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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 288 Session of  
1999

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INTRODUCED BY CORMAN, MOWERY, PUNT, STAPLETON, WHITE AND  
WOZNIAK, FEBRUARY 2, 1999

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REFERRED TO JUDICIARY, FEBRUARY 2, 1999

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, providing for the election of justices and  
3 judges of the Supreme Court, the Superior Court and the  
4 Commonwealth Court from established judicial districts.

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

7 Section 1. The following amendment to the Constitution of  
8 Pennsylvania is proposed in accordance with Article XI:

9 That sections 2, 3, 4 and 11 of Article V be amended to read:

10 § 2. Supreme Court.

11 The Supreme Court (a) shall be the highest court of the  
12 Commonwealth and in this court shall be reposed the supreme  
13 judicial power of the Commonwealth;

14 (b) shall consist of seven justices, to be elected from  
15 seven judicial districts which shall be established by law, one  
16 of whom shall be the Chief Justice; and

17 (c) shall have such jurisdiction as shall be provided by  
18 law.

1 § 3. Superior Court.

2 The Superior Court shall be a statewide court, and shall  
3 consist of the number of judges, which shall be not less than  
4 [seven] 15 judges, to be elected from 15 judicial districts  
5 which shall be established by law, and have such jurisdiction as  
6 shall be provided by this Constitution or by the General  
7 Assembly. One of its judges shall be the president judge.

8 § 4. Commonwealth Court.

9 The Commonwealth Court shall be a statewide court, and shall  
10 consist of the number of judges, which shall be not less than  
11 nine judges to be elected from nine judicial districts which  
12 shall be established by law, and have such jurisdiction as shall  
13 be provided by law. One of its judges shall be the president  
14 judge.

15 § 11. Judicial districts; boundaries.

16 [The number and boundaries of judicial districts shall be  
17 changed by the General Assembly only with the advice and consent  
18 of the Supreme Court.]

19 (a) The number of justices of the Supreme Court and the  
20 number of judges of the Superior Court and the Commonwealth  
21 Court elected from each judicial district fixed by law pursuant  
22 to sections 2, 3 and 4 shall provide every resident of the  
23 Commonwealth with approximately equal representation on a court.

24 (b) The General Assembly shall establish by law:

25 (1) The judicial districts from which justices of the  
26 Supreme Court and judges of the Superior Court and the  
27 Commonwealth Court shall be elected.

28 (2) A transition to an appellate court judiciary elected  
29 from judicial districts.

30 (3) The effect of set judicial districts upon

1 eligibility to seek retention election.

2 (4) Residency qualification for election or appointment  
3 to the appellate court judiciary.

4 (5) The order in which judicial districts shall elect  
5 justices of the Supreme Court and judges of the Superior  
6 Court and the Commonwealth Court.

7 (6) A decennial realignment of the appellate judicial  
8 districts based on the Federal Census shall begin in the year  
9 2011 and each ten years thereafter.

10 Section 2. (a) Upon the first passage by the General  
11 Assembly of this proposed constitutional amendment, the  
12 Secretary of the Commonwealth shall proceed immediately to  
13 comply with the advertising requirements of section 1 of Article  
14 XI of the Constitution of Pennsylvania and shall transmit the  
15 required advertisements to two newspapers in every county in  
16 which such newspapers are published in sufficient time after  
17 passage of this proposed constitutional amendment.

18 (b) Upon the second passage by the General Assembly of this  
19 proposed constitutional amendment, the Secretary of the  
20 Commonwealth shall proceed immediately to comply with the  
21 advertising requirements of section 1 of Article XI of the  
22 Constitution of Pennsylvania and shall transmit the required  
23 advertisements to two newspapers in every county in which such  
24 newspapers are published in sufficient time after passage of  
25 this proposed constitutional amendment. The Secretary of the  
26 Commonwealth shall submit this proposed constitutional amendment  
27 to the qualified electors of this Commonwealth at the first  
28 primary, general or municipal election occurring at least three  
29 months after the proposed constitutional amendment is passed by  
30 the General Assembly which meets the requirements of and is in

1 conformance with section 1 of Article XI of the Constitution of  
2 Pennsylvania.