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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 917 Session of  
2009

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INTRODUCED BY KORTZ, BAKER, BOBACK, BOYD, BRIGGS, DENLINGER,  
FREEMAN, GERGELY, HALUSKA, HARHAI, HORNAMAN, KESSLER,  
KIRKLAND, LONGIETTI, MAHONEY, PALLONE, PASHINSKI, SAINATO,  
K. SMITH, VULAKOVICH AND WILLIAMS, MARCH 13, 2009

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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 13, 2009

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 qualifications of judicial officers generally.

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

6 Section 1. Section 3101 of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3101. Qualifications of judicial officers generally.

9 (a) General rule.--Judges and magisterial district judges  
10 shall be citizens of this Commonwealth. Judges, except judges of  
11 the Pittsburgh Magistrates Court and the Traffic Court of  
12 Philadelphia, shall be members of the bar of this Commonwealth.  
13 Judges of the Supreme, Superior and Commonwealth Courts, for a  
14 period of one year preceding their election or appointment and  
15 during their continuance in office, shall reside within this  
16 Commonwealth. Other judges and magisterial district judges, for  
17 a period of one year preceding their election or appointment and

1 during their continuance in office, shall reside within their  
2 respective districts, except when temporarily assigned to  
3 another district pursuant to law. Judges [and magisterial  
4 district judges] shall be at least 21 years of age. Magisterial  
5 district judges shall be at least 25 years of age.

6 (b) Mental health review officers.--Mental health review  
7 officers shall be members of the bar of this Commonwealth  
8 without restriction as to county of residence and where possible  
9 should be familiar with the field of mental health. Judges of  
10 the Philadelphia Municipal Court may be appointed mental health  
11 review officers.

12 Section 2. This act shall take effect in 60 days.