

**48-1207. Special emergency judges.** In the event that any judge of any court is unavailable to exercise the powers and discharge the duties of his or her office, and in the event no other judge authorized to act in the event of absence, disability or vacancy or no special judge appointed in accordance with the provisions of the constitution or statutes is available to exercise the powers and discharge the duties of such office, the duties of the office shall be discharged and the powers exercised by the special emergency judges hereinafter provided for:

(a) The governor shall designate a special emergency justice for a justice of the supreme court when a justice of the supreme court is unavailable following an attack.

(b) The chief justice of the supreme court in consultation with the other justices of said court, shall designate a special emergency judge for each judge of a court of record, except a justice of the supreme court, when such a judge is unavailable after an attack.

(c) The judge of the district court (or the presiding or senior judge of a district in consultation with other judges of that district where there is more than one judge) shall designate a special emergency judge for any court not of record within that district when the regular judge of such a court is unavailable after an attack.

Such special emergency judges shall exercise the powers and discharge the duties of such office in case of the unavailability of the regular judge and shall discharge the duties and exercise the powers of such office until such time as a vacancy which may exist shall be filled in accordance with the constitution and statutes or until the regular judge becomes available to exercise the powers and discharge the duties of the office.

**History:** L. 1961, ch. 423, § 7; June 30.