

Colorado Constitution, Article VI, Sections 20 and 24.

Section 20. Vacancies.

(1) A vacancy in any judicial office in any court of record shall be filled by appointment of the governor, from a list of three nominees for the supreme court and any intermediate appellate court, and from a list of two or three nominees for all other courts of record, such list to be certified to him by the supreme court nominating commission for a vacancy in the supreme court or a vacancy in any intermediate appellate court, and by the judicial district nominating commission for a vacancy in any other court in that district. In case of more than one vacancy in any such court, the list shall contain not less than two more nominees than there are vacancies to be filled. The list shall be submitted by the nominating commission not later than thirty days after the death, retirement, tender of resignation, removal under section 23, failure of an incumbent to file a declaration under section 25, or certification of a negative majority vote on the question of retention in office under section 25 hereof. If the governor shall fail to make the appointment (or all of the appointments in case of multiple vacancies) from such list within fifteen days from the day it is submitted to him, the appointment (or the remaining appointments in case of multiple vacancies) shall be made by the chief justice of the supreme court from the same list within the next fifteen days. A justice or judge appointed under the provisions of this section shall hold office for a provisional term of two years and then until the second Tuesday in January following the next general election. A nominee shall be under the age of seventy-two years at the time his name is submitted to the governor.

(2) Repealed.

(3) Other vacancies occurring in judicial offices shall be filled as now or hereafter provided by law.

(4) Vacancies occurring in the office of district attorney shall be filled by appointment of the governor. District attorneys appointed under the provisions of this section shall hold office until the next general election and until their successors elected thereat shall be duly qualified. Such successors shall be elected for the remainder of the unexpired term in which the vacancy was created.

Section 24. Judicial nominating commissions.

(1) There shall be one judicial nominating commission for the supreme court and any intermediate appellate court to be called the supreme court nominating commission and one judicial nominating commission for each judicial district in the state.

(2) The supreme court nominating commission shall consist of the chief justice or acting chief justice of the supreme court, ex officio, who shall act as chairman and shall have no vote, one citizen admitted to practice law before the courts of this state and one other citizen not admitted to practice law in the courts of this state residing in each congressional district in the state, and one additional citizen not admitted to practice law in the courts of this state. No more than one-half of the commission members plus one, exclusive of the chief justice, shall be members of the

same political party. Three voting members shall serve until December 31, 1967, three until December 31, 1969, and three until December 31, 1971. Thereafter each voting member appointed shall serve until the 31st of December of the 6th year following the date of his appointment.

(3) Each judicial district nominating commission shall consist of a justice of the supreme court designated by the chief justice, to serve at the will of the chief justice who shall act as chairman ex officio, and shall have no vote, and seven citizens residing in that judicial district, no more than four of whom shall be members of the same political party and there shall be at least one voting member from each county in the district. In all judicial districts having a population of more than 35,000 inhabitants as determined by the last preceding census taken under the authority of the United States, the voting members shall consist of three persons admitted to practice law in the courts of this state and four persons not admitted to practice law in the courts of this state. In judicial districts having a population of 35,000 inhabitants or less as determined above, at least four voting members shall be persons not admitted to practice law in the courts of this state; and it shall be determined by majority vote of the governor, the attorney general and the chief justice, how many, if any, of the remaining three members shall be persons admitted to practice law in the courts of this state. Two voting members shall serve until December 31, 1967, two until December 31, 1969, and three until December 31, 1971. Thereafter each voting member appointed shall serve until the 31st of December of the 6th year following the date of his appointment.

(4) Members of each judicial nominating commission selected by reason of their being citizens admitted to practice law in the courts of this state shall be appointed by majority action of the governor, the attorney general and the chief justice. All other members shall be appointed by the governor. No voting member of a judicial nominating commission shall hold any elective and salaried United States or state public office or any elective political party office and he shall not be eligible for reappointment to succeed himself on a commission. No voting member of the supreme court nominating commission shall be eligible for appointment as a justice of the supreme court or any intermediate appellate court so long as he is a member of that commission and for a period of three years thereafter; and no voting member of a judicial district nominating commission shall be eligible for appointment to judicial office in that district while a member of that commission and for a period of one year thereafter.