

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2257 Session of
1976

INTRODUCED BY FINEMAN, MANDERINO, ENGLEHART, IRVIS, RYAN,
BERSON, RAPPAPORT, BUTERA, SPENCER, SCIRICA AND
W. D. HUTCHINSON, MARCH 24, 1976

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 24, 1976

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania by providing for additional judges for the
3 Superior Court and for their initial term of office.

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

6 Section 1. The following amendment to the Constitution of
7 the Commonwealth of Pennsylvania is proposed in accordance with
8 the provisions of the eleventh article thereof.

9 That section three, article five of the Constitution of the
10 Commonwealth of Pennsylvania be amended to read:

11 Section 3. Superior Court.--The Superior Court shall be a
12 Statewide court and, except as may otherwise be provided by law,
13 shall consist of seven judges, one of whom shall be the
14 president judge, and its jurisdiction shall be as provided by
15 law. The president judge shall be the judge longest in
16 continuous service on such court. Upon the adoption of this
17 amendment by the electorate, such Statewide court shall consist
18 of such number of judges as the General Assembly may by law

1 provide, except that such court shall always consist of not less
2 than seven judges.

3 SCHEDULE TO SECTION 3 OF ARTICLE V

4 This schedule is part of section 3 of Article V, and it is
5 intended that the provisions contained herein shall have the
6 force and effect as those contained in section 3 of this
7 article.

8 This amendment and schedule shall take effect when approved
9 by the electorate, but such court shall continue to consist of
10 seven judges until additional judges are otherwise provided by
11 law.

12 (1) Notwithstanding any thing to the contrary in Article V,
13 where the General Assembly authorizes additional judges for such
14 court, it shall in such law stagger and fix the length of the
15 initial terms of such additional judges, but the initial term of
16 any such judge shall not extend beyond the first Monday of
17 January, 1984. Such additional judges shall be initially
18 appointed by the Governor with the advice and consent of the
19 majority of the members elected to the Senate. Any subsequent
20 appointment by the Governor to such court shall be in the manner
21 and for such term as is prescribed by Article V.

22 (2) Notwithstanding any thing in this amendment to the
23 contrary, the present judges of such court may complete their
24 terms of office and may be elected or retained for additional
25 terms in the manner provided in Article V.

26 Section 2. This proposed amendment and schedule thereto
27 shall be submitted by the Secretary of the Commonwealth to the
28 qualified electors of the State, at the primary election or
29 election next held after the advertising requirements of article
30 eleven, section one of the Constitution of the Commonwealth of

1 Pennsylvania have been satisfied.