

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1600 Session of
1981

INTRODUCED BY COCHRAN, NOYE, PRATT, MADIGAN, CLARK,
E. Z. TAYLOR, CALTAGIRONE, BELFANTI, WILSON, PUNT, DUFFY,
SAURMAN, VROON, KLINGAMAN, VAN HORNE AND SALVATORE, JUNE 16,
1981

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 16, 1981

JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, further providing for the election of
3 judges.

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 Article XI thereof:

9 That section 15 of Article V be amended to read:

10 § 15. Tenure of justices, judges and justices of the peace.

11 (a) The regular term of office of justices and judges shall
12 be ten years and the regular term of office for judges of the
13 municipal court and traffic court in the City of Philadelphia
14 and of justices of the peace shall be six years. The tenure of
15 any justice or judge shall not be affected by changes in
16 judicial districts or by reduction in the number of judges.

17 (b) A justice or judge elected under section 13(a),

1 appointed under section 13(d) or retained under this section
2 15(b) may file a declaration of candidacy for [retention
3 election] reelection with the officer of the Commonwealth who
4 under law shall have supervision over elections on or before the
5 first Monday of January of the year preceding the year in which
6 his term of office expires. If no declaration is filed, a
7 vacancy shall exist upon the expiration of the term of office of
8 such justice or judge, to be filled by election under section
9 13(a) or by appointment under section 13(d) if applicable. If a
10 justice or judge files a declaration, his name along with the
11 names of all other candidates for the office shall be submitted
12 to the electors [without] with party designation, on a separate
13 judicial ballot or in a separate column on voting machines, at
14 the municipal election immediately preceding the expiration of
15 the term of office of the justice or judge[, to determine only
16 the question whether he shall be retained in office. If a
17 majority is against retention, a vacancy shall exist upon the
18 expiration of his term of office, to be filled by appointment
19 under section 13(b) or under section 13(d) if applicable. If a
20 majority favors retention, the justice or judge shall serve for
21 the regular term of office provided herein, unless sooner
22 removed or retired]. At the expiration of each term a justice or
23 judge shall be eligible for [retention] reelection as provided
24 herein, subject only to the retirement provisions of this
25 article. No candidate for the office of justice or judge shall
26 cross file in any primary or otherwise run for office on more
27 than one party line.