judges and 24 trial justices. In addition to matters formerly handled by the municipal and justice courts, the new district court has concurrent jurisdiction with the superior and probate courts over domestic relations matters and civil jurisdiction in cases with claims up to \$1,200. The district court system is administered by the chief judge of the district court and the finances are controlled by the state treasurer. District judges are required to be qualified lawyers.

See: "Municipal Court Revision Proposed for Maine," 44 J. Amer. Jud. Soc. 224 (1961); "A District Court System in Maine was Enacted...", 45 J. Amer. Jud. Soc. 75 (1961); A District Court for Maine, study prepared and published by the Institute of Judicial Administration, New York, 1961, 54 pages; Williamson, "A Down-East Approach to Local Justice, The Maine District Court," 47 J. Amer. Jud. Soc. 64 (1963).

MARYLAND

1966

Maryland Constitution, Article 4, Sections 1, 2, 3, and 14a, 15, 16, 18, 18a, Ann. Code of Md., Art. 5, Sections 12, 21, 21a and Art. 26, Sections 130, 137.

The constitutional amendments gave the legislature the power to establish intermediate courts of appeals. The legislature created the Court of Special Appeals, consisting of five judges, one judge from each appellate judicial circuit. The Court may hear only criminal cases where a sentence other than death has been imposed. The Court has no original jurisdiction and is forbidden to sit in panels or divisions. Cases heard by the Court of Special Appeals are subject to further appeal to the Court of Appeals.

MICHIGAN

1963

Michigan Constitution, Article VI

The new judicial article written by a constitutional convention provided for a unified court system including a supreme court, an intermediate appellate court, circuit courts (trial court of general jurisdiction) and courts of limited jurisdiction to be created by law.

The seven member supreme court, which is granted supervisory control over the state court system, was empowered to hire a court administrator and establish rules of practice and procedure in all state courts.

The intermediate appellate court of at least 9 judges has appellate jurisdiction as provided by law and the circuit courts have original jurisdiction in all matters not prohibited by law. The probate courts were retained, except that they may be combined with any judicial office of limited jurisdiction within the counties by act of the legislature.

Offices of justice of the peace and circuit court commissioner were abolished and a substitute minor court system was authorized to be created by law.

All judges of courts of record were required to be licensed to practice law in the state.

See: "New Constitution for Michigan Approved by Convention," 46 J. Amer. Jud. Soc. 1 (1962); "Court Reorganization Reform -- 1962," 45 J. Amer. Jud. Soc. 110 (1962); Donnelly, "Analysis of Proposed Article VI and the State Bar Poll," 41 Mich. S.B.J. 41 (1962).

MINNESOTA

1956 and 1963

Minnesota Constitution, Article VI

Minn. Laws 1963, ch. 877

The 1956 reform removed all references in the constitution to justice of the peace, authorized the addition of two judges to the Supreme Court and empowered the Supreme Court to temporarily assign district judges as needed.

Under the 1963 reform, a unified Municipal Court of Hennepin County (Minneapolis), staffed by 14 full-time, salaried judges, was created to replace 36 part-time justices of the peace and 15 municipal court judges. The court's civil jurisdiction extends to cases involving claims of up to \$4,000 and appeals will go directly to the Supreme Court rather than to the district court (trial court of general jurisdiction).

See: Howard, "Proposed Amendment to Article VI of the Constitution...", Bench and Bar of Minnesota, March 1956, page 13; Pirsig, "The Proposed Amendment of the Judiciary Article of the Minnesota Constitution," 40 Minn. L. Rev. 815 (1956).



MISSOURI

1945

Missouri Constitution, Article 5

Missouri Laws 1945, p. 765; V. A. M. S. § 482.010 et seq.

Under constitutional and statutory reforms, the Supreme Court was given the responsibility for the operation of the court system. It was empowered to transfer trial judges temporarily to other trial courts or to the appellate courts, to create temporary divisions of appellate courts manned by additional judges and to make rules of procedure for the courts.

The justice of the peace system was replaced by magistrate courts, staffed by judges who are admitted to the practice of law and who are paid a salary. The fee system of judicial compensation was abolished. The magistrate courts have county-wide jurisdiction in civil cases (up to specified monetary limits which vary according to the size of the county), in juvenile cases, in traffic cases (except in the largest cities) and in probate (only where the probate and magistrate courts are combined in rural counties).

See: Righter, "The Judicial Article of the Proposed Missouri Constitution," 28 J. Amer. Jud. Soc. 52 (1944); Hyde, "Historical Review of the Judicial System of Missouri," 27 Vernon's Annotated Missouri Statutes (1952).

NEW HAMPSHIRE

1957 and 1963

New Hampshire Laws 1957, ch. 244

New Hampshire Laws 1963, ch. 331

Under the 1957 reform, the civil and criminal jurisdiction, which justices of the peace had exercised concurrently with other state courts, was abolished, leaving justices only ministerial functions.

Under the 1963 reform, 37 of the existing municipal courts were made district courts; the remaining municipal courts were abolished. The district courts were given criminal jurisdiction in cases involving fines up to \$1,000 or one year imprisonment or both, exclusive civil jurisdiction up to \$500 and concurrent civil jurisdiction with the superior court (general trial court) up to \$1,500. No justice of the district court is permitted to be an attorney in a case pending in his court or a case which had been examined or tried in his court. Justices in populous areas are not permitted to engage in the practice of law at all.

See: "New Hampshire... Abolished Justice Court Jurisdiction," 42 J. Amer. Jud. Soc. 126 (1958).

NEW JERSEY

1947

New Jersey Constitution, Article VI

N. J. Stat. 1948, chapters 264, 270, 319-329, 331-339, 354-369, 371-385, 388-390, 394

The reforms in New Jersey were the first significant ones to be made on a state-wide basis for an entire state judiciary.

In place of the multiple courts with overlapping jurisdiction, the New Jersey reforms created a five-level court system. Under the constitution the Supreme Court was empowered to make rules governing the administration, practice and procedure in the state courts. The chief justice was also empowered to make assignments of judges as needed.

The old separate courts of law and equity were combined into a single superior court with state-wide trial jurisdiction of civil and criminal matters. Chancery and appellate divisions of the superior courts were established.

The county courts, with county-wide jurisdiction in civil and criminal matters, were retained.

Other minor courts authorized to be created by law included county-district courts with minor jurisdiction primarily of civil cases, and municipal courts with jurisdiction over minor criminal offenses and some special civil matters. Justices of the peace were eliminated and police courts and other magistrates and recorders courts were made municipal courts.

See: "Convention Committee Describes New Judicial System Adopted in New Jersey" 31 J. Amer. Jud. Soc. 138, text of judicial article 142, chart of court system 143 (1948); "Vanderbilt," "The First Five Years of the New Jersey Courts Under the Constitution of 1947," 8 Rutgers L. Rev. 289, bibliography 311 (1954); Karcher, "New Jersey Streamlines Her Courts: A Revival of 'Jersey Justice,'" 40 A.B.A.J. 759 (1954); Brennan, "After Eight Years: New Jersey Judicial Reform," 43 A.B.A.J. 499 (1957).

1970

Adopted new rules of practice and procedure for all courts.

NEW MEXICO

1961 and 1963

N. M. Laws 1961, chs. 10, 14, 15, 28, 35, 64, 105, 212

N. M. Laws 1963, chs. 6, 7, 23, 212, 300

A number of laws were passed to improve the administration of justice in justice of the peace courts. Under the 1961 legislation, counties were required to furnish justices with all necessary administrative forms and docket books. Justices were prohibited from advertising their official services and were required to file their oaths of office and certificates of election or appointment with the state court administrator. Under the 1963 legislation, a conference of justices of the peace, which would discuss means of improving judicial



administration in justice courts was established. Supervision and financial support of justice courts was transferred from the county commissioners to the state court administrator. Criminal jurisdiction of justice courts was limited to certain "petty misdemeanors" and justices were required to attend authorized training schools.

See: "Minor Court Reforms Passed by New Mexico Legislature," 45 J. Amer. Jud. Soc. 25 (1961); "Legislation Designed to Improve the Administration of Justice in New Mexico..." 46 J. Amer. Jud. Soc. 270 (1963).

1965 and 1966

New Mexico Constitution, Article 6, Sections 1, 2, 13, 21, 26, 27, 28, 29, 30 and 31, Laws 1966, Chapter 28.

The constitutional amendments of 1965 provided for the establishment of an intermediate appellate court, the Court of Appeals. The court as established by the legislature in 1966 has four judges who must have the same qualifications for office as Supreme Court judges. The court has appellate jurisdiction except over judgments imposing a sentence of death or life imprisonment. The court may also review decisions of administrative agencies. It has no original jurisdiction.

In 1966 the electorate adopted constitutional amendments calling for the abolishment of justices of the peace within five years and the establishment of magistrate courts to exercise limited original jurisdiction. The fee system of compensation was also abolished.

NEW YORK

1961

N. Y. Sess. Laws 1960 at LXV (McKinney) amending the New York Constitution, Article VI.

The constitutional amendment and implementing legislation vested authority and responsibility for the supervision of the state court system in the administrative board of the judicial conference, composed of the chief justice of the Court of Appeals (final appellate court) and the presiding judges of the appellate division of the supreme court (intermediate appellate court).

Outside New York City, a system of district courts was authorized to be established by local option to replace existing city, village and town courts. In addition, a family court was established in each county and given jurisdiction in most family matters.

Major court unification was accomplished in New York City where a city-wide civil court replaced the municipal and city courts and a city-wide criminal court replaced the magistrates and special sessions courts. The court of general sessions in Manhattan and the county courts in Kings, Queens, Bronx and Richmond Counties were abolished and their functions were transferred to the state supreme court.

Justices of the peace who are not lawyers were required to participate in a training program prescribed by the administrative board.

See: "New York Court Reform Signed Into Law," 45 J. Amer. Jud. Soc. 326 (1962); "Court Reorganization Reform -- 1962," 46 J. Amer. Jud. Soc. 110 (1962); Greenbaum, "Modern Courts Come to New York," 17 Record of Bar Association of City of N. Y. 244 (1962).

NORTH CAROLINA

1962

N. C. Sess. Laws 1961, ch. 313 amending Article IV of the North Carolina Constitution.

The constitutional amendment provided for a general court of justice which constitutes a unified judicial system for the purposes of jurisdiction, operation and administration. The Supreme Court, superior court and district court are divisions of the general court of justice. The Supreme Court was granted exclusive authority to make rules of civil and criminal procedure and practice subject to legislative veto and to exercise general administrative authority over the court system with the aid of an administrative office of the courts. The jurisdiction of the superior and district courts to be established by law.

A uniform system of district courts and magistrates is to replace the justice of the peace and statutory minor court system.

The compensation of judges by fees was abolished.

See: "North Carolina's Court Reform Campaign is Renewed," 44 J. Amer. Jud. Soc. 222 (1961); "Court Reorganization Reform -- 1962," 46 J. Amer. Jud. Soc. 110 (1962); Ball, "The Proposed Revision of the Courts of North Carolina," 28 Pop. Govt. 19 (1961).

1965

North Carolina Constitution, Article 4, Sections 5, 6, 10 and 14, and G.S. of N. C., 7A-130 to 345.

The constitutional amendments provided for the establishment of an intermediate appellate court, the Court of Appeals, of not less than five justices. To date, the court has not been established.

The legislators provided for the establishment between 1966 and 1970 of a district court for each of the thirty judicial districts of the state. The district courts will replace justices of the peace, mayor's courts, domestic relations and juvenile courts, recorder's courts, city courts and county courts. Each court shall have one or more judges and one or more magistrates. The magistrates have various ministerial duties, but the chief judges of a district may assign small claims actions to the magistrates.

The district court has jurisdiction over civil cases where the amount in controversy is \$5,000 or less, over criminal cases below the grade of felony, over domestic relations problems and exclusive jurisdiction over juveniles. A uniform state-wide cost and fee schedule for criminal and civil actions was adopted.

The legislature also provided for an Administrative Office of the Court which will be supervised by a director appointed by the Chief Justice of the Supreme Court.

NORTH DAKOTA

1959

N. D. Laws 1959, ch. 268

Justices of the peace replaced by salaried county justices who must be qualified to practice law in the state.

See: Karlen, Judicial Administration -- 1959, 35 N.Y.U.L. Rev. 203, 219-220 (1960).

OHIO

1957 and 1968

Ohio Revised Code, chs. 1907 to 1923

Justice of the peace courts were replaced by a system of county courts in all but those 26 counties in which the municipal court was given county-wide jurisdiction. The jurisdiction of the county courts extends to all the territory of the county not subject to municipal court jurisdiction and the county courts have exclusive civil jurisdiction up to \$100 and concurrent civil jurisdiction with the courts of common pleas between \$100 and \$300. They also have criminal jurisdiction in motor vehicle violations, misdemeanors and other cases in which the justice of the peace formerly had jurisdiction.

County court judges are required to be members of the bar who have practiced law for at least one year. Judges are compensated by salaries and permitted to practice law in cases not involving their courts.

In 1968 Ohio's voters ratified an amendment which gave the state Supreme Court broad administrative and rule-making powers, including the power to divide multi-judge common pleas courts into divisions and assign judges from any part of the state to relieve work loads in metropolitan centers. Probate courts were made a division of the state-wide common pleas court system. Judges were banned from judicial office after age 72, but the chief justice was authorized to assign retired judges to active duty with their consent.

See: Meier, "The New County Courts in Ohio," 3 Ohio Opinions (2d) 295; "Justices of the Peace Abolished in Ohio by Legislation" 41 J. Amer. Jud. Soc. 15 (1957).

OKLAHOMA

1967

Oklahoma Constitution, Article VII

Oklahoma voters adopted a new judicial article at a special election in July 1967. The new article calls for the abolishment in January, 1969 of the Superior Courts, Common

Pleas Courts, County Courts, Children's and Juvenile Courts and Justices of the Peace. Municipal Courts will be limited to jurisdiction of matters involving municipal ordinances. The District Court with few exceptions, will have unlimited original jurisdiction of all justiciable matters. The Article provides that the legislature may create an intermediate appellate court and change or abolish the Court of Criminal Appeals, the State Industrial Court, the Court of Bank Review and the Court of Tax Review.

New District Court Judicial Districts are to be established and staffed by District Judges, Associate District Judges and Special Judges. The new districts and the number of judges in each district are to be determined by the legislature.

The Supreme Court is to have administrative responsibility for the court system. The new article provides for the appointment of an administrative director and staff to assist the Supreme Court in its administrative work. The State will be divided into Judicial Administrative Districts of one or more District Court Districts. Each Administrative District shall have a presiding judge to handle the work of the district.

See: Jack N. Hays, "July 11, 1967--A Beautiful Day in Oklahoma," 51 Judicature, 78 (1967).

1969

Okla. Stat. ch. 20, Sec. 301

Effective January 1, 1971, the Court of Appeals will consist of six judges one selected from each judicial district. It will hear cases assigned to it by the Supreme Court. Its decisions are not appealable, but the Supreme Court may recall a case or grant certiorari.

See: "Comments upon Proposed Article Seven," Earl Sneed 37 Okla. Bar J. 613.

PENNSYLVANIA

1968

Pennsylvania Constitution, Article V

Adopted a new Judiciary Article of the Constitution which provides for a unified judicial system consisting of a Supreme Court, Superior Court, Commonwealth Court, Courts of Common Pleas, Community Court, municipal and traffic courts of the City of Philadelphia: (note Article V see 13. providing for a judicial nominating commission and appointment of judges by the Governor failed to pass.)

1970

Pennsylvania Rev. Stat. ch. 17, Sections 211.3, 235.1, 711.2, 710-1

Established Commonwealth Court with seven judges as a court of record, with state-wide original and appellate jurisdiction.

Established Philadelphia Municipal Court as a court of record with jurisdiction of civil cases up to \$500, and minor criminal offenses.

Established Courts of Common Pleas with 8 judges with general jurisdiction.

Established Community Courts to have a salaried judge with a ten-year term. If adopted by the electors of a judicial district it replaces the municipal and traffic courts and justices of the peace.

PUERTO RICO

1952

Constitution of Commonwealth of Puerto Rico, Article V, Judiciary; Judiciary Act of 1952 compiled in Title 4, Laws of Puerto Rico Annotated (1954).

The constitutional article provided for a unified judicial system including a nine justice Supreme Court and such other courts as may be created by law. The Supreme Court is empowered to adopt rules of evidence and civil and criminal procedure to be effective unless disapproved by the legislature which may amend, repeal, or supplement such rules by law. The Supreme Court is authorized to adopt rules for the administration of the courts and the chief justice is to direct court administration with the aid of an administrative director appointed by him. Justices of the Supreme Court must be United States and Puerto Rican citizens, admitted to the practice of law in Puerto Rico at least ten years and resident in Puerto Rico for at least five years.

The implementing act created the court of first instance (general trial court) with district and superior court divisions. The district court division has criminal jurisdiction over most misdemeanors and civil jurisdiction up to \$2,500; the superior court has criminal jurisdiction of felonies and civil cases over \$2,500. However, no case can be dismissed on ground that it was submitted to a division without jurisdiction or to a part of the court with improper venue. Such cases are transferred to an appropriate division or part. Appeal on points of law only is allowed from the district to the superior courts.

See: Snyder, "New Puerto Rico Judicial System is Modern and Efficient," 36 J. Amer. Jud. Soc. 134, text of the Puerto Rican judicial article 139 (1953); Clark and Rogers, "The New Judicial Article of Puerto Rico. A Definitive Court Reorganization," 61 Yale L.J. 1147 (1952); Elliot, "Our Faith in Justice: Puerto Rico Shows the Way to Better Courts," 42 A.B. A. J. 24 (1956).

SOUTH DAKOTA

1966

South Dakota Constitution, Article 5, Sections 19 and 20, 1966 Laws Chap. 114.

Section 19 of the Constitution was amended to allow the Supreme Court to divide the state into county court districts, each district having one county court. Prior to the amendment, each county had its own county court. The purpose of the amendment was to allow the number of courts to be reduced.

The amendment to section 20 removed the \$1000 amount in controversy limitation on the jurisdiction of the county courts.

The legislature reduced the number of circuit court districts from 12 to 10. The districts were realigned to more evenly distribute the workload. The presiding judge of the Supreme Court is to supervise the work of the circuit courts in an effort to alleviate congestion and avoid delay. To accomplish this end, he has the power to reassign cases to judges in another circuit and the power to require information and statistical data from the circuit courts.

TENNESSEE

1937 through 1959

Tenn. Code Ann. § 16-1101 to 1124 (Supp. 1959)

In 1959, after more than 20 years during which general sessions courts were established by special acts in a large number of counties, the state legislature passed general legislation providing for a uniform system of general sessions courts in all but 6 counties to take over the functions of the justice of the peace which retained non-judicial functions such as performing marriages. General sessions court judges are required to be legally trained and to devote full time to the office, for which they are compensated by salary, not by fees.

See: Williams, "General Sessions Courts in Tennessee," 31 J. Amer. Jud. Soc. 101 (1947); "General Sessions Courts Replace Justices in 89 Tennessee Counties," 42 J. Amer. Jud. Soc. 201 (1959); Bryan and Baer, "General Sessions Courts: Origin and Recent Legislation," 124 Tenn. L. Rev. 668 (1956).

1965

Tenn. Code Ann., 16-112 to 118, 16-325 to 329.

The Supreme Court was given the power to prescribe rules for civil actions and proceedings in the state courts.

The Office of the Executive Secretary of the Supreme Court was created by the legislature to aid in the administrative work of the court. The Executive Secretary must be a lawyer and is forbidden to engage in private practice while holding the office.

UTAH

1970

Utah Rev. Stat. 55-10-70

Established a Juvenile Court with judges appointed by the Governor.

See: Winters, "The Utah Juvenile Court Act of 1965," 9 Utah L. Rev. 509.

VERMONT

1965 and 1967

4 U.S.A. 421a, 422, 432 (1965)

No. 194 of the Acts of 1967

No. 174 of the Acts of 1967

In 1965 Vermont replaced its sixteen municipal courts with a district court system of twelve courts. The major part of that reform was accomplished by striking the word "municipal" from the statutes and inserting the word "district." In 1967 the legislature repealed most of the 1965 Act and created one district court of ten full-time judges with state-wide jurisdiction. The Supreme Court was given authority to organize the court into territorial units and the units into two or more circuits. The jurisdictional amount was raised from the 1965 figure of \$2,500 to \$5,000. The District Court may hear criminal cases where the maximum penalty is imprisonment for less than life. Appeals from the District Court are to go only to the Supreme Court.

Act number 174, created the office of court administrator.

VIRGINIA

1936 and 1956  
Va. Acts 1956, c. 555

Under the 1936 reform, salaried trial justices replaced justices of the peace in certain cities and towns and in all counties not already having such justices by virtue of special legislation. Most justices were appointed by circuit judges (trial court of general jurisdiction), but some continued to be elected. Trial justices have exclusive civil jurisdiction up to \$200 and concurrent civil jurisdiction with the circuit courts between \$200 and \$1,000. Trial justices have criminal jurisdiction over violations of ordinances, county, city and town by-laws, and most misdemeanors.

The 1956 reform retained the essential provisions of the earlier reform but it enhanced the uniformity of the system. All trial justices were designated as municipal or county court judges. All trial justices are selected by appointment by the circuit judges. Exclusive civil jurisdiction was raised from \$200 to \$300 and maximum concurrent civil jurisdiction was raised from \$1,000 to \$2,000. Justices were required to be licensed to practice law in the state.

See: "Kingdon, Trial Justice System of Virginia," 23 J. Amer. Jud. Soc. 216 (1940); "Virginia Trial Justice Act is Revised and Improved," 40 J. Amer. Jud. Soc. 26 (1956); Duval and Miller, "A New Law for Courts Not of Record," 42 Va. L. Rev. 1032 (1956); Whittle, "Streamlined Justice in Virginia," 10 Wash. & Lee L. Rev. 9 (1953)

WASHINGTON

1961  
Wash. Laws 1961, ch. 299

Legislation replaced justice of the peace and other minor courts in King, Pierce and Spokane Counties with a justice court, which has a municipal division and over which the Supreme Court has rule-making power. The plan may be extended to all other counties by local option. The fee system of judicial compensation was abolished.

See: "Reorganization of Washington's Justice of the Peace System," 45 J. Amer. Jud. Soc. 39 (1961).

1969  
Washington Laws ch. 221

Established an Intermediate Court of Appeals with exclusive appellate jurisdiction in all cases except those reserved for the Supreme Court. There will be three divisions of three judges each who will serve six-year terms.

WISCONSIN

1959  
Wisconsin Sess. Laws 1959, ch. 315

County court jurisdiction which had formerly been limited to probate, paternity and juvenile cases, was expanded to include general civil jurisdiction up to \$25,000 and concurrent criminal jurisdiction with the circuit courts (trial courts of general jurisdiction). Except in Milwaukee County, where they became divisions of the county court, the municipal, civil and district courts were eliminated. Justice of the Peace courts were retained but with civil jurisdiction limited to cases up to \$200 and authority to perform marriages. The system of part-time judges compensated by fees was eliminated.

An administrative committee for the entire court system was created and authorized to meet with the state judicial council to review the work of the courts and plan for the efficient handling of judicial business.

See: "Wisconsin Enacts State-Wide Court Reorganization Plan," 43 J. Amer. Jud. Soc. 58 (1959); "Equal Justice Throughout the State," Wisconsin Bar Bulletin, Dec. 1958, p. 11; "Court Reorganization Plan Adopted by the Legislature," 32 Wisconsin Bar Bulletin 20 (1959).

1966  
Wisconsin Constitution, Article 7, Section 2

The electorate adopted a constitutional amendment removing the judicial power from justices of the peace and, in effect, abolishing that office.

WYOMING

1966  
Wyoming Constitution, Article 5, Sections 1, 22, and 23

All references to justices of the peace were removed from the Constitution, thereby making possible future minor court reform by the legislature.

State	Title of Minor Courts	Method of Selection of Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
ALABAMA	Courts of probate County Courts Justice Courts Recorder Courts	Elected on partisan ballot except some juvenile court judges are appointed by governor, legislature or county com.	None	Judges of courts of record (Probate and County Courts) are not allowed to practice law	Salary and Fees
ALASKA	District Courts Magistrate Courts	District Court Judges chosen under merit plan. Magistrates appointed by presiding judge of superior court in each district	District must be licensed to practice law in Alaska  Magistrate - None	District allowed to hold office in political party, or work for state, U.S. or local government allowed to practice law only before federal district court or federal agency. Magistrate not allowed to hold office in political party	Salary
ARIZONA	Justice Courts City and Town Magistrate courts (Police Court)	J. P. elected on partisan ballot Magistrates appointed by mayor or council	None	None	Salary and Fees
ARKANSAS	County Courts Municipal Courts Justice Courts Police Courts Juvenile Court and Courts of Common Pleas (presided over by County Judge)  note: Police abolished where there is a Municipal Court	Elected on partisan ballot	Municipal and County judges - good moral character, learned in the law, attorney in good standing, practiced law at least 5 years  J. P. - Police None	No judge shall hold any other public office	Salary and Fees
CALIFORNIA	Municipal Court Justice Court	Elected on non-partisan ballot	Municipal - member of state bar for 5 years	Municipal - ineligible to hold other public offices, not allowed to practice law before any Federal or State Court	Salary, no Fees allowed

State	Title of Minor Courts	Method of Selection of Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
CALIFORNIA (Cont'd)			Justice - admitted to state bar or within 4 years passed special exam.	J. P. - not allowed to practice law before court in county where he resides	
COLORADO  Denver Only	Superior Court Juvenile Court Probate Court County Courts Police Courts or Municipal Court	All judges, except police appointed by Governor from list submitted by non-partisan nominating commission, run on record thereafter. Police magistrates appointed by city or town councils	Superior, Juvenile, Probate - licensed to practice for 5 years  County-admitted to practice  Police - None	All except Municipal may not hold public office, office in political party, may not practice law.  a) In counties under 100,000- may practice before a higher court, if case not previously in his court. May not have a partner practicing in his county or judicial district. b) Counties over 100,000- no compensation from other employment	All except Municipal - Salary only. Police fees with fixed maximum
CONNECTICUT	Court of Common Pleas Circuit Court Juvenile Court Probate Court	Selected by Legislature from nominations submitted by Governor. Probate judges-elected on partisan ballot	Member of bar  Probate - none	No private practice  Probate - neither judge nor his partner may practice before his court	Salary  Probate-fees
DELAWARE	Court of Common Pleas Family Court Municipal Court of Wilmington Justice Courts Register's Court (Probate)	All appointed by Governor with consent of the Senate	Common Pleas, Municipal - learned in the law, 5 years experience as an attorney. Family admitted to practice in state. J. P.'s - None Register's and Orphan's learned in the law	Common Pleas and Municipal - not allowed to practice law Family and J. P.'s not allowed to practice law or hold political office, no outside compensation. Register and Orphan's - Shall hold no other office of profit	Salary



State	Title of Minor Courts	Method of Selectin Judges	Legal Trainin Re uired	Limitations on Extra-Judicial Activities	Form of Compensation
FLORIDA	Civil Courts of Record Criminal Courts of Record County Courts County Judge's Courts Juvenile Courts Small Claims Courts Justice Courts Metropolitan Courts	All elected on partisan ballot	Criminal Court of record - member of bar and one year experience as attorney  J. P. - None  All others-member of the bar	Civil court of record - not allowed to practice law except before Equity Court  Others - limited by local laws	Juvenile - Salary only  Criminal and Civil Courts of record and County Court Salary and Fees  Others - Fees with fixed maximum
GEORGIA	Courts of Ordinary City Courts Municipal Courts Justice Courts Juvenile Courts County Court (replaced by City Courts) Municipal Traffic Court of Atlanta	All elected on partisan ballot  Juvenile - appointed by judges of Superior Court Municipal Traffic Court of Atlanta-chosen under merit plan	Ordinary-practice for 3 years or clerk for 5 years immediately preceding  City-member of bar  Juvenile-practice 3 years and experience in juvenile area Others-None	Ordinary and City not allowed to practice in their court or deal with a matter which has been or might be heard in their courts.  Others-None	Ordinary, Juvenile, City, Municipal Salary- J. P. Fees
HAWAII	District Courts	Appointed by Chief Justice of State	Some districts-passed exam  Other districts-licensed to practice in state	Not allowed to appear before another court in case he has heard	Salary
IDAHO	Magistrate Division of the District Court	Appointed on non-partisan basis by commission	Requires a high school education and attendance at special institute for Magistrates  Certain matters may be heard only by magistrate who is an attorney	Magistrates who are attorneys may practice law under conditions set by district judges and Supreme Court rules	Salary

State	Title of Minor Courts	Method of Selecting Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
ILLINOIS	Magistrates Court of Claims	Magistrates-appointed by Circuit judges. Claims-appointed by Governor with consent of Senate	Licensed attorney in state	Must be a full time judge, not allowed to practice law, hold public or political party office. Not allowed to serve as officer or director of corp.	Salary
INDIANA	Probate Courts Municipal Courts City Courts Magistrate's Court Juvenile Courts Justice Courts  (Note: Indiana is considering a Constitutional Amendment completely rewriting the present Judicial Article)	Probate, City and Juvenile judges-elected  Municipal-appointed by the Governor  Magistrates-appointed by Circuit Court judges  J. P. - Elected	Municipal and Juvenile 5 years experience as either an attorney or a judge  Others-licensed attorneys J. P. - None	Magistrates-may practice law if no conflict of interest  Others-forbidden to practice law, or hold any other office of trust or profit	Salary J. P. - Salary and Fees
IOWA	Superior Courts Municipal Courts Police Courts Justice Courts Mayor's Courts	Superior, Municipal Justice-elected Police Mayor-appointed by town council	Superior, Municipal-attorneys Mayor, Justice, Police-None	No judge who is also an attorney may practice law except those on police court may do civil practice	Superior Municipal-Salary Others-Fees
KANSAS	Probate Courts Courts of Common Pleas (City Court)	Elected on partisan ballot Municipal Court of first class	Common Pleas-practicing attorney for 5 years prior to election	Municipal and Common Pleas Court-not allowed to practice within the state	County-Fees Justice-Fees Probate-Fees

State	Title of Minor Courts	Method of Selecting Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
KANSAS (Cont'd)	Municipal Courts County Courts Police Courts Justice Court (jurisdiction limited to \$1.00)	Appointed by District judge  Second class-Third class-appointed by Mayor with consent of town council  Police Court-appointed by Mayor	All except Justice Court-licensed attorney  Justice Court- None	Others not allowed to practice before their Courts	Common Pleas, Municipal, Police-Salary
KENTUCKY	County Court Justice Courts Police Courts	Elected on partisan ballot	None-except Police Court judges of first class cities must have practiced law 8 years	May not practice law or be part of a legal partnership except Police Court judges may practice if case not before their court	County-Salary paid from Fees  Justice-Fees except large Counties Salary  Police-Fees, except first class cities Salary
LOUISIANA	City Courts Juvenile Courts Mayor Courts Family Court Justice Courts (abolished where City Court established)	Elected on partisan ballot	City-5 years practice Juvenile-admitted to practice Family-learned in the law, practiced in Louisiana for 5 years, member of Louisiana Bar  Mayor-None J. P.-None	None	City-Salary and Fees  Juvenile, Family, Mayor-Salary  J. P.-Fees
MAINE	District Courts Probate Court	District-appointed by Governor with Consent of the executive council	Member of the State Bar	District-Hold no other state or Federal office, not allowed to practice law, not allowed to be a partner or associate of	Salary

State	Title of Minor Courts	Method of Selecting Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
MAINE (Cont'd)		Probate-Elected on partisan ballot		<p>a practicing attorney. Shall devote full time to judicial duties</p> <p>Probate-hold no other state or Federal office. Not allowed to counsel or prepare any document which might come before him</p>	
MARYLAND	Orphan's Courts People's Courts Municipal Court Trial Magistrates J. P. - Proposed to abolish will be voted on in Nov. 1970	<p>Orphan's Municipal, and Trial Magistrates-elected</p> <p>People's -</p> <p>a) Baltimore City, Anne Arundel and Howard elected</p> <p>b) Baltimore County and Prince George-appointed by Governor</p> <p>c) Montgomery County-appointed by City Council</p>	<p>Orphan's, Municipal, Trial Magistrates - members of state bar</p> <p>People's Court-member of bar and practice for 5 years</p>	<p>People's - full time judges not allowed to practice law</p> <p>Trial Magistrates- not allowed to appear before another Trial Magistrate in same County</p>	Salary
MASSACHUSETTS	Land Court Probate Court Municipal Court District Court Juvenile Court	All are appointed by the Governor with consent of the Executive Council	None	<p>Land, Municipal, Juvenile- full time judges, not allowed to either directly or indirectly practice law</p> <p>District- not allowed to serve as attorney or counsel in any case before their court; or hear any case tried by a partner or associate</p>	Salary

State	Title of Minor Courts	Method of Selectin Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
MASSACHUSETTS (Cont'd)				Probate- a) Except Dukes and Nantucket County- full time judges, not allowed to practice law either directly or indirectly b) Dukes and Nantucket County not allowed to engage in any probate or insolvency work, nor any appeal involving same	
MICHIGAN	Common Pleas Courts District Court Magistrates Probate Courts	All elected on non-partisan basis	Common Pleas- licensed attorney with 4 years experience in state Probate, District- licensed attorney Magistrates-None	No judge shall hold another elected office while serving and for one year after service  Common Pleas, District- not allowed to practice law Magistrates-attorneys not allowed to practice before courts in their county  Probate-Part-time allowed but not allowed to have any interest or give any advise in any matter before their court. No partner or associate may practice before him	Salary - Fees prohibited by Constitution.
MINNESOTA	Municipal Courts Probate Courts	Elected on non-partisan ballot	Be learned in the law except Municipal Court of Duluth also requires licensed as an attorney in the state	Municipal - not allowed to appear in his court Probate - not allowed to practice probate Counties over 25,000 - not allowed to practice law nor have a law partner	Salary
MISSISSIPPI	County Courts City Police Courts Family Courts Justice Courts	County, Family Justice - Elected on partisan ballot	County, Family - practicing attorney for 5 years City Police - attorney Justice - None	County- not allowed to practice law in any court in his county. There is additional salary for a county judge who devotes full time to his judicial	County, Police and Family - Salary

State	Title of Minor Courts	Method of Selection - Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
MISSISSIPPI (Cont'd)		Police Court - Appointed by governing authority of municipality		duties. Not allowed to sit on Bar Association Board of Commissioners. City Police and Justice None. Family-Not allowed to practice in any court in his county	Justice- Fees
MISSOURI	Probate Courts Magistrates Courts Municipal Courts Court of Criminal Corrections of St. Louis	Probate in St. Louis & Jackson Co., Court of Criminal Correction- Appointed by Governor from nominations submitted by Commission Run for re-election on record.  Municipal, Magistrates- Elected on partisan ballot	All judges and magistrates must be licensed attorneys in Missouri	All - No judge allowed to make political contributions, to hold office in a political party or take part in a political campaign  All except Probate - Not allowed to receive additional compensation for any public service or law work. Not allowed to do any law business	Salary
MONTANA	Municipal Courts Justice Courts Police Courts	Municipal, Justice - Elected on non-partisan ballot  Police - Some elected on non-partisan ballot, some appointed by town council	Municipal - member of state bar Justice, Police - None	Municipal - Not allowed to practice law in state or Federal court. Nor act as administrator or executor for compensation.  Justice, Police - Not allowed to counsel or prepare papers to appear in his court. May practice in other courts but not on cases he has heard or may hear on appeal.	Municipal - Salary  Justice, Police - Salary and Fees
NEBRASKA	County Courts Municipal Courts Juvenile Courts Justice Courts a) Magistrates b) Police	County, Juvenile Municipal Courts of primary class - Appointed by the Governor from list submitted by non-	County - member of state bar or served as county judge for 4 years	County, Municipal, Juvenile- Not allowed to practice law before any court in state	County, Municipal, Juvenile - Salary  Justice - Fees



State	Title of Minor Courts	Method of Selecting Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
NEBRASKA (Cont'd)		partisan com- mission, run on record  Municipal Courts - under 40,000 non- partisan election  Justice - partisan election or appoint- ed by township board	Municipal, Juvenile- attorneys  Justice - None	Justice - those who are attorneys may not deal with any case before or arising from their court.	
NEVADA	Municipal Courts Justice Courts	All elected on non- partisan ballot	None	No judge or justice of the peace shall have a partner practicing law in the state	Municipal - Salary  Justice - Salary and Fees
NEW HAMPSHIRE	District Courts Probate Courts Municipal - (abolished in 1964 unless town voted to keep incumbent judge)	All appointed by Governor with con- sent of Executive Council	District - be learned, able and discreet and specially qualified by training and experi- ence  Municipal - learned, able, and discreet  Probate - None	District - not allowed to practice before any District Court. If salary is over \$15,000 per annum not allowed to practice law  Municipal - no practice before any municipal court  Probate - no involvement in probate work and no compensation may be earned from probate practice	All - Salary  District - Salary varies with case load
NEW JERSEY	County District Courts Juvenile and Domestic Rela- tion Courts	County District and Juvenile - Domestic - Appointed by Governor with	County District - None Juvenile - Domestic and Municipal - attorney in state	County District a) first class county, 400,000 to 600,000 population 150,000 to 300,000	All Salary

State	Title of Minor Courts	Method of Selecting Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
NEW JERSEY (Cont'd)	Municipal Courts	consent of Senate on bi-partisan basis  Municipal - appointed by Mayor or governing body on bi-partisan basis	County District - None Juvenile, Domestic and Municipal - attorney in state	population and only one judge  third class county over 220,000 devote full time to judicial duties and no practice of law b) others - no practice in county district court or appeal of case from same  Juvenile Domestic - over 390,000 second class county up 395,000  third class county 100,000 to 140,000 devote full time to judicial duties and no practice of law  Municipal - no practice before municipal court or case appealed from same	
NEW MEXICO	Probate Courts Municipal Courts. Small Claims Courts Magistrate Courts State Institutional Traffic Courts	All elected on partisan ballot	Probate - None Municipal - Set by municipal ordinance Small Claims - member of the bar and practiced for 2 years Magistrates and Traffic - a) district over 100,000 member of the bar and attend Annual magistrates train- ing program b) below 100,000 high school graduate or equiv- alent	Probate, Municipal - Nor Small Claims, Magistrates and Traffic over 100,000 population-not allowed to practice law	Probate, Magistrates - Salary  Municipal - set by ordi- nance  Small Claims - Salary, no Fees allowed  Traffic - Fees

State	Title of Minor Courts	Method of Selecting Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
NEW YORK	Court of Claims City Courts County Courts District Court Justice Court (or Town & Village) Family Court N. Y. C. Civil Court N. Y. C. Criminal Court Surrogates Court	City, County, District, Justice Family (outside N. Y. C.) N. Y. C. Civil, Surrogate - Elected Court of Claims - appointed by Governor Family (N. Y. C.) and N. Y. C. Criminal - appointed by Mayor	City, District, County N. Y. C. Civil, Surrogates - admitted to practice for 5 years Court of Claims, Family, N. Y. C. Criminal - admitted to practice for 10 years Justice - admitted to practice or complete a special training course	All - prohibited to 1) hold any other public office or office of trust 2) hold any political party office 3) practice law 4) engage in any business which interferes with the performance of his duties	All - Salary
NORTH CAROLINA Current	General County County Criminal Recorder Justice of the Peace	All elected except County Criminal appointed by Board of Commissioners	None	All except J. P. - Not allowed to hold any other public office	General County and County Criminal-Salary. Recorder's and J.P.-Salary and Fees
Effective Jan. 1971	District Court Division of the General Court of Justice	All elected on partisan ballot	None	All must devote full time to their duties, not allowed to practice law, not have a partner or associate engaged in practice of law	Salary
NORTH DAKOTA	County Court County Justice County Court with increased jurisdiction Municipal Court	Elected	County - None County Justice - licensed to practice and a special training course Municipal - over 3,000 population licensed to practice unless no qualified person available, a special training course required. County with increased jurisdiction learned in the law	County- no probate practice allowed. May not also serve as Municipal judge Municipal - may not also serve as County judge Others - None	County-Salary based on population. County Justice - Salary Municipal-If paid a Salary no Fees allowed County with increased jurisdiction-Salary

State	Title of Minor Courts	Method of Selecting Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
OHIO	County Court Juvenile Court Municipal Court Police Court Probate Court	All elected by non-partisan ballot	County-admitted to practice and practiced one year in the state  Juvenile and Probate- admitted to practice for 6 years prior to election  Municipal-admitted to practice and actively practiced for at least 5 years  Police-None	County and Municipal (part-time)-not allowed to have any connection with cases pending or originating in his court. (allows part- time)  Probate, Juvenile, Municipal (full-time)-not allowed to practice in the law, nor have law partners  Police-None	All-Salary
OKLAHOMA	Municipal Court Municipal Criminal Court	Municipal-ap- pointed by Mayor with consent of governing council  Municipal Criminal- elected on non-par- tisan ballot	Municipal-must be licensed to practice law in the state except in counties under 7,500 population or if no one available  Municipal Criminal- must be licensed by court of record, or a judge of a court of record for 4 years prior to election	Municipal-in cities below 320,000 may practice in any court but their own  Municipal Criminal-may not practice law in any court	Both- Salary
OREGON	County Court District Court Justice Court Municipal Court Tax Court	Municipal-appoint- ed by city council  All others-non partisan election	Tax and District over 500,000 - must be ad- mitted to practice in Oregon and engaged in active practice for 3 years prior to election District under 500,000- member of Oregon bar County, Justice, Municip- al -None	District and Tax-not allowed to practice law  County, Justice, Municip- al-may not appear in his own court, not take any part in a case removed from his court	All-Salary

State	Title of Minor Courts	Method of Selection Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
PENNSYLVANIA	Community Court Philadelphia Municipal Court Philadelphia Traffic Court Justice of the Peace (Note: Where a Community Court is established the Municipal, Traffic and J. P. are abolished)	All are elected on a partisan ballot	All except traffic court and justice of the peace-members of the State Supreme Court bar  Traffic and Justice of the Peace-either members of the bar or complete a training course and pass an exam	All judges and justices shall devote full time to their duties. They shall not practice law, nor practice in any court in the state, nor hold any public, political, or party office, nor act as a notary	All- Salary
PUERTO RICO	District Court Justice of the Peace	Both appointed by Governor with advise and consent of Senate	District-member of state bar  J. P. - None	District - no practice of law  District and J. P. - no direct or indirect contribution to any political organization, no party office, no participation in any political campaign	Both-Salary
RHODE ISLAND	District Court Family Court Probate Court	District and Family-appointed by Governor with advise and consent of the Senate. Probate-town council acts as court itself or else appoints judge	District-member of the bar  Others-None	District-no practice before his court  Others-None	District, Family-Salary  Probate-Salary or Fees
SOUTH CAROLINA	County Court Juvenile and Domestic Relations Courts (Family Court) City Recorder Court  (Municipal) Magistrates Court Probate Court	County, City Recorder-some elected, some appointed Magistrate, Family-appointed Probate-elected	County-attorney at law Family-admitted to state bar 5 years prior to election Municipal, Magistrate, Probate - None	County-no practice in a matter over which county court has or might have jurisdiction Probate-no practice in probate court, allowed to practice in other courts Magistrate-may not appear in case which was before him	County, Municipal-Salary  Family-Salary no Fees allowed  Probate-Som Salary, Som Fees

State	Title of Minor Courts	Method of Selecting Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
SOUTH CAROLINA (Cont'd)				Family-must devote full-time to duties, no practice of law or other business allowed.  Municipal - None	Magistrate - Fees in civil cases No Fees, Salary- in criminal cases
SOUTH DAKOTA	District County Courts Justice Courts or Police Magistrates Municipal Courts	District County-elected on non-partisan ballot Municipal-elected on partisan ballot J. P. - some elected on non-partisan ballot County J. P. - appointed by senior circuit judge	District County-learned in the law Municipal-licensed attorney by state and practice one year J. P. - None	District County-not allowed to practice law, nor be in state legislature J. P. - None Municipal-over 15,000 population not allowed to practice law Under 15,000-may not appear in his own court	Municipal and District County Salary, no Fees allowed  J. P. - Fees over 3,000 population Salary in lieu of Fees
TENNESSEE	General Sessions Courts County Courts Justice of the Peace	All elected	General Sessions-learned in the law County and J. P. - None	General Sessions-first second, third and fourth class devote full-time to duties, not allowed to practice law fifth, sixth, seventh and eighth class may not practice in his court	General Sessions and County-Salary according to population J. P. - Fees
TEXAS	County Court Criminal District Court Domestic Relations and Juvenile Court Justice of the Peace Probate Court	All are elected on partisan ballot	All except J. P. - shall be well informed in the law of the state. Some jurisdictions require a licensed attorney Some jurisdictions require a licensed attorney and 4 years of practice	All except J. P. - shall not practice where his court has either original or appellate jurisdiction of the case.  J. P. - None	All - Salary and Fees



State	Title of Minor Courts	Method of Selecting Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
UTAH	City Courts Justice Courts Juvenile Courts	City, J. P. - elected on non-partisan ballot  Juvenile-appointed by Governor	City-member in good standing of state bar Juvenile-member in good standing of state bar with further qualifications set by Public Welfare Commission J. P. - None	City-not allowed to hold office in political party J. P. , Juvenile - None	City and Juvenile - Salary J. P. - Fees
VERMONT	District Courts Justice of the Peace Probate Court	District-appointed by Governor from list submitted by nominating Commission J. P. and Probate Court - elected	District-licensed attorney with 5 years practice J. P. and Probate - None	District-shall devote full-time to his duties, shall not practice law, shall have no partner who practices law, shall take no part in any political campaign J. P. and Probate - None	District-Salary, no Fees allowed J. P. - Fees Probate - Salary and Fees
VIRGINIA	County Court Juvenile Court Municipal Court Justice Court	County, Juvenile Municipal - appointed by Governor J. P. - some elected some appointed	All except J. P. - must be licensed to practice in the state and practice at least 5 years unless no one available, then non-attorney may be appointed Municipal under 10,000 licensed attorney J. P. -determined by local governing body	Over 200,000 population All except J. P. - not allowed to practice law. Not eligible for other public office.  Under 200,000 population- not allowed to take any part in a case he has heard J. P. - determined by local governing body	County, Municipal - Salary and Fees  Juvenile - Salary only J. P. - determined by local governing body
WASHINGTON	Justice Courts, Justice of the Peace (Justice of the Peace) may also be called Municipal judge or Police judge (depending on the size of the city and the form of local government)	Both - elected	Justice Court either 1) admitted to practice in the state or 2) been a justice of the peace or 3) less than 10,000-passed a qualifying exam J. P. - licensed attorney	Justice - a) may be either full-time or part-time b) over 40,000 and \$8,000 salary shall devote full time to duties J. P. - full-time	Over 5,000 population and all full-time salary, no Fees  Others - Salary and Fees

State	Title of Minor Courts	Method of Selecting Judges	Legal Training Required	Limitations on Extra-Judicial Activities	Form of Compensation
WEST VIRGINIA	Common Pleas County Criminal Domestic Relations Intermediate Justice Juvenile Municipal or Police	All elected	None	All except J. P. are not allowed to hold other public office	All except J. P. - Salary  J. P. - Salary and Fees
WISCONSIN	Municipal Justice Court	Elected on non- partisan ballot	None	Shall devote full-time to their duties, shall hold no other public office. Shall not prac- tice law	Salary
WYOMING	Municipal Court Justice Court	Municipal-appointed by Mayor Justice - elected	None	None	Municipal- Salary Justice over 1500 population- Salary  Justice under 1500 population- Fees

**END**