

**BILL BRADBURY**  
SECRETARY OF STATE



**JOHN LINDBACK**  
DIRECTOR

141 STATE CAPITOL  
SALEM, OREGON 97310-0722

ELECTIONS — (503) 986-1518

January 5, 2005

**To All Interested Parties:**

Secretary of State Bill Bradbury is responsible for the pre-election review of proposed initiative petitions for compliance with the procedural constitutional requirements established in the Oregon Constitution for initiative petitions. This review will be completed before approving the form of the cover and signature sheets for the purpose of circulating the proposed initiative petition to gather signatures.

The Secretary of State is seeking public input on whether proposed initiative petition (#24), satisfies the procedural constitutional requirements for circulation as a proposed initiative petition. Petition #24 was filed in our office on January 4, 2005, by Abner J. Bobo and Carol A. Bobo, for the General Election of November 7, 2006.

On the reverse side of this letter is a copy of the text of this proposed initiative petition. If you are interested in providing comments on whether the proposed initiative petition meets the procedural constitutional requirements, please write to the secretary at the Elections Division in the State Capitol. Your comments, if any, must be received by the Elections Division no later than January 27, 2005, in order for them to be considered in the review.

**BILL BRADBURY**  
Secretary of State

BY:

Summer Davis  
Compliance Specialist

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PH 3:08  
LEGISLATIVE STATE

**PREAMBLE:** This initiative shall be known as the Judicial Accountability Act. It is designed to insure that the appellate courts of Oregon are accountable to the People and that they adequately represent all areas of the State. The Framers of the Oregon Constitution originally required districting, reasoning that districting would keep appellate judges more representative and accountable. This initiative will restore accountability and fair representation as envisioned by the Framers of the Oregon Constitution.

**Paragraph 1.** The Constitution of the State of Oregon is amended by creating new sections 1b, 1c, 1d, 1e, and 1f to be added to and made part of Article VII (Amended); such sections to read:

**Section 1b.** (1) The Supreme Court shall consist of seven judges. The state shall be divided by law into seven districts for the purpose of electing the judges of the Supreme Court and one judge shall be elected by the electors of each of the districts. The boundaries of the Supreme Court districts shall be determined based on population. The Legislative Assembly shall by law provide for regular reapportionment of the districts at the same time established for reapportionment of legislative districts.

(2) A person seeking election or being appointed to one of the Supreme Court positions, as a qualification for the position, must have been a resident of the appropriate Supreme Court district for a period of at least one year before the election for the position is conducted or the appointment made. A person so elected or appointed must remain a resident of the district throughout the term of office.

**Section 1c.** (1) The judges of any other appellate court created by law, other than one solely with jurisdiction over tax law, shall be elected by the electors of five appellate court districts. The state shall be divided by law into five districts for the purpose of electing the judges of any other appellate court, and two judges shall be elected by the electors of each of the districts. The boundaries of appellate districts shall be determined based on population. The Legislative Assembly shall by law provide for regular reapportionment of the districts at the same time established for reapportionment of legislative districts.

(2) A person seeking election or being appointed to one of the other appellate judge positions, as a qualification for the position, must have been a resident of the appropriate district for a period of at least one year before the election for the position is conducted or the appointment made. A person so elected or appointed must remain a resident of the district throughout the term of office.

**Section 1d.** (1) Except as provided in this subsection, a reapportionment of districts enacted by the Legislative Assembly becomes operative on the next date at which a judge will commence a term of office. On the effective date of the law reapportioning the districts, the reapportionment becomes operative for the purpose of nominating and electing judges for the districts established by the reapportionment, and for the purpose of determining residency of persons seeking election to a judge position. Any judge whose term continues through the next date on which a judge will commence a term of office shall be assigned to a district.

(2) (a) Except as provided in paragraph (b) of the subsection, a vacancy in a judge position that occurs after the effective date of the law reapportioning the districts and before the next date on which a judge will commence a term of office shall be filled from the district that existed before the effective date of the reapportionment.

(b) If a vacancy occurs in a judge position for a district to which a judge has been assigned under subsection (1) of this section, the vacancy shall be filled from the district to which the judge is assigned.

**Section 1e.** Notwithstanding section 18, Article II of this Constitution, a judge who has been assigned under section 1d of this Article is subject to recall by the electors of the district to which the judge is assigned and not by the electors of the district existing before the last reapportionment. The number of signatures required on the recall petition is 15 percent of the total votes cast for candidates for Governor at the last election before the effective date of the reapportionment in the district that existed before the latest reapportionment and that elected the judge.

**Section 1f.** (1) The Legislative Assembly at its next regular session after the election at which this 2006 Amendment was approved shall establish by law the districts required by sections 1b and 1c of this Article. Sections 1b and 1c of this Article shall first apply to the general election held in November 2008 and to judicial appointments made after the effective date of the law passed establishing the districts.

(2) Sections 1b and 1c of this Article do not affect the term of any judge who is serving on the effective date of sections 1b and 1c of this Article, but their positions shall be assigned a district under the law establishing the districts. A judge who is serving on the effective date of sections 1b and 1c of this Article and who thereafter seeks election to another term as judge of the Supreme Court or any other appellate court must meet the residency requirement imposed for that position.

(3) No candidate for a position on the Supreme Court or an appellate court shall be considered an incumbent the first time the candidate runs in a newly created or reapportioned judicial district.