

**"[CHAPTER 604A]  
ENVIRONMENTAL COURTS**

Section

604A-1 Environmental courts; establishment

604A-2 Jurisdiction

604A-3 Rules

" **[\$604A-1] Environmental courts; establishment.** (a) The environmental courts shall be created as divisions of the circuit courts and district courts of the State and shall not be deemed to be other courts as that term is used in the state constitution. An environmental court shall be held at the courthouse in each circuit, or other duly designated place, by the judge or judges of the respective environmental courts.

(b) The chief justice of the supreme court shall designate an environmental judge or judges for each circuit and for a district court in each circuit, as may be necessary; provided that if the volume of environmental cases in the circuit or district in which an environmental judge presides is not adequate to provide an environmental court judge with a full-time docket, the judge may hear cases arising from other areas of law. In any circuit that has more than one judge designated for the environmental court, the chief justice shall designate one of the judges as senior judge. The chief justice may temporarily assign an environmental court judge to preside in another circuit when the chief justice determines that the urgency of one or more cases in the circuit court or district court or the volume of the cases in the circuit court or district court so requires. [L 2014, c 218, pt of §2]

" **[\$604A-2] Jurisdiction.** (a) The environmental courts shall have exclusive, original jurisdiction over all proceedings, including judicial review of administrative proceedings and proceedings for declaratory judgment on the validity of agency rules authorized under chapter 91, arising under chapters 6D, 6E, 6K, 128D, 339, 339D, 340A, 340E, 342B, 342C, 342D, 342E, 342F, 342G, 342H, 342I, 342J, 342L, 342P, 343, and 508C, and title 12; provided that upon the motion of a party or sua sponte by the chief justice, the chief justice may assign to the environmental courts issues before the courts when the chief justice determines that due to their subject matter the assignment is required to ensure the uniform application of environmental laws throughout the State or to otherwise effectuate the purpose of this chapter.

(b) In any case in which it has jurisdiction, the environmental courts shall exercise general equity powers as authorized by law. Nothing in this chapter shall be construed to limit the jurisdiction and authority of any judge, designated as judge of an environmental court, to matters within the scope of this chapter. [L 2014, c 218, pt of §2]

" **[§604A-3] Rules.** The supreme court shall adopt rules regarding the administration, operation, and procedures of the environmental courts. [L 2014, c 218, pt of §2]