
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1000 Session of
1991

INTRODUCED BY GREENLEAF, BELL, HART, BORTNER, MADIGAN, LEWIS,
HOPPER, FISHER, SHUMAKER, CORMAN, SHAFFER, JONES, LAVALLE,
JUBELIRER AND RHOADES, APRIL 23, 1991

SENATOR GREENLEAF, JUDICIARY, AS AMENDED, MARCH 24, 1992

A JOINT RESOLUTION

1 Proposing amendments to the Constitution of the Commonwealth of
2 Pennsylvania, changing provisions relating to judicial
3 discipline; and providing for financial disclosure, for
4 budgeting and for the financial affairs of the judiciary.

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

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

9 (1) That section 17 of Article V be amended to read:

10 § 17. Prohibited activities and financial disclosure.

11 (a) Justices and judges shall devote full time to their
12 judicial duties, and shall not engage in the practice of law,
13 hold office in a political party or political organization, or
14 hold an office or position of profit in the government of the
15 United States, the Commonwealth or any municipal corporation or
16 political subdivision thereof, except in the armed service of
17 the United States or the Commonwealth.

18 (b) Justices and judges shall not engage in any activity

1 prohibited by law and shall not violate any canon of legal or
2 judicial ethics prescribed by the Supreme Court. Justices of the
3 peace shall be governed by rules or canons which shall be
4 prescribed by the Supreme Court.

5 (c) No justice, judge or justice of the peace shall be paid
6 or accept for the performance of any judicial duty or for any
7 service connected with his office, any fee, emolument or
8 perquisite other than the salary and expenses provided by law.

9 (d) No duties shall be imposed by law upon the Supreme Court
10 or any of the justices thereof or the Superior Court or any of
11 the judges thereof, except such as are judicial, nor shall any
12 of them exercise any power of appointment except as provided in
13 this Constitution.

14 (e) The Supreme Court shall promulgate financial disclosure
15 requirements for all justices, judges, justices of the peace and
16 other officers or employees of the unified judicial system which
17 shall provide for no less financial disclosure than provided by
18 law for members of the General Assembly. In addition, such
19 disclosure shall include that information deemed necessary for
20 the fair and impartial administration of justice. These
21 requirements shall prohibit any justice, judge, justice of the
22 peace or other officer or employee of the system from taking the
23 oath of office or entering or continuing upon his or her duties
24 or receiving compensation from public funds unless he or she has
25 complied with such financial disclosure requirements.

26 (2) That section 18 of Article V be amended to read:

27 [§ 18. Suspension, removal, discipline and compulsory
28 retirement.

29 (a) There shall be a Judicial Inquiry and Review Board
30 having nine members as follows: three judges of the courts of

1 common pleas from different judicial districts and two judges of
2 the Superior Court, all of whom shall be selected by the Supreme
3 Court; and two non-judge members of the bar of the Supreme Court
4 and two non-lawyer electors, all of whom shall be selected by
5 the Governor.]

6 § 18. Judicial Conduct Board.

7 (a) There shall be a Judicial Conduct Board within the
8 executive branch, which shall be composed of a total of 11
9 members as follows: ~~one active judge~~ TWO ACTIVE JUDGES of the <—
10 court of common pleas appointed by the Supreme Court, one active
11 judge of an appellate court appointed by the Supreme Court, one
12 active justice of the peace appointed by the Supreme Court, two
13 non-judge members of the bar of the Supreme Court appointed by
14 the Governor and ~~six~~ FIVE non-lawyer electors appointed by the <—
15 Governor. All members of the Judicial Conduct Board shall be
16 appointed by the respective appointing authority, with the
17 advice and consent of a majority of the members elected to the
18 Senate in the ~~manner provided in~~ CONFORMANCE WITH THE PROVISIONS <—
19 OF section 8 of Article IV of this Constitution.

20 (b) [The] Except for the initial appointees whose terms
21 shall be provided by the schedule to this amendment, the members
22 shall serve for terms of four years, provided that a member,
23 rather than his or her successor, shall continue to participate
24 in any hearing in progress at the end of [his term.] this term.
25 All members shall be residents of this Commonwealth, and no more
26 than six of the 11 members shall be registered in the same
27 political party. Judicial Conduct Board membership by a judge
28 shall terminate if the member ceases to hold the judicial
29 position that qualified him or her for the appointment.
30 Membership shall also terminate if a member attains a position

1 that would have rendered him or her ineligible for appointment
2 at the time of the appointment. A vacancy on the board shall be
3 filled by the respective appointing authority for the balance of
4 the term. The [respective appointing authority may remove a]
5 Governor may remove any member only for cause. No member shall
6 serve more than four consecutive years[; he] but may be
7 reappointed after a lapse of one year. [Annually] The Governor
8 shall convene the board for its first meeting, and, at that
9 meeting and annually thereafter, the members of the board shall
10 elect a chairman. The board shall act only with the concurrence
11 of a majority of its members.

12 (c) [A member shall not] No member of the Judicial Conduct
13 Board, during his or her term of service, shall hold office in a
14 political party or political organization. [Members, other than
15 judges, shall be compensated for their services as the Supreme
16 Court shall prescribe.] Except for a judicial member, no member
17 of the Judicial Conduct Board, during his or her term of
18 service, shall hold a public office or public appointment,
19 compensated or uncompensated. All members shall be reimbursed
20 for expenses necessarily incurred in the discharge of their
21 official duties.

22 [(d) Under the procedure prescribed herein, any justice or
23 judge may be suspended, removed from office or otherwise
24 disciplined for violation of section 17 of this article,
25 misconduct in office, neglect of duty, failure to perform his
26 duties, or conduct which prejudices the proper administration of
27 justice or brings the judicial office into disrepute, and may be
28 retired for disability seriously interfering with the
29 performance of his duties.

30 (e) The board shall keep informed as to matters relating to

1 grounds for suspension, removal, discipline, or compulsory
2 retirement of justices or judges. It shall receive complaints or
3 reports, formal or informal, from any source pertaining to such
4 matters, and shall make such preliminary investigations as it
5 deems necessary.

6 (f) The board, after such investigation, may order a hearing
7 concerning the suspension, removal, discipline or compulsory
8 retirement of a justice or judge. The board's orders for
9 attendance of or testimony by witnesses or for the production of
10 documents at any hearing or investigation shall be enforceable
11 by contempt proceedings.

12 (g) If, after hearing, the board finds good cause therefor,
13 it shall recommend to the Supreme Court the suspension, removal,
14 discipline or compulsory retirement of the justice or judge.

15 (h) The Supreme Court shall review the record of the board's
16 proceedings on the law and facts and may permit the introduction
17 of additional evidence. It shall order suspension, removal,
18 discipline or compulsory retirement, or wholly reject the
19 recommendation, as it finds just and proper. Upon an order for
20 compulsory retirement, the justice or judge shall be retired
21 with the same rights and privileges were he retired under
22 section 16 of this article. Upon an order for suspension or
23 removal, the justice or judge shall be suspended or removed from
24 office, and his salary shall cease from the date of such order.
25 All papers filed with and proceedings before the board shall be
26 confidential but upon being filed by the board in the Supreme
27 Court, the record shall lose its confidential character. The
28 filing of papers with and the giving of testimony before the
29 board shall be privileged.

30 (i) No justice or judge shall participate as a member of the

1 board or of the Supreme Court in any proceeding involving his
2 suspension, removal, discipline or compulsory retirement.

3 (j) The Supreme Court shall prescribe rules of procedure
4 under this section.

5 (k) The Supreme Court shall prescribe rules of procedure for
6 the suspension, removal, discipline and compulsory retirement of
7 justices of the peace.

8 (l) A justice, judge or justice of the peace convicted of
9 misbehavior in office by a court, disbarred as a member of the
10 bar of the Supreme Court or removed under this section 18 shall
11 forfeit automatically his judicial office and thereafter be
12 ineligible for judicial office.

13 (m) A justice or judge who shall file for nomination for or
14 election to any public office other than a judicial office shall
15 forfeit automatically his judicial office.

16 (n) This section is in addition to and not in substitution
17 for the provisions for impeachment for misbehavior in office
18 contained in Article VI. No justice, judge or justice of the
19 peace against whom impeachment proceedings are pending in the
20 Senate shall exercise any of the duties of his office until he
21 has been acquitted.]

22 (d) The Judicial Conduct Board shall receive and investigate
23 complaints regarding judicial conduct filed by individuals or
24 initiated by the Judicial Conduct Board; promulgate rules for
25 determining whether a complaint is reasonably based; issue
26 subpoenas to compel testimony under oath of witnesses, including
27 the subject of the investigation, and to compel the production
28 of documents, books, accounts and other records relevant to the
29 investigation; determine whether there is probable cause to file
30 formal charges against a justice, judge or justice of the peace,

1 for conduct proscribed in sections 17 and 20(a) of this article,
2 a finding of which shall require approval by a majority vote of
3 the Judicial Conduct Board; and present the case in support of
4 the charges.

5 (e) The Judicial Conduct Board, by a majority vote, shall
6 appoint a chief counsel and other staff, prepare and administer
7 its own budget as provided by law and, establish and promulgate <—
8 its own rules of procedure; AND DO WHAT IS NEEDED TO ENSURE ITS <—
9 EFFICIENT OPERATION. The budget request of the Judicial Conduct
10 Board shall be made ~~separately~~ AS AN ITEM IN THE REQUEST OF THE <—
11 GOVERNOR ON BEHALF OF THE EXECUTIVE BRANCH OF GOVERNMENT to the
12 General Assembly. THE JUDICIAL CONDUCT BOARD SHALL PROMULGATE <—
13 RULES FOR THE PROVISION OF WRITTEN ADVISORY OPINIONS TO
14 JUSTICES, JUDGES OR JUSTICES OF THE PEACE WHICH SHALL NOT BE
15 BINDING ON THE JUDICIAL CONDUCT BOARD, ALTHOUGH THE BOARD MAY
16 GIVE WEIGHT AS TO WHETHER THE SUBJECT OF AN INVESTIGATION ACTED
17 IN ACCORDANCE WITH AN ADVISORY OPINION.

18 (f) The justice, judge or justice of the peace whose conduct
19 is the subject of an investigation by the Judicial Conduct Board
20 shall be given an opportunity to fully respond to the complaint
21 and shall be afforded full discovery.

22 (g) Until a determination of probable cause has been made
23 and formal charges have been filed, all proceedings shall be
24 confidential except when the justice, judge or justice of the
25 peace under investigation waives confidentiality, or in any case
26 in which, independent of any action by the Judicial Conduct
27 Board, the fact that an investigation is in process becomes
28 public, in which case the Judicial Conduct Board may, at the
29 direction of the justice, judge or justice of the peace under
30 investigation, issue a statement to confirm the pendency of the

1 investigation, to clarify the procedural aspects of the
2 proceedings, to explain the right of the justice, judge or
3 justice of the peace to a fair hearing without prejudgment or to
4 state that the justice, judge or justice of the peace denies the
5 allegations.

6 (h) If on a complaint of mental or physical disability the
7 Judicial Conduct Board finds probable cause to file formal
8 charges against a justice, judge or justice of the peace, the
9 board shall present its findings to the justice, judge or
10 justice of the peace and provide him with the opportunity to
11 resign or, when appropriate, to enter a rehabilitation program
12 before the filing of formal charges.

13 (i) Members of the Judicial Conduct Board and its chief
14 counsel and staff shall be absolutely immune from suit for all
15 conduct in the course of their official duties. A complaint
16 submitted to the Judicial Conduct Board or testimony related to
17 the complaint shall be privileged, and no civil action or
18 disciplinary complaint predicated on the complaint or testimony
19 shall be maintained against any complainant or witness or his or
20 her counsel.

21 (3) That Article V be amended by adding sections to read:
22 § 19. Court of Judicial Discipline.

23 (a) There shall be a Court of Judicial Discipline within the
24 judicial branch, which shall be composed of a total of seven
25 members as follows: ~~one active judge~~ TWO ACTIVE JUDGES of the <—
26 court of common pleas, one active judge of an appellate court,
27 one active justice of the peace, one non-judge member of the bar
28 of the Supreme Court and three non-lawyer electors. ~~Members~~ ONE <—
29 JUDGE OF THE COURT OF COMMON PLEAS AND THE DISTRICT JUSTICE
30 MEMBER SHALL BE APPOINTED BY THE SUPREME COURT. THE REMAINING

1 MEMBERS of the Court of Judicial Discipline shall be appointed
2 by the Governor. ALL MEMBERS OF THE COURT OF JUDICIAL DISCIPLINE <—
3 SHALL BE APPOINTED with the advice and consent of a majority of
4 the members elected to the Senate in ~~the manner provided in~~ <—
5 CONFORMANCE WITH THE PROVISIONS OF section 8 of Article IV of <—
6 this Constitution.

7 (b) Except for the initial appointees whose terms shall be
8 provided by the schedule to this amendment, the members shall
9 serve for terms of four years, provided that a member, rather
10 than his or her successor, shall continue to participate in any
11 hearing in progress at the end of this term. All members shall
12 be residents of this Commonwealth, and no more than four of the
13 seven members shall be registered in the same political party.
14 Court of Judicial Discipline membership by a judge shall
15 terminate if the judge ceases to hold the judicial position that
16 qualified that judge for Court of Judicial Discipline
17 appointment. Court of Judicial Discipline membership shall also
18 terminate if a member attains a position that would have
19 rendered him or her ineligible for appointment at the time of
20 the appointment. A vacancy on the Court of Judicial Discipline
21 shall be filled by the Governor for the balance of the term. The
22 Governor may remove any member only for cause. No member of the
23 Court of Judicial Discipline shall serve more than four
24 consecutive years but may be reappointed after a lapse of one
25 year.

26 (c) No member of the Court of Judicial Discipline, during
27 his or her term of service, shall hold office in any political
28 party or political organization. Except for a judicial member,
29 no member of the Court of Judicial Discipline, during his or her
30 term of service, shall hold a public office or public

1 appointment, compensated or uncompensated. All members shall be
2 reimbursed for expenses necessarily incurred in the discharge of
3 their official duties.

4 (d) The Court of Judicial Discipline shall be a court of
5 record with all the attendant duties and powers appropriate to
6 its function, and shall hold public proceedings, conducted
7 PURSUANT TO RULES ADOPTED BY THE COURT OF JUDICIAL DISCIPLINE <—
8 CONSISTENT WITH THE PENNSYLVANIA RULES OF CIVIL PROCEDURE, AND
9 consistent with the principles of due process and the law of
10 evidence; enable parties appearing before it to subpoena
11 witnesses and to compel the production of documents, books,
12 accounts and other records as relevant; render its decision in
13 writing, each decision to include its findings of fact,
14 conclusions of law and discussion of reasons; have its
15 proceedings transcribed; order removal from office, suspension,
16 censure or other discipline as authorized by section 20 of this
17 article and as warranted by the record; appoint staff and
18 prepare and administer its own budget as provided by law. All
19 actions of the Court of Judicial Discipline, including
20 disciplinary action, shall require approval by a majority vote
21 of the Court. The budget request of the Court of Judicial
22 Discipline shall be made ~~separately to the General Assembly, and~~ <—
23 ~~not as an AS A SEPARATE~~ item in the request by the Supreme Court <—
24 on behalf of the judicial system TO THE GENERAL ASSEMBLY. <—

25 (e) Upon the filing of formal charges by the Judicial
26 Conduct Board, the Court of Judicial Discipline shall schedule a
27 prompt hearing to determine whether a sanction pursuant to the
28 provisions of section 20 of this article should be imposed. The
29 Court of Judicial Discipline shall afford the justice, judge or
30 justice of the peace full discovery and a fair opportunity to

1 prepare for the hearing. The Judicial Conduct Board shall have
2 the burden of proving the conduct complained of by clear and
3 convincing evidence.

4 (f) Members of the Court of Judicial Discipline and the
5 Court's staff shall be absolutely immune from suit for all
6 conduct in the course of their official duties, and no civil
7 action or disciplinary complaint predicated on testimony before
8 the Court of Judicial Discipline shall be maintained against any
9 witness or his or her counsel.

10 § 20. Proscribed conduct and sanctions.

11 (a) Under the procedures prescribed in this section, any
12 justice, judge or justice of the peace may be suspended, removed
13 from office or otherwise disciplined for violation of section 17
14 of this article, misconduct in office, neglect or failure to
15 perform the duties of office, or conduct which prejudices the
16 proper administration of justice or brings the judicial office
17 into disrepute, whether or not such conduct occurred while
18 acting in a judicial capacity or is prohibited by law, and for
19 conduct in violation of a canon or rule prescribed by the
20 Supreme Court.

21 (b) The Court of Judicial Discipline shall MAY, until there <—
22 is an acquittal or conviction for the felony offense, order
23 suspended WITH OR without pay any justice, judge or justice of <—
24 the peace against whom there has been filed an indictment or
25 information charging a felony. An interim order of suspension,
26 with or without pay, may be entered against a justice, judge or
27 justice of the peace against whom formal charges have been filed
28 with the Court of Judicial Discipline by the Judicial Conduct
29 Board. Such order shall not be immediately appealable.

30 (c) In the case of a mentally or physically disabled

1 justice, judge or justice of the peace, the Court of Judicial
2 Discipline may enter an order of removal from office,
3 retirement, suspension or other limitations on the activities of
4 the justice, judge or justice of the peace as warranted by the
5 record.

6 (d) The Court of Judicial Discipline may order suspended,
7 with or without pay, any justice, judge or justice of the peace
8 after a determination that the continued service of the justice,
9 judge or justice of the peace poses a substantial or imminent
10 threat to the fair and impartial administration of justice.

11 (e) Upon an order of the Court of Judicial Discipline for
12 suspension without pay or removal, the justice, judge or justice
13 of the peace shall be suspended or removed from office, and his
14 or her salary shall cease from the date of such order.

15 (f) A justice, judge or justice of the peace convicted of
16 misbehavior in office by a court, disbarred as a member of the
17 bar of the Supreme Court or removed under this section shall
18 forfeit automatically his or her judicial office and thereafter
19 be ineligible for judicial office.

20 (g) A justice, judge or justice of the peace who files for
21 nomination for or election to any public office other than a
22 judicial office shall forfeit automatically his or her judicial
23 office.

24 (h) This section is in addition to and not in substitution
25 for the provisions for impeachment for misbehavior in office
26 contained in Article VI. No justice, judge or justice of the
27 peace against whom impeachment proceedings are pending in the
28 Senate shall exercise any of the duties of the office until he
29 or she has been acquitted.

30 § 21. Review of Court of Judicial Discipline.

1 ~~(a) A justice, judge or justice of the peace, other than a~~
2 ~~justice of the Supreme Court, in a manner consistent with the~~
3 ~~rules of the Supreme Court, may appeal to the Supreme Court a~~
4 ~~final adverse order of the Court of Judicial Discipline. The~~ ←
5 ~~Supreme Court shall not review the record de novo, but rather as~~
6 ~~it would review the record in a civil action in which the moving~~
7 ~~party in the lower court had the burden of proving its~~
8 ~~allegations by clear and convincing evidence. The Supreme Court~~
9 ~~may revise or reject the order of the Court of Judicial~~
10 ~~Discipline upon a determination the order did not sustain this~~
11 ~~standard of review; otherwise the Supreme Court shall affirm the~~
12 ~~order of the Court of Judicial Discipline.~~

13 ~~(b) A justice of the Supreme Court, in a manner consistent~~
14 ~~with the rules of the Supreme Court, may appeal a final adverse~~
15 ~~order of the Court of Judicial Discipline to a special review~~
16 ~~panel consisting of seven judges to be chosen by lot from the~~
17 ~~judges of the Superior Court and the Commonwealth Court, other~~
18 ~~than senior judges, and who do not themselves sit on the Court~~
19 ~~of Judicial Discipline. The appeal shall in all other respects~~
20 ~~conform with the requirements of this section.~~

21 ~~(c) No justice, judge or justice of the peace shall~~
22 ~~participate as a member of the Judicial Conduct Board, the Court~~
23 ~~of Judicial Discipline, a special review panel or the Supreme~~
24 ~~Court in any proceeding involving his or her suspension,~~
25 ~~removal, discipline or compulsory retirement.~~

26 ~~(4) That Article V be amended by adding a section to read:~~ ←
27 ~~§ 22. Financial affairs and budgets.~~

28 ~~(a) As provided by law, the Supreme Court shall annually~~
29 ~~submit to the Governor and the General Assembly proposed~~
30 ~~operating budgets for the ensuing fiscal year for the Supreme~~

1 ~~Court, Superior Court, Commonwealth Court, Court Administrator~~
2 ~~of Pennsylvania and other statewide agencies and committees of~~
3 ~~the unified judicial system setting forth in detail proposed~~
4 ~~expenditures classified by court, agency, committee or unit for~~
5 ~~the year.~~

6 ~~(b) The General Assembly shall include such operating budget~~
7 ~~appropriations for the Supreme Court, Superior Court,~~
8 ~~Commonwealth Court, Court Administrator of Pennsylvania and~~
9 ~~other statewide agencies and committees of the unified judicial~~
10 ~~system as the General Assembly shall determine to be necessary~~
11 ~~and reasonable in the general appropriation bill or such~~
12 ~~separate appropriation bill as it deems appropriate. No moneys~~
13 ~~shall be paid out of the State Treasury for the operation of the~~
14 ~~unified judicial system except pursuant to an appropriation~~
15 ~~approved by the General Assembly and upon warrant issued by the~~
16 ~~proper officer.~~

17 ~~(c) All fees, charges and other moneys received by the~~
18 ~~Supreme Court, Superior Court, Commonwealth Court or other~~
19 ~~statewide agency or committee of the unified judicial system,~~
20 ~~with the exception of payments mandated to a party by court~~
21 ~~order and fees assessed by the Supreme Court and paid to the~~
22 ~~Disciplinary Board of the Supreme Court or for a client security~~
23 ~~fund, shall be deposited in the State Treasury for appropriation~~
24 ~~by the General Assembly for the operations of the unified~~
25 ~~judicial system.~~

26 ~~(d) The financial affairs of the Supreme Court, Superior~~
27 ~~Court, Commonwealth Court, courts of common pleas, municipal and~~
28 ~~traffic courts in the City of Philadelphia, such other courts as~~
29 ~~may be provided by law and justices of the peace and all~~
30 ~~agencies and committees thereof shall be subject to audits made~~

1 ~~in accordance with generally accepted auditing standards and~~
2 ~~shall be performed as prescribed by the General Assembly by law.~~

3 (D) ON APPEAL, THE REVIEWING COURT OR SPECIAL TRIBUNAL SHALL <—
4 REVIEW THE RECORD OF THE COURT OF JUDICIAL DISCIPLINE
5 PROCEEDINGS AS FOLLOWS: AS TO MATTERS OF LAW, THE SCOPE OF
6 REVIEW SHALL BE PLENARY. AS TO MATTERS OF FACT, THE SCOPE OF
7 REVIEW SHALL BE WHETHER THE FINDINGS BELOW WERE CLEARLY
8 ERRONEOUS. AS TO THE PROPRIETY OF THE SANCTIONS IMPOSED, THE
9 SCOPE OF REVIEW SHALL BE WHETHER THE SANCTIONS IMPOSED WERE
10 LAWFUL. THE SUPREME COURT OR SPECIAL TRIBUNAL MAY REVISE OR
11 REJECT THE ORDER OF THE COURT OF JUDICIAL DISCIPLINE UPON A
12 DETERMINATION THE ORDER DID NOT SUSTAIN THIS STANDARD OF REVIEW;
13 OTHERWISE THE SUPREME COURT SHALL AFFIRM THE ORDER OF THE COURT
14 OF JUDICIAL DISCIPLINE.

15 (E) AN ORDER OF THE COURT OF JUDICIAL DISCIPLINE DISMISSING
16 A COMPLAINT AGAINST A JUDGE OR JUSTICE OF THE PEACE MAY BE
17 APPEALED BY THE JUDICIAL CONDUCT BOARD TO THE SUPREME COURT BUT
18 THE APPEAL SHALL BE LIMITED TO QUESTIONS OF LAW. AN ORDER OF THE
19 COURT OF JUDICIAL DISCIPLINE DISMISSING A COMPLAINT AGAINST A
20 JUSTICE OF THE SUPREME COURT MAY BE APPEALED BY THE JUDICIAL
21 CONDUCT BOARD TO A SPECIAL TRIBUNAL COMPOSED OF SEVEN JUDGES,
22 NOT SENIOR JUDGES, CHOSEN BY LOT FROM THE JUDGES OF THE SUPERIOR
23 COURT AND COMMONWEALTH COURT, BUT THE APPEAL SHALL BE LIMITED TO
24 QUESTIONS OF LAW.

25 Section 2. (a) The members of the Judicial Inquiry and
26 Review Board appointed heretofore shall vacate their office 60 <—
27 90 days after the issuance of the proclamation certifying voter
28 approval of the amendments to section 18 of Article V CONTAINED <—
29 HEREIN and all proceedings pending before the board and all
30 records shall be transferred to the Judicial Conduct Board.

1 (b) Of the members initially appointed to the Judicial
2 Conduct Board, the appellate court judge and the common pleas
3 court judge ~~shall be appointed to~~ FIRST APPOINTED SHALL serve <—
4 four-year terms. The SECOND COMMON PLEAS COURT JUDGE AND THE <—
5 justice of the peace first appointed shall serve a three-year
6 ~~term~~ TERMS. The non-judge member of the bar of the Supreme Court <—
7 first appointed by the Governor shall serve a ~~three-year terms~~ <—
8 FOUR-YEAR TERM, and the second non-judge member shall serve a <—
9 two-year term. Of the non-lawyer electors appointed by the
10 Governor, the first two appointed shall serve four-year terms;
11 the next one appointed shall serve a three-year term; and the
12 final ~~three~~ TWO appointed shall serve two-year terms. <—

13 (c) Of the members initially appointed to the Court of
14 ~~Judicial Discipline, the Governor shall appoint three members~~ <—
15 ~~for terms of four years, two members for terms of three years~~
16 ~~and two members for terms of two years.~~

17 ~~Section 3. Paragraphs (1) and (4) of section 1 shall each be~~
18 ~~submitted as a separate question, and paragraphs (2) and (3) of~~
19 ~~section 1 shall be submitted as one question by the Secretary of~~
20 ~~the Commonwealth to the qualified electors of this Commonwealth~~
21 ~~at the primary, general or municipal election next held after~~
22 ~~the advertising requirements of section 1 of Article XI of the~~
23 ~~Constitution of Pennsylvania have been satisfied.~~ JUDICIAL <—
24 DISCIPLINE, THE COMMON PLEAS COURT JUDGES AND THE APPELLATE
25 COURT JUDGE SHALL SERVE FOUR-YEAR TERMS. THE NON-LAWYER ELECTOR
26 FIRST APPOINTED AND THE DISTRICT JUSTICE MEMBER SHALL SERVE
27 THREE-YEAR TERMS. THE NON-JUDGE MEMBER OF THE BAR OF THE SUPREME
28 COURT AND THE SECOND NON-LAWYER ELECTOR SHALL SERVE TWO-YEAR
29 TERMS.

30 SECTION 3. UPON PASSAGE BY THE GENERAL ASSEMBLY OF THIS

1 PROPOSED CONSTITUTIONAL AMENDMENT, THE SECRETARY OF THE
2 COMMONWEALTH SHALL PROCEED IMMEDIATELY TO COMPLY WITH THE
3 ADVERTISING REQUIREMENTS OF SECTION 1 OF ARTICLE XI OF THE
4 CONSTITUTION OF PENNSYLVANIA AND SHALL TRANSMIT THE REQUIRED
5 ADVERTISEMENTS TO TWO NEWSPAPERS IN EVERY COUNTY IN WHICH SUCH
6 NEWSPAPERS SHALL BE PUBLISHED IN SUFFICIENT TIME AFTER PASSAGE
7 OF THIS PROPOSED CONSTITUTIONAL AMENDMENT. UPON THE SECOND
8 PASSAGE OF THIS PROPOSED CONSTITUTIONAL AMENDMENT BY THE GENERAL
9 ASSEMBLY, THE SECRETARY OF THE COMMONWEALTH SHALL PROCEED
10 IMMEDIATELY TO COMPLY WITH THE ADVERTISING REQUIREMENTS OF
11 SECTION 1 OF ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA AND
12 SHALL TRANSMIT THE REQUIRED ADVERTISEMENTS TO TWO NEWSPAPERS IN
13 EVERY COUNTY IN WHICH SUCH NEWSPAPERS SHALL BE PUBLISHED IN
14 SUFFICIENT TIME AFTER PASSAGE OF THIS PROPOSED CONSTITUTIONAL
15 AMENDMENT. THE SECRETARY OF THE COMMONWEALTH SHALL SUBMIT THIS
16 PROPOSED CONSTITUTIONAL AMENDMENT TO THE QUALIFIED ELECTORS OF
17 THIS COMMONWEALTH AT THE FIRST PRIMARY, GENERAL OR MUNICIPAL
18 ELECTION AFTER THE PROPOSED CONSTITUTIONAL AMENDMENT IS PASSED
19 BY THE GENERAL ASSEMBLY WHICH MEETS THE REQUIREMENTS OF AND IS
20 IN CONFORMANCE WITH SECTION 1 OF ARTICLE XI OF THE CONSTITUTION
21 OF PENNSYLVANIA.