

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 1231 Session of  
2020

---

INTRODUCED BY AUMENT, J. WARD, PHILLIPS-HILL, MASTRIANO, MENSCH,  
ARNOLD, LANGERHOLC, ARGALL, GORDNER, BROWNE, DiSANTO,  
K. WARD, SCAVELLO AND PITTMAN, JULY 27, 2020

---

REFERRED TO STATE GOVERNMENT, JULY 27, 2020

---

A JOINT RESOLUTION

1 Proposing integrated amendments to the Constitution of the  
2 Commonwealth of Pennsylvania, organizing the Judiciary into  
3 representative districts and further providing for residency  
4 requirements.

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

7 Section 1. The following integrated amendments to the  
8 Constitution of Pennsylvania are proposed in accordance with  
9 Article XI:

10 (1) That section 2 of Article V be amended to read:

11 § 2. Supreme Court.

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

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

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

1 law.

2 (2) That section 3 of Article V be amended to read:

3 § 3. Superior Court.

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

10 (3) That section 4 of Article V be amended to read:

11 § 4. Commonwealth Court.

12 The Commonwealth Court shall be a statewide court, and shall  
13 consist of the number of judges, to be elected from judicial  
14 districts which shall be established by law, and have such  
15 jurisdiction as shall be provided by law. One of its judges  
16 shall be the president judge.

17 (4) That section 11 of Article V be amended to read:

18 § 11. Judicial districts; boundaries.

19 [The number and boundaries of judicial districts shall be  
20 changed by the General Assembly only with the advice and consent  
21 of the Supreme Court.]

22 (a) The number of judges and justices of the Supreme Court,  
23 the Superior Court and the Commonwealth Court elected from each  
24 judicial district shall provide every resident of the  
25 Commonwealth with approximately equal representation on a court.  
26 Each judicial district shall be composed of compact and  
27 contiguous territory as nearly equal in population as  
28 practicable. Each judicial district shall elect one judge or  
29 justice. Unless absolutely necessary, no county, city,  
30 incorporated town, borough, township or ward may be divided in

1 forming a judicial district.

2 (b) The General Assembly shall, by law, establish:

3 (1) The judicial districts from which justices of the  
4 Supreme Court and the judges of the Superior Court and the  
5 Commonwealth Court are elected.

6 (2) A transition to an appellate court judiciary elected  
7 from judicial districts.

8 (3) The effect of set judicial districts upon eligibility to  
9 seek retention election.

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

13 (5) The decennial realignment of the appellate judicial  
14 districts based on the Federal decennial census, beginning in  
15 2021 and occurring each ten years thereafter.

16 (c) Except as provided under subsection (b) and section  
17 7(b), the number and boundaries of all other judicial districts  
18 shall be established by the General Assembly by law, with the  
19 advice and consent of the Supreme Court.

20 (5) That section 12 of Article V be amended to read:

21 § 12. Qualifications of justices, judges and justices of the  
22 peace.

23 (a) Justices, judges and justices of the peace shall be  
24 citizens of the Commonwealth. Justices and judges, except the  
25 judges of the traffic court in the City of Philadelphia, shall  
26 be members of the bar of the Supreme Court. Justices [and judges  
27 of statewide courts, for a period of one year preceding their  
28 election or appointment and during their continuance in office,  
29 shall reside within the Commonwealth. Other], judges and  
30 justices of the peace, for a period of one year preceding their

1 election or appointment and during their continuance in office,  
2 shall reside within their respective districts, except as  
3 provided in this article for temporary assignments.

4 (b) Justices of the peace shall be members of the bar of the  
5 Supreme Court or shall complete a course of training and  
6 instruction in the duties of their respective offices and pass  
7 an examination prior to assuming office. Such courses and  
8 examinations shall be as provided by law.

9 Section 3. (a) Upon the first passage by the General  
10 Assembly of these proposed constitutional amendments, the  
11 Secretary of the Commonwealth shall proceed immediately to  
12 comply with the advertising requirements of section 1 of Article  
13 XI of the Constitution of Pennsylvania and shall transmit the  
14 required advertisements to two newspapers in every county in  
15 which such newspapers are published in sufficient time after  
16 passage of these proposed constitutional amendments.

17 (b) Upon the second passage by the General Assembly of these  
18 proposed constitutional amendments, the Secretary of the  
19 Commonwealth shall proceed immediately to comply with the  
20 advertising requirements of section 1 of Article XI of the  
21 Constitution of Pennsylvania and shall transmit the required  
22 advertisements to two newspapers in every county in which such  
23 newspapers are published in sufficient time after passage of  
24 these proposed constitutional amendments. The Secretary of the  
25 Commonwealth shall submit the proposed constitutional amendments  
26 under section 1 of this resolution to the qualified electors of  
27 this Commonwealth as a single ballot question as provided under  
28 subsection (c) at the first primary, general or municipal  
29 election which meets the requirements of and is in conformance  
30 with section 1 of Article XI of the Constitution of Pennsylvania

1 and which occurs at least three months after the proposed  
2 constitutional amendments are passed by the General Assembly.

3 (c) The Secretary of the Commonwealth shall place these  
4 proposed constitutional amendments on the ballot as a single  
5 ballot question in the following form:

6           Shall sections 2, 3, 4, 11 and 12 of Article V of the  
7           Pennsylvania Constitution be amended to require that  
8           judges and justices of the Supreme Court, the Superior  
9           Court and the Commonwealth Court be elected from judicial  
10          districts established by the General Assembly which must  
11          be compact, contiguous and nearly equal in population as  
12          practicable and to require that all justices, judges and  
13          justices of the peace to be residents of their judicial  
14          districts for one year preceding election or appointment  
15          and during service?