

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 550

Session of
1977

INTRODUCED BY BUTERA AND MEBUS, MARCH 7, 1977

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 7, 1977

AN ACT

1 Providing for five additional law judges of the court of common
2 pleas in the thirty-eighth judicial district.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Additional judges authorized.

6 In addition to the judges provided for in the act of January
7 8, 1952 (P.L.1844, No.494), entitled "An act to designate the
8 several judicial districts of the Commonwealth, as required by
9 the Constitution, and to provide for the election and
10 commissioning of judges learned in the law for the said
11 districts," five additional law judges are hereby authorized and
12 provided for the court of common pleas of the thirty-eighth
13 judicial district (Montgomery County) who shall possess the same
14 qualifications which are required by the Constitution and laws
15 for the president judge of the court of common pleas of the
16 districts and who shall hold office for a like term and by the
17 same tenure and shall have the same power, authority and
18 jurisdiction and shall be subject to the same duties,

1 restrictions and penalties and shall receive the same
2 compensation provided for by law for judges learned in the law
3 as if the same offices had been established in the time of and
4 subject to the provisions of the act of June 1, 1956 (P.L.1959,
5 No.667), entitled, as amended, "An act fixing the salaries and
6 compensation of the Chief Justice and judges of the Supreme
7 Court, the President Judge and judges of the Superior Court, the
8 judges of the courts of common pleas, the judges of the orphans'
9 court, the judges of the County Court of Philadelphia and the
10 judges of the County Court and Juvenile Court of Allegheny
11 County, certain associate judges not learned in the law, certain
12 state officers, and the salary and expenses of the members of
13 the General Assembly, and repealing certain inconsistent acts."
14 Section 2. Election of judges.

15 At the municipal election in November, 1977, the qualified
16 electors of the thirty-eighth judicial district shall elect, in
17 the manner prescribed by law for the election of the president
18 judge of the court of common pleas of the districts, three
19 persons learned in the law to serve as additional law judges of
20 the court of common pleas of the thirty-eighth judicial district
21 from the first Monday in January, 1978 for a term of ten years.

22 At the municipal election in November, 1979, the qualified
23 electors of the thirty-eighth judicial district shall elect, in
24 the manner prescribed by law for the election of the president
25 judge of the court of common pleas of the district, two persons
26 learned in the law to serve as additional law judges of the
27 court of common pleas of the thirty-eighth judicial district
28 from the first Monday in January, 1980, for a term of ten years.

29 If any of the aforementioned additional judges are authorized
30 and provided by this act at a time when nominations cannot be

1 made in accordance with the provisions of the act of June 3,
2 1937 (P.L.1333, No.320), known as the "Pennsylvania Election
3 Code," relating to primary elections, the nominees shall be
4 determined in the same manner as is now provided for by law in
5 the case of substituted nominees where a candidate of a
6 political party has died subsequent to a primary election.
7 Except as otherwise provided by this section the nomination and
8 election of the five additional judges of the court of common
9 pleas of the thirty-eighth judicial district shall be governed
10 by the general election laws applicable to the nomination and
11 election of judges of the court of common pleas. If, after the
12 election and taking of office of the first judges provided for
13 by this act, a vacancy occurs, whether caused by death,
14 resignation or otherwise, such vacancy shall be filled in the
15 manner and for such period of time as is prescribed by Article
16 V, section 13(b) of the Pennsylvania Constitution and in the
17 same manner as is prescribed by law in the case of similar
18 vacancies in the office of the president judge of the court.
19 Section 3. Manner of taking office.

20 The first judges authorized and provided for by this act
21 shall take office as a result of the appropriate municipal
22 election as herein provided and shall not take office as a
23 result of appointment by the Governor.

24 Section 4. Effective date.

25 This act shall take effect immediately.