
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

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 24, 1992

A JOINT RESOLUTION

1 Proposing ~~amendments~~ ~~AN AMENDMENT~~ AMENDMENTS to the Constitution <—
2 of the Commonwealth of Pennsylvania, changing provisions
3 relating to judicial discipline; ~~and providing for financial~~ <—
4 ~~disclosure.~~

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

7 Section 1. The following ~~amendments~~ ~~AMENDMENT~~ AMENDMENTS to <—
8 the Constitution of Pennsylvania ~~are~~ IS ARE proposed in <—
9 accordance with Article XI:

10 ~~(1) That section 17 of Article V be amended to read:~~ <—
11 ~~§ 17. Prohibited activities and financial disclosure.~~

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

1 ~~political subdivision thereof, except in the armed service of~~
2 ~~the United States or the Commonwealth.~~

3 ~~(b) Justices and judges shall not engage in any activity~~
4 ~~prohibited by law and shall not violate any canon of legal or~~
5 ~~judicial ethics prescribed by the Supreme Court. Justices of the~~
6 ~~peace shall be governed by rules or canons which shall be~~
7 ~~prescribed by the Supreme Court.~~

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

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

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

29 ~~(2) (1) That section 18~~ SECTIONS 16 AND 18 of Article V be <—
30 amended to read:

1 § 16. COMPENSATION AND RETIREMENT OF JUSTICES, JUDGES AND
2 JUSTICES OF THE PEACE.

3 (A) JUSTICES, JUDGES AND JUSTICES OF THE PEACE SHALL BE
4 COMPENSATED BY THE COMMONWEALTH AS PROVIDED BY LAW. THEIR
5 COMPENSATION SHALL NOT BE DIMINISHED DURING THEIR TERMS OF
6 OFFICE, UNLESS BY LAW APPLYING GENERALLY TO ALL SALARIED
7 OFFICERS OF THE COMMONWEALTH.

8 (B) JUSTICES, JUDGES AND JUSTICES OF THE PEACE SHALL BE
9 RETIRED UPON ATTAINING THE AGE OF 70 YEARS. FORMER AND RETIRED
10 JUSTICES, JUDGES AND JUSTICES OF THE PEACE SHALL RECEIVE SUCH
11 COMPENSATION AS SHALL BE PROVIDED BY LAW. [NO COMPENSATION SHALL
12 BE PAID TO ANY JUSTICE, JUDGE OR JUSTICE OF THE PEACE WHO IS
13 SUSPENDED OR REMOVED FROM OFFICE UNDER SECTION 18 OF THIS
14 ARTICLE OR UNDER ARTICLE VI.] EXCEPT AS PROVIDED BY LAW, NO
15 SALARY, RETIREMENT BENEFIT OR OTHER COMPENSATION, PRESENT OR
16 DEFERRED, SHALL BE PAID TO ANY JUSTICE, JUDGE OR JUSTICE OF THE
17 PEACE, WHO UNDER SECTION 18 OR UNDER ARTICLE VI, IS SUSPENDED,
18 REMOVED OR BARRED FROM HOLDING JUDICIAL OFFICE FOR CONVICTION OF
19 A FELONY OR MISCONDUCT IN OFFICE OR CONDUCT WHICH PREJUDICES THE
20 PROPER ADMINISTRATION OF JUSTICE OR BRINGS THE JUDICIAL OFFICE
21 INTO DISREPUTE.

22 (C) A FORMER OR RETIRED JUSTICE OR JUDGE MAY, WITH HIS
23 CONSENT, BE ASSIGNED BY THE SUPREME COURT ON TEMPORARY JUDICIAL
24 SERVICE AS MAY BE PRESCRIBED BY RULE OF THE SUPREME COURT.

25 [§ 18. Suspension, removal, discipline and compulsory
26 retirement.

27 (a) There shall be a Judicial Inquiry and Review Board
28 having nine members as follows: three judges of the courts of
29 common pleas from different judicial districts and two judges of
30 the Superior Court, all of whom shall be selected by the Supreme

1 Court; and two non-judge members of the bar of the Supreme Court
2 and two non-lawyer electors, all of whom shall be selected by
3 the Governor.†

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4 (B) THE MEMBERS SHALL SERVE FOR TERMS OF FOUR YEARS,
5 PROVIDED THAT A MEMBER, RATHER THAN HIS SUCCESSOR, SHALL
6 CONTINUE TO PARTICIPATE IN ANY HEARING IN PROGRESS AT THE END OF
7 HIS TERM. A VACANCY ON THE BOARD SHALL BE FILLED BY THE
8 RESPECTIVE APPOINTING AUTHORITY FOR THE BALANCE OF THE TERM. THE
9 RESPECTIVE APPOINTING AUTHORITY MAY REMOVE A MEMBER ONLY FOR
10 CAUSE. NO MEMBER SHALL SERVE MORE THAN FOUR CONSECUTIVE YEARS;
11 HE MAY BE REAPPOINTED AFTER A LAPSE OF ONE YEAR. ANNUALLY THE
12 MEMBERS OF THE BOARD SHALL ELECT A CHAIRMAN. THE BOARD SHALL ACT
13 ONLY WITH THE CONCURRENCE OF A MAJORITY OF ITS MEMBERS.

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14 (C) A MEMBER SHALL NOT HOLD OFFICE IN A POLITICAL PARTY OR
15 POLITICAL ORGANIZATION. MEMBERS, OTHER THAN JUDGES, SHALL BE
16 COMPENSATED FOR THEIR SERVICES AS THE SUPREME COURT SHALL
17 PRESCRIBE. ALL MEMBERS SHALL BE REIMBURSED FOR EXPENSES
18 NECESSARILY INCURRED IN THE DISCHARGE OF THEIR OFFICIAL DUTIES.

19 (D) UNDER THE PROCEDURE PRESCRIBED HEREIN, ANY JUSTICE OR
20 JUDGE MAY BE SUSPENDED, REMOVED FROM OFFICE OR OTHERWISE
21 DISCIPLINED FOR VIOLATION OF SECTION 17 OF THIS ARTICLE,
22 MISCONDUCT IN OFFICE, NEGLIGENCE OF DUTY, FAILURE TO PERFORM HIS
23 DUTIES, OR CONDUCT WHICH PREJUDICES THE PROPER ADMINISTRATION OF
24 JUSTICE OR BRINGS THE JUDICIAL OFFICE INTO DISREPUTE, AND MAY BE
25 RETIRED FOR DISABILITY SERIOUSLY INTERFERING WITH THE
26 PERFORMANCE OF HIS DUTIES.

27 (E) THE BOARD SHALL KEEP INFORMED AS TO MATTERS RELATING TO
28 GROUNDS FOR SUSPENSION, REMOVAL, DISCIPLINE, OR COMPULSORY
29 RETIREMENT OF JUSTICES OR JUDGES. IT SHALL RECEIVE COMPLAINTS OR
30 REPORTS, FORMAL OR INFORMAL, FROM ANY SOURCE PERTAINING TO SUCH

1 MATTERS, AND SHALL MAKE SUCH PRELIMINARY INVESTIGATIONS AS IT
2 DEEMS NECESSARY.

3 (F) THE BOARD, AFTER SUCH INVESTIGATION, MAY ORDER A HEARING
4 CONCERNING THE SUSPENSION, REMOVAL, DISCIPLINE OR COMPULSORY
5 RETIREMENT OF A JUSTICE OR JUDGE. THE BOARD'S ORDERS FOR
6 ATTENDANCE OF OR TESTIMONY BY WITNESSES OR FOR THE PRODUCTION OF
7 DOCUMENTS AT ANY HEARING OR INVESTIGATION SHALL BE ENFORCEABLE
8 BY CONTEMPT PROCEEDINGS.

9 (G) IF, AFTER HEARING, THE BOARD FINDS GOOD CAUSE THEREFOR,
10 IT SHALL RECOMMEND TO THE SUPREME COURT THE SUSPENSION, REMOVAL,
11 DISCIPLINE OR COMPULSORY RETIREMENT OF THE JUSTICE OR JUDGE.

12 (H) THE SUPREME COURT SHALL REVIEW THE RECORD OF THE BOARD'S
13 PROCEEDINGS ON THE LAW AND FACTS AND MAY PERMIT THE INTRODUCTION
14 OF ADDITIONAL EVIDENCE. IT SHALL ORDER SUSPENSION, REMOVAL,
15 DISCIPLINE OR COMPULSORY RETIREMENT, OR WHOLLY REJECT THE
16 RECOMMENDATION, AS IT FINDS JUST AND PROPER. UPON AN ORDER FOR
17 COMPULSORY RETIREMENT, THE JUSTICE OR JUDGE SHALL BE RETIRED
18 WITH THE SAME RIGHTS AND PRIVILEGES WERE HE RETIRED UNDER
19 SECTION 16 OF THIS ARTICLE. UPON AN ORDER FOR SUSPENSION OR
20 REMOVAL, THE JUSTICE OR JUDGE SHALL BE SUSPENDED OR REMOVED FROM
21 OFFICE, AND HIS SALARY SHALL CEASE FROM THE DATE OF SUCH ORDER.
22 ALL PAPERS FILED WITH AND PROCEEDINGS BEFORE THE BOARD SHALL BE
23 CONFIDENTIAL BUT UPON BEING FILED BY THE BOARD IN THE SUPREME
24 COURT, THE RECORD SHALL LOSE ITS CONFIDENTIAL CHARACTER. THE
25 FILING OF PAPERS WITH AND THE GIVING OF TESTIMONY BEFORE THE
26 BOARD SHALL BE PRIVILEGED.

27 (I) NO JUSTICE OR JUDGE SHALL PARTICIPATE AS A MEMBER OF THE
28 BOARD OR OF THE SUPREME COURT IN ANY PROCEEDING INVOLVING HIS
29 SUSPENSION, REMOVAL, DISCIPLINE OR COMPULSORY RETIREMENT.

30 (J) THE SUPREME COURT SHALL PRESCRIBE RULES OF PROCEDURE

1 UNDER THIS SECTION.

2 (K) THE SUPREME COURT SHALL PRESCRIBE RULES OF PROCEDURE FOR
3 THE SUSPENSION, REMOVAL, DISCIPLINE AND COMPULSORY RETIREMENT OF
4 JUSTICES OF THE PEACE.

5 (L) A JUSTICE, JUDGE OR JUSTICE OF THE PEACE CONVICTED OF
6 MISBEHAVIOR IN OFFICE BY A COURT, DISBARRED AS A MEMBER OF THE
7 BAR OF THE SUPREME COURT OR REMOVED UNDER THIS SECTION 18 SHALL
8 FORFEIT AUTOMATICALLY HIS JUDICIAL OFFICE AND THEREAFTER BE
9 INELIGIBLE FOR JUDICIAL OFFICE.

10 (M) A JUSTICE OR JUDGE WHO SHALL FILE FOR NOMINATION FOR OR
11 ELECTION TO ANY PUBLIC OFFICE OTHER THAN A JUDICIAL OFFICE SHALL
12 FORFEIT AUTOMATICALLY HIS JUDICIAL OFFICE.

13 (N) THIS SECTION IS IN ADDITION TO AND NOT IN SUBSTITUTION
14 FOR THE PROVISIONS FOR IMPEACHMENT FOR MISBEHAVIOR IN OFFICE
15 CONTAINED IN ARTICLE VI. NO JUSTICE, JUDGE OR JUSTICE OF THE
16 PEACE AGAINST WHOM IMPEACHMENT PROCEEDINGS ARE PENDING IN THE
17 SENATE SHALL EXERCISE ANY OF THE DUTIES OF HIS OFFICE UNTIL HE
18 HAS BEEN ACQUITTED.]

19 ~~§ 18. Judicial Conduct Board.~~ <—

20 ~~(a) There shall be a Judicial Conduct Board within the~~
21 ~~executive branch, which shall be composed of a total of 11~~
22 ~~members as follows: two active judges of the court of common~~
23 ~~pleas appointed by the Supreme Court, one active judge of an~~
24 ~~appellate court appointed by the Supreme Court, one active~~
25 ~~justice of the peace appointed by the Supreme Court, two non-~~
26 ~~judge members of the bar of the Supreme Court appointed by the~~
27 ~~Governor and five non lawyer electors appointed by the Governor.~~
28 ~~All members of the Judicial Conduct Board shall be appointed by~~
29 ~~the respective appointing authority, with the advice and consent~~
30 ~~of a majority of the members elected to the Senate in~~

1 ~~conformance with the provisions of section 8 of Article IV of~~
2 ~~this Constitution.~~

3 (b) ~~—[The] Except for the initial appointees whose terms~~
4 ~~shall be provided by the schedule to this amendment, the members~~
5 ~~shall serve for terms of four years, provided that a member,~~
6 ~~rather than his or her successor, shall continue to participate~~
7 ~~in any hearing in progress at the end of [his term.] this term.~~
8 ~~All members shall be residents of this Commonwealth, and no more~~
9 ~~than six of the 11 members shall be registered in the same~~
10 ~~political party. Judicial Conduct Board membership by a judge~~
11 ~~shall terminate if the member ceases to hold the judicial~~
12 ~~position that qualified him or her for the appointment.~~
13 ~~Membership shall also terminate if a member attains a position~~
14 ~~that would have rendered him or her ineligible for appointment~~
15 ~~at the time of the appointment. A vacancy on the board shall be~~
16 ~~filled by the respective appointing authority for the balance of~~
17 ~~the term. The [respective appointing authority may remove a]~~
18 ~~Governor may remove any member only for cause. No member shall~~
19 ~~serve more than four consecutive years[; he] but may be~~
20 ~~reappointed after a lapse of one year. [Annually] The Governor~~
21 ~~shall convene the board for its first meeting, and, at that~~
22 ~~meeting and annually thereafter, the members of the board shall~~
23 ~~elect a chairman. The board shall act only with the concurrence~~
24 ~~of a majority of its members.~~

25 (c) ~~—[A member shall not] No member of the Judicial Conduct~~
26 ~~Board, during his or her term of service, shall hold office in a~~
27 ~~political party or political organization. [Members, other than~~
28 ~~judges, shall be compensated for their services as the Supreme~~
29 ~~Court shall prescribe.] Except for a judicial member, no member~~
30 ~~of the Judicial Conduct Board, during his or her term of~~

1 ~~service, shall hold a public office or public appointment,~~
2 ~~compensated or uncompensated.~~ All members shall be reimbursed
3 for expenses necessarily incurred in the discharge of their
4 official duties.

5 ~~[(d) Under the procedure prescribed herein, any justice or~~
6 ~~judge may be suspended, removed from office or otherwise~~
7 ~~disciplined for violation of section 17 of this article,~~
8 ~~misconduct in office, neglect of duty, failure to perform his~~
9 ~~duties, or conduct which prejudices the proper administration of~~
10 ~~justice or brings the judicial office into disrepute, and may be~~
11 ~~retired for disability seriously interfering with the~~
12 ~~performance of his duties.~~

13 ~~(e) The board shall keep informed as to matters relating to~~
14 ~~grounds for suspension, removal, discipline, or compulsory~~
15 ~~retirement of justices or judges. It shall receive complaints or~~
16 ~~reports, formal or informal, from any source pertaining to such~~
17 ~~matters, and shall make such preliminary investigations as it~~
18 ~~deems necessary.~~

19 ~~(f) The board, after such investigation, may order a hearing~~
20 ~~concerning the suspension, removal, discipline or compulsory~~
21 ~~retirement of a justice or judge. The board's orders for~~
22 ~~attendance of or testimony by witnesses or for the production of~~
23 ~~documents at any hearing or investigation shall be enforceable~~
24 ~~by contempt proceedings.~~

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

28 ~~(h) The Supreme Court shall review the record of the board's~~
29 ~~proceedings on the law and facts and may permit the introduction~~
30 ~~of additional evidence. It shall order suspension, removal,~~

1 ~~discipline or compulsory retirement, or wholly reject the~~
2 ~~recommendation, as it finds just and proper. Upon an order for~~
3 ~~compulsory retirement, the justice or judge shall be retired~~
4 ~~with the same rights and privileges were he retired under~~
5 ~~section 16 of this article. Upon an order for suspension or~~
6 ~~removal, the justice or judge shall be suspended or removed from~~
7 ~~office, and his salary shall cease from the date of such order.~~
8 ~~All papers filed with and proceedings before the board shall be~~
9 ~~confidential but upon being filed by the board in the Supreme~~
10 ~~Court, the record shall lose its confidential character. The~~
11 ~~filing of papers with and the giving of testimony before the~~
12 ~~board shall be privileged.~~

13 ~~(i) No justice or judge shall participate as a member of the~~
14 ~~board or of the Supreme Court in any proceeding involving his~~
15 ~~suspension, removal, discipline or compulsory retirement.~~

16 ~~(j) The Supreme Court shall prescribe rules of procedure~~
17 ~~under this section.~~

18 ~~(k) The Supreme Court shall prescribe rules of procedure for~~
19 ~~the suspension, removal, discipline and compulsory retirement of~~
20 ~~justices of the peace.~~

21 ~~(l) A justice, judge or justice of the peace convicted of~~
22 ~~misbehavior in office by a court, disbarred as a member of the~~
23 ~~bar of the Supreme Court or removed under this section 18 shall~~
24 ~~forfeit automatically his judicial office and thereafter be~~
25 ~~ineligible for judicial office.~~

26 ~~(m) A justice or judge who shall file for nomination for or~~
27 ~~election to any public office other than a judicial office shall~~
28 ~~forfeit automatically his judicial office.~~

29 ~~(n) This section is in addition to and not in substitution~~
30 ~~for the provisions for impeachment for misbehavior in office~~

1 contained in Article VI. No justice, judge or justice of the
2 peace against whom impeachment proceedings are pending in the
3 Senate shall exercise any of the duties of his office until he
4 has been acquitted.]

5 ~~(d) The Judicial Conduct Board shall receive and investigate~~
6 ~~complaints regarding judicial conduct filed by individuals or~~
7 ~~initiated by the Judicial Conduct Board; promulgate rules for~~
8 ~~determining whether a complaint is reasonably based; issue~~
9 ~~subpoenas to compel testimony under oath of witnesses, including~~
10 ~~the subject of the investigation, and to compel the production~~
11 ~~of documents, books, accounts and other records relevant to the~~
12 ~~investigation; determine whether there is probable cause to file~~
13 ~~formal charges against a justice, judge or justice of the peace,~~
14 ~~for conduct proscribed in sections 17 and 20(a) of this article,~~
15 ~~a finding of which shall require approval by a majority vote of~~
16 ~~the Judicial Conduct Board; and present the case in support of~~
17 ~~the charges.~~

18 ~~(e) The Judicial Conduct Board, by a majority vote, shall~~
19 ~~appoint a chief counsel and other staff, prepare and administer~~
20 ~~its own budget as provided by law, establish and promulgate its~~
21 ~~own rules of procedure; and do what is needed to ensure its~~
22 ~~efficient operation. The budget request of the Judicial Conduct~~
23 ~~Board shall be made as an item in the request of the Governor on~~
24 ~~behalf of the executive branch of government to the General~~
25 ~~Assembly. The Judicial Conduct Board shall promulgate rules for~~
26 ~~the provision of written advisory opinions to justices, judges~~
27 ~~or justices of the peace which shall not be binding on the~~
28 ~~Judicial Conduct Board, although the board may give weight as to~~
29 ~~whether the subject of an investigation acted in accordance with~~
30 ~~an advisory opinion.~~

1 ~~(f) The justice, judge or justice of the peace whose conduct~~
2 ~~is the subject of an investigation by the Judicial Conduct Board~~
3 ~~shall be given an opportunity to fully respond to the complaint~~
4 ~~and shall be afforded full discovery.~~

5 ~~(g) Until a determination of probable cause has been made~~
6 ~~and formal charges have been filed, all proceedings shall be~~
7 ~~confidential except when the justice, judge or justice of the~~
8 ~~peace under investigation waives confidentiality, or in any case~~
9 ~~in which, independent of any action by the Judicial Conduct~~
10 ~~Board, the fact that an investigation is in process becomes~~
11 ~~public, in which case the Judicial Conduct Board may, at the~~
12 ~~direction of the justice, judge or justice of the peace under~~
13 ~~investigation, issue a statement to confirm the pendency of the~~
14 ~~investigation, to clarify the procedural aspects of the~~
15 ~~proceedings, to explain the right of the justice, judge or~~
16 ~~justice of the peace to a fair hearing without prejudgment or to~~
17 ~~state that the justice, judge or justice of the peace denies the~~
18 ~~allegations.~~

19 ~~(h) If on a complaint of mental or physical disability the~~
20 ~~Judicial Conduct Board finds probable cause to file formal~~
21 ~~charges against a justice, judge or justice of the peace, the~~
22 ~~board shall present its findings to the justice, judge or~~
23 ~~justice of the peace and provide him with the opportunity to~~
24 ~~resign or, when appropriate, to enter a rehabilitation program~~
25 ~~before the filing of formal charges.~~

26 ~~(i) Members of the Judicial Conduct Board and its chief~~
27 ~~counsel and staff shall be absolutely immune from suit for all~~
28 ~~conduct in the course of their official duties. A complaint~~
29 ~~submitted to the Judicial Conduct Board or testimony related to~~
30 ~~the complaint shall be privileged, and no civil action or~~

1 ~~disciplinary complaint predicated on the complaint or testimony~~
2 ~~shall be maintained against any complainant or witness or his or~~
3 ~~her counsel.~~

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

6 ~~(a) There shall be a Court of Judicial Discipline within the~~
7 ~~judicial branch, which shall be composed of a total of seven~~
8 ~~members as follows: two active judges of the court of common~~
9 ~~pleas, one active judge of an appellate court, one active~~
10 ~~justice of the peace, one non judge member of the bar of the~~
11 ~~Supreme Court and two non lawyer electors. One judge of the~~
12 ~~court of common pleas and the district justice member shall be~~
13 ~~appointed by the Supreme Court. The remaining members of the~~
14 ~~Court of Judicial Discipline shall be appointed by the Governor.~~
15 ~~All members of the court of Judicial Discipline shall be~~
16 ~~appointed with the advice and consent of a majority of the~~
17 ~~members elected to the Senate in conformance with the provisions~~
18 ~~of section 8 of Article IV of this Constitution.~~

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

1 ~~rendered him or her ineligible for appointment at the time of~~
2 ~~the appointment. A vacancy on the Court of Judicial Discipline~~
3 ~~shall be filled by the Governor for the balance of the term. The~~
4 ~~Governor may remove any member only for cause. No member of the~~
5 ~~Court of Judicial Discipline shall serve more than four~~
6 ~~consecutive years but may be reappointed after a lapse of one~~
7 ~~year.~~

8 ~~(c) No member of the Court of Judicial Discipline, during~~
9 ~~his or her term of service, shall hold office in any political~~
10 ~~party or political organization. Except for a judicial member,~~
11 ~~no member of the Court of Judicial Discipline, during his or her~~
12 ~~term of service, shall hold a public office or public~~
13 ~~appointment, compensated or uncompensated. All members shall be~~
14 ~~reimbursed for expenses necessarily incurred in the discharge of~~
15 ~~their official duties.~~

16 ~~(d) The Court of Judicial Discipline shall be a court of~~
17 ~~record with all the attendant duties and powers appropriate to~~
18 ~~its function, and shall hold public proceedings, conducted~~
19 ~~pursuant to rules adopted by the Court of Judicial Discipline~~
20 ~~consistent with the Pennsylvania Rules of Civil Procedure, and~~
21 ~~consistent with the principles of due process and the law of~~
22 ~~evidence; enable parties appearing before it to subpoena~~
23 ~~witnesses and to compel the production of documents, books,~~
24 ~~accounts and other records as relevant; render its decision in~~
25 ~~writing, each decision to include its findings of fact,~~
26 ~~conclusions of law and discussion of reasons; have its~~
27 ~~proceedings transcribed; order removal from office, suspension,~~
28 ~~censure or other discipline as authorized by section 20 of this~~
29 ~~article and as warranted by the record; appoint staff and~~
30 ~~prepare and administer its own budget as provided by law. All~~

~~1 actions of the Court of Judicial Discipline, including
2 disciplinary action, shall require approval by a majority vote
3 of the Court. The budget request of the Court of Judicial
4 Discipline shall be made as a separate item in the request by
5 the Supreme Court on behalf of the judicial system to the
6 General Assembly.~~

~~7 (c) Upon the filing of formal charges by the Judicial
8 Conduct Board, the Court of Judicial Discipline shall schedule a
9 prompt hearing to determine whether a sanction pursuant to the
10 provisions of section 20 of this article should be imposed. The
11 Court of Judicial Discipline shall afford the justice, judge or
12 justice of the peace full discovery and a fair opportunity to
13 prepare for the hearing. The Judicial Conduct Board shall have
14 the burden of proving the conduct complained of by clear and
15 convincing evidence.~~

~~16 (f) Members of the Court of Judicial Discipline and the
17 Court's staff shall be absolutely immune from suit for all
18 conduct in the course of their official duties, and no civil
19 action or disciplinary complaint predicated on testimony before
20 the Court of Judicial Discipline shall be maintained against any
21 witness or his or her counsel.~~

~~22 § 20. Proscribed conduct and sanctions.~~

~~23 (a) Under the procedures prescribed in this section, any
24 justice, judge or justice of the peace may be suspended, removed
25 from office or otherwise disciplined for violation of section 17
26 of this article, misconduct in office, neglect or failure to
27 perform the duties of office, or conduct which prejudices the
28 proper administration of justice or brings the judicial office
29 into disrepute, whether or not such conduct occurred while
30 acting in a judicial capacity or is prohibited by law, and for~~

1 ~~conduct in violation of a canon or rule prescribed by the~~
2 ~~Supreme Court.~~

3 ~~(b) The Court of Judicial Discipline may, until there is an~~
4 ~~acquittal or conviction for the felony offense, order suspended~~
5 ~~with or without pay any justice, judge or justice of the peace~~
6 ~~against whom there has been filed an indictment or information~~
7 ~~charging a felony. An interim order of suspension, with or~~
8 ~~without pay, may be entered against a justice, judge or justice~~
9 ~~of the peace against whom formal charges have been filed with~~
10 ~~the Court of Judicial Discipline by the Judicial Conduct Board.~~
11 ~~Such order shall not be immediately appealable.~~

12 ~~(c) In the case of a mentally or physically disabled~~
13 ~~justice, judge or justice of the peace, the Court of Judicial~~
14 ~~Discipline may enter an order of removal from office,~~
15 ~~retirement, suspension or other limitations on the activities of~~
16 ~~the justice, judge or justice of the peace as warranted by the~~
17 ~~record.~~

18 ~~(d) The Court of Judicial Discipline may order suspended,~~
19 ~~with or without pay, any justice, judge or justice of the peace~~
20 ~~after a determination that the continued service of the justice,~~
21 ~~judge or justice of the peace poses a substantial or imminent~~
22 ~~threat to the fair and impartial administration of justice.~~

23 ~~(e) Upon an order of the Court of Judicial Discipline for~~
24 ~~suspension without pay or removal, the justice, judge or justice~~
25 ~~of the peace shall be suspended or removed from office, and his~~
26 ~~or her salary shall cease from the date of such order.~~

27 ~~(f) A justice, judge or justice of the peace convicted of~~
28 ~~misbehavior in office by a court, disbarred as a member of the~~
29 ~~bar of the Supreme Court or removed under this section shall~~
30 ~~forfeit automatically his or her judicial office and thereafter~~

1 ~~be ineligible for judicial office.~~

2 ~~(g) A justice, judge or justice of the peace who files for~~
3 ~~nomination for or election to any public office other than a~~
4 ~~judicial office shall forfeit automatically his or her judicial~~
5 ~~office.~~

6 ~~(h) This section is in addition to and not in substitution~~
7 ~~for the provisions for impeachment for misbehavior in office~~
8 ~~contained in Article VI. No justice, judge or justice of the~~
9 ~~peace against whom impeachment proceedings are pending in the~~
10 ~~Senate shall exercise any of the duties of the office until he~~
11 ~~or she has been acquitted.~~

12 ~~§ 21. Review of Court of Judicial Discipline.~~

13 ~~(a) A justice, judge or justice of the peace, other than a~~
14 ~~justice of the Supreme Court, in a manner consistent with the~~
15 ~~rules of the Supreme Court, may appeal to the Supreme Court a~~
16 ~~final adverse order of the Court of Judicial Discipline.~~

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

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

30 ~~(d) On appeal, the reviewing court or special tribunal shall~~

1 ~~review the record of the Court of Judicial Discipline~~
2 ~~proceedings as follows: As to matters of law, the scope of~~
3 ~~review shall be plenary. As to matters of fact, the scope of~~
4 ~~review shall be whether the findings below were clearly~~
5 ~~erroneous. As to the propriety of the sanctions imposed, the~~
6 ~~scope of review shall be whether the sanctions imposed were~~
7 ~~lawful. The Supreme Court or special tribunal may revise or~~
8 ~~reject the order of the Court of Judicial Discipline upon a~~
9 ~~determination the order did not sustain this standard of review;~~
10 ~~otherwise the Supreme Court shall affirm the order of the Court~~
11 ~~of Judicial Discipline.~~

12 ~~(c) An order of the Court of Judicial Discipline dismissing~~
13 ~~a complaint against a judge or justice of the peace may be~~
14 ~~appealed by the Judicial Conduct Board to the Supreme Court but~~
15 ~~the appeal shall be limited to questions of law. An order of the~~
16 ~~Court of Judicial Discipline dismissing a complaint against a~~
17 ~~justice of the Supreme Court may be appealed by the Judicial~~
18 ~~Conduct Board to a special tribunal composed of seven judges,~~
19 ~~not senior judges, chosen by lot from the judges of the Superior~~
20 ~~Court and Commonwealth Court, but the appeal shall be limited to~~
21 ~~questions of law.~~

22 § 18. SUSPENSION, REMOVAL, DISCIPLINE AND OTHER SANCTIONS. <—

23 (A) THERE SHALL BE A AN INDEPENDENT BOARD WITHIN THE <—
24 JUDICIAL BRANCH, KNOWN AS THE JUDICIAL CONDUCT BOARD, THE
25 COMPOSITION, POWERS AND DUTIES OF WHICH SHALL BE AS FOLLOWS:

26 (1) THE BOARD SHALL BE COMPOSED OF 12 MEMBERS, AS FOLLOWS:
27 TWO JUDGES, OTHER THAN SENIOR JUDGES, ONE FROM THE COURTS OF
28 COMMON PLEAS AND THE OTHER FROM EITHER THE SUPERIOR COURT OR THE
29 COMMONWEALTH COURT; ONE DISTRICT JUSTICE JUSTICE OF THE PEACE, <—
30 WHO NEED NOT BE A MEMBER OF THE BAR OF THE SUPREME COURT; THREE

1 NON-JUDGE MEMBERS OF THE BAR OF THE SUPREME COURT; AND SIX NON-
2 LAWYER ELECTORS.

3 ~~(2) LAY MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE~~ <—
4 ~~GOVERNOR, WITH THE ADVICE AND CONSENT OF A MAJORITY OF THE~~
5 ~~MEMBERS ELECTED TO THE SENATE. THE SENATE SHALL ACT ON EACH~~
6 ~~NOMINATION WITHIN 90 DAYS OF ITS SUBMISSION. IF THE SENATE DOES~~
7 ~~NOT ACT ON THE NOMINATION WITHIN 90 DAYS, THE APPOINTMENT SHALL~~
8 ~~OCCUR AUTOMATICALLY WITHOUT THE SENATE'S ADVICE AND CONSENT. THE~~
9 ~~JUDGES, DISTRICT JUSTICE AND NON JUDGE MEMBERS OF THE BAR OF THE~~
10 ~~SUPREME COURT SHALL BE APPOINTED BY THE SUPREME COURT.~~

11 (2) THE JUDGE FROM EITHER THE SUPERIOR COURT OR THE <—
12 COMMONWEALTH COURT, THE JUSTICE OF THE PEACE, ONE NON-JUDGE
13 MEMBER OF THE BAR OF THE SUPREME COURT AND THREE NON-LAWYER
14 ELECTORS SHALL BE APPOINTED TO THE BOARD BY THE SUPREME COURT.
15 THE JUDGE FROM THE COURTS OF COMMON PLEAS, TWO NON-JUDGE MEMBERS
16 OF THE BAR OF THE SUPREME COURT AND THREE NON-LAWYER ELECTORS
17 SHALL BE APPOINTED TO THE BOARD BY THE GOVERNOR.

18 (3) EXCEPT FOR THE INITIAL APPOINTEES, WHOSE TERMS SHALL BE
19 PROVIDED BY THE SCHEDULE TO THIS ARTICLE, THE MEMBERS SHALL
20 SERVE FOR TERMS OF FOUR YEARS. ALL MEMBERS MUST BE RESIDENTS OF
21 THIS COMMONWEALTH. NO MORE THAN THREE OF THE SIX MEMBERS
22 APPOINTED BY THE SUPREME COURT MAY BE REGISTERED IN THE SAME
23 POLITICAL PARTY. NO MORE THAN THREE OF THE SIX MEMBERS APPOINTED
24 BY THE GOVERNOR MAY BE REGISTERED IN THE SAME POLITICAL PARTY.
25 MEMBERSHIP OF A JUDGE OR DISTRICT JUSTICE JUSTICE OF THE PEACE <—
26 SHALL TERMINATE IF THE MEMBER CEASES TO HOLD THE JUDICIAL
27 POSITION THAT QUALIFIED THE MEMBER FOR THE APPOINTMENT.
28 MEMBERSHIP SHALL TERMINATE IF A MEMBER ATTAINS A POSITION THAT
29 WOULD HAVE RENDERED THE MEMBER INELIGIBLE FOR APPOINTMENT AT THE
30 TIME OF THE APPOINTMENT. A VACANCY SHALL BE FILLED BY THE

1 RESPECTIVE APPOINTING AUTHORITY FOR THE REMAINDER OF THE TERM TO
2 WHICH THE MEMBER WAS APPOINTED. NO MEMBER MAY SERVE MORE THAN
3 FOUR CONSECUTIVE YEARS BUT MAY BE REAPPOINTED AFTER A LAPSE OF
4 ONE YEAR. THE GOVERNOR SHALL CONVENE THE BOARD FOR ITS FIRST
5 MEETING. AT THAT MEETING, AND ANNUALLY THEREAFTER, THE MEMBERS
6 OF THE BOARD SHALL ELECT A CHAIRPERSON. THE BOARD SHALL ACT ONLY
7 WITH THE CONCURRENCE OF A MAJORITY OF ITS MEMBERS.

8 (4) NO MEMBER OF THE BOARD, DURING THE MEMBER'S TERM, MAY
9 HOLD OFFICE IN A POLITICAL PARTY OR POLITICAL ORGANIZATION.
10 EXCEPT FOR A JUDICIAL MEMBER, NO MEMBER OF THE BOARD, DURING THE
11 MEMBER'S TERM MAY HOLD A COMPENSATED PUBLIC OFFICE OR PUBLIC
12 APPOINTMENT. ALL MEMBERS SHALL BE REIMBURSED FOR EXPENSES
13 NECESSARILY INCURRED IN THE DISCHARGE OF THEIR OFFICIAL DUTIES.

14 (5) THE BOARD SHALL PRESCRIBE GENERAL RULES GOVERNING THE
15 CONDUCT OF MEMBERS. A MEMBER MAY BE REMOVED BY THE BOARD FOR A
16 VIOLATION OF THE RULES GOVERNING THE CONDUCT OF MEMBERS.

17 (6) THE BOARD SHALL APPOINT A CHIEF COUNSEL AND OTHER STAFF,
18 PREPARE AND ADMINISTER ITS OWN BUDGET AS PROVIDED BY LAW,
19 EXERCISE SUPERVISORY AND ADMINISTRATIVE AUTHORITY OVER ALL BOARD <—
20 STAFF AND BOARD FUNCTIONS, ESTABLISH AND PROMULGATE ITS OWN
21 RULES OF PROCEDURE, PREPARE AND DISSEMINATE AN ANNUAL REPORT AND
22 TAKE OTHER ACTIONS AS ARE NECESSARY TO ENSURE ITS EFFICIENT
23 OPERATION. THE BUDGET REQUEST OF THE BOARD SHALL BE MADE BY THE <—
24 BOARD AS A SEPARATE ITEM IN THE REQUEST SUBMITTED BY THE SUPREME <—
25 COURT ON BEHALF OF THE JUDICIAL BRANCH TO THE GENERAL ASSEMBLY.

26 (7) THE BOARD SHALL RECEIVE AND INVESTIGATE COMPLAINTS
27 REGARDING JUDICIAL CONDUCT FILED BY INDIVIDUALS OR INITIATED BY
28 THE BOARD; ISSUE SUBPOENAS TO COMPEL TESTIMONY UNDER OATH OF
29 WITNESSES, INCLUDING THE SUBJECT OF THE INVESTIGATION, AND TO
30 COMPEL THE PRODUCTION OF DOCUMENTS, BOOKS, ACCOUNTS AND OTHER

1 RECORDS RELEVANT TO THE INVESTIGATION; DETERMINE WHETHER THERE
2 IS PROBABLE CAUSE TO FILE FORMAL CHARGES AGAINST A JUSTICE,
3 JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE PEACE FOR CONDUCT ←
4 PROSCRIBED BY THIS SECTION; AND PRESENT THE CASE IN SUPPORT OF
5 THE CHARGES BEFORE THE COURT OF JUDICIAL DISCIPLINE.

6 (8) COMPLAINTS FILED WITH THE BOARD OR INITIATED BY THE
7 BOARD SHALL NOT BE PUBLIC INFORMATION. STATEMENTS, TESTIMONY,
8 DOCUMENTS, RECORDS OR OTHER INFORMATION OR EVIDENCE ACQUIRED BY
9 THE BOARD IN THE CONDUCT OF AN INVESTIGATION SHALL NOT BE PUBLIC
10 INFORMATION. A JUSTICE, JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE ←
11 PEACE WHO IS THE SUBJECT OF A COMPLAINT FILED WITH THE BOARD OR
12 INITIATED BY THE BOARD, OR OF AN INVESTIGATION CONDUCTED BY THE
13 BOARD, SHALL BE APPRISED OF THE NATURE AND CONTENT OF THE
14 COMPLAINT AND AFFORDED AN OPPORTUNITY TO RESPOND FULLY TO THE
15 COMPLAINT PRIOR TO ANY PROBABLE CAUSE DETERMINATION BY THE
16 BOARD. ALL PROCEEDINGS OF THE BOARD SHALL BE CONFIDENTIAL EXCEPT
17 WHEN THE SUBJECT OF THE INVESTIGATION WAIVES CONFIDENTIALITY.
18 IF, INDEPENDENT OF ANY ACTION BY THE BOARD, THE FACT THAT AN
19 INVESTIGATION BY THE BOARD IS IN PROGRESS BECOMES A MATTER OF
20 PUBLIC RECORD, THE BOARD MAY, AT THE DIRECTION OF THE SUBJECT OF
21 THE INVESTIGATION, ISSUE A STATEMENT TO CONFIRM THAT THE
22 INVESTIGATION IS IN PROGRESS, TO CLARIFY THE PROCEDURAL ASPECTS
23 OF THE PROCEEDINGS, TO EXPLAIN THE RIGHTS OF THE SUBJECT OF THE
24 INVESTIGATION TO A FAIR HEARING WITHOUT PREJUDGMENT, OR TO
25 PROVIDE THE RESPONSE OF THE SUBJECT OF THE INVESTIGATION TO THE
26 COMPLAINT. IN ACTING TO DISMISS A COMPLAINT FOR LACK OF PROBABLE
27 CAUSE TO FILE FORMAL CHARGES, THE BOARD MAY, AT ITS DISCRETION,
28 ISSUE A STATEMENT OR REPORT TO THE COMPLAINANT OR TO THE SUBJECT
29 OF THE COMPLAINT, WHICH MAY CONTAIN THE IDENTITY OF THE
30 COMPLAINANT, THE IDENTITY OF THE SUBJECT OF THE COMPLAINT, THE

1 CONTENTS AND NATURE OF THE COMPLAINT, THE ACTIONS TAKEN IN THE
2 CONDUCT OF THE INVESTIGATION AND THE RESULTS AND CONCLUSIONS OF
3 THE INVESTIGATION. THE BOARD MAY INCLUDE WITH A REPORT A COPY OF
4 INFORMATION OR EVIDENCE ACQUIRED IN THE COURSE OF THE
5 INVESTIGATION.

6 (9) IF THE BOARD FINDS PROBABLE CAUSE TO FILE FORMAL CHARGES
7 CONCERNING MENTAL OR PHYSICAL DISABILITY AGAINST A JUSTICE,
8 JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE PEACE, THE BOARD SHALL <—
9 SO NOTIFY THE SUBJECT OF THE CHARGES, AND PROVIDE THE SUBJECT
10 WITH AN OPPORTUNITY TO RESIGN FROM JUDICIAL OFFICE OR, WHEN
11 APPROPRIATE, TO ENTER A REHABILITATION PROGRAM PRIOR TO THE
12 FILING OF THE FORMAL CHARGES WITH THE COURT OF JUDICIAL
13 DISCIPLINE.

14 (10) MEMBERS OF THE BOARD AND ITS CHIEF COUNSEL AND STAFF
15 SHALL BE ABSOLUTELY IMMUNE FROM SUIT FOR ALL CONDUCT IN THE
16 COURSE OF THEIR OFFICIAL DUTIES. NO CIVIL ACTION OR DISCIPLINARY
17 COMPLAINT PREDICATED UPON THE FILING OF A COMPLAINT OR OTHER
18 DOCUMENTS WITH THE BOARD OR TESTIMONY BEFORE THE BOARD MAY BE
19 MAINTAINED AGAINST ANY COMPLAINANT, WITNESS OR COUNSEL.

20 (B) THERE SHALL BE A COURT OF JUDICIAL DISCIPLINE, THE
21 COMPOSITION, POWERS AND DUTIES OF WHICH SHALL BE AS FOLLOWS:

22 (1) THE COURT SHALL BE COMPOSED OF A TOTAL OF SEVEN EIGHT <—
23 MEMBERS AS FOLLOWS: THREE JUDGES OTHER THAN SENIOR JUDGES FROM
24 THE COURTS OF COMMON PLEAS, THE SUPERIOR COURT OR THE
25 COMMONWEALTH COURT; ONE ~~LAW TRAINED DISTRICT JUSTICE; ONE MEMBER~~ <—
26 JUSTICE OF THE PEACE; TWO NON-JUDGE MEMBERS OF THE BAR OF THE <—
27 SUPREME COURT; AND TWO NON-LAWYER ELECTORS. ~~THE JUDGES AND THE~~ <—
28 ~~DISTRICT JUSTICE SHALL BE APPOINTED TO THE COURT BY THE SUPREME~~
29 ~~COURT. THE MEMBER OF THE BAR OF THE SUPREME COURT AND THE TWO~~
30 ~~NON LAWYER ELECTORS SHALL BE APPOINTED TO THE COURT BY THE~~

1 ~~GOVERNOR, WITH THE ADVICE AND CONSENT OF A MAJORITY OF THE~~
2 ~~MEMBERS ELECTED TO THE SENATE. THE SENATE SHALL ACT ON EACH~~
3 ~~NOMINATION WITHIN 90 DAYS OF ITS SUBMISSION. IF THE SENATE DOES~~
4 ~~NOT ACT ON THE NOMINATION WITHIN 90 DAYS, THE APPOINTMENT SHALL~~
5 ~~OCCUR AUTOMATICALLY WITHOUT THE SENATE'S ADVICE AND CONSENT. TWO~~ <—
6 ~~JUDGES, THE JUSTICE OF THE PEACE AND ONE NON-LAWYER ELECTOR~~
7 ~~SHALL BE APPOINTED TO THE COURT BY THE SUPREME COURT. ONE JUDGE,~~
8 ~~THE TWO NON-JUDGE MEMBERS OF THE BAR OF THE SUPREME COURT AND~~
9 ~~ONE NON-LAWYER ELECTOR SHALL BE APPOINTED TO THE COURT BY THE~~
10 ~~GOVERNOR.~~

11 (2) ~~EXCEPT FOR THE INITIAL APPOINTEES, WHOSE TERMS SHALL BE~~
12 ~~PROVIDED BY THE SCHEDULE TO THIS ARTICLE, EACH MEMBER SHALL~~
13 ~~SERVE FOR A TERM OF FOUR YEARS; HOWEVER, THE MEMBER, RATHER THAN~~
14 ~~THE MEMBER'S SUCCESSOR, SHALL CONTINUE TO PARTICIPATE IN ANY~~
15 ~~HEARING IN PROGRESS AT THE END OF THE MEMBER'S TERM. ALL MEMBERS~~
16 ~~MUST BE RESIDENTS OF THIS COMMONWEALTH. NO MORE THAN TWO OF THE~~
17 ~~MEMBERS APPOINTED BY THE SUPREME COURT MAY BE REGISTERED IN THE~~
18 ~~SAME POLITICAL PARTY. NO MORE THAN TWO OF THE MEMBERS APPOINTED~~
19 ~~BY THE GOVERNOR MAY BE REGISTERED IN THE SAME POLITICAL PARTY.~~
20 ~~MEMBERSHIP OF A JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE PEACE~~ <—
21 ~~SHALL TERMINATE IF THE JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE~~ <—
22 ~~PEACE CEASES TO HOLD THE JUDICIAL POSITION THAT QUALIFIED THE~~
23 ~~JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE PEACE FOR APPOINTMENT.~~ <—
24 ~~MEMBERSHIP SHALL TERMINATE IF A MEMBER ATTAINS A POSITION THAT~~
25 ~~WOULD HAVE RENDERED THAT PERSON INELIGIBLE FOR APPOINTMENT AT~~
26 ~~THE TIME OF THE APPOINTMENT. A VACANCY ON THE COURT SHALL BE~~
27 ~~FILLED BY THE RESPECTIVE APPOINTING AUTHORITY FOR THE REMAINDER~~
28 ~~OF THE TERM TO WHICH THE MEMBER WAS APPOINTED IN THE SAME MANNER~~
29 ~~IN WHICH THE ORIGINAL APPOINTMENT OCCURRED. NO MEMBER OF THE~~
30 ~~COURT MAY SERVE MORE THAN FOUR CONSECUTIVE YEARS BUT MAY BE~~

1 REAPPOINTED AFTER A LAPSE OF ONE YEAR.

2 (3) THE COURT SHALL PRESCRIBE GENERAL RULES GOVERNING THE
3 CONDUCT OF MEMBERS. A MEMBER MAY BE REMOVED BY THE COURT FOR A
4 VIOLATION OF THE RULES OF CONDUCT PRESCRIBED BY THE COURT. NO
5 MEMBER, DURING THE MEMBER'S TERM OF SERVICE, MAY HOLD OFFICE IN
6 ANY POLITICAL PARTY OR POLITICAL ORGANIZATION. EXCEPT FOR A
7 JUDICIAL MEMBER, NO MEMBER OF THE COURT, DURING THE MEMBER'S
8 TERM OF SERVICE, MAY HOLD A COMPENSATED PUBLIC OFFICE OR PUBLIC
9 APPOINTMENT. ALL MEMBERS OF THE COURT SHALL BE REIMBURSED FOR
10 EXPENSES NECESSARILY INCURRED IN THE DISCHARGE OF THEIR OFFICIAL
11 DUTIES.

12 (4) THE COURT SHALL APPOINT STAFF AND PREPARE AND ADMINISTER
13 ITS OWN BUDGET AS PROVIDED BY LAW AND UNDERTAKE ACTIONS NEEDED
14 TO ENSURE ITS EFFICIENT OPERATION. ALL ACTIONS OF THE COURT,
15 INCLUDING DISCIPLINARY ACTION, SHALL REQUIRE APPROVAL BY A
16 MAJORITY VOTE OF THE MEMBERS OF THE COURT. THE BUDGET REQUEST OF
17 THE COURT SHALL BE MADE AS A SEPARATE ITEM IN THE REQUEST BY THE
18 SUPREME COURT ON BEHALF OF THE JUDICIAL BRANCH TO THE GENERAL
19 ASSEMBLY. THE COURT SHALL ADOPT RULES TO GOVERN THE CONDUCT OF
20 PROCEEDINGS BEFORE THE COURT.

21 (5) UPON THE FILING OF FORMAL CHARGES WITH THE COURT BY THE
22 BOARD, THE COURT SHALL PROMPTLY SCHEDULE A HEARING OR HEARINGS
23 TO DETERMINE WHETHER A SANCTION SHOULD BE IMPOSED AGAINST A
24 JUSTICE, JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE PEACE PURSUANT <—
25 TO THE PROVISIONS OF THIS SECTION. THE COURT SHALL BE A COURT OF
26 RECORD, WITH ALL THE ATTENDANT DUTIES AND POWERS APPROPRIATE TO
27 ITS FUNCTION. FORMAL CHARGES FILED WITH THE COURT SHALL BE A <—
28 MATTER OF PUBLIC RECORD. ALL HEARINGS CONDUCTED BY THE COURT
29 SHALL BE PUBLIC PROCEEDINGS, CONDUCTED PURSUANT TO THE RULES
30 ADOPTED BY THE COURT AND IN ACCORDANCE WITH THE PRINCIPLES OF

1 DUE PROCESS AND THE LAW OF EVIDENCE. PARTIES APPEARING BEFORE
2 THE COURT SHALL HAVE A RIGHT TO DISCOVERY PURSUANT TO THE RULES
3 ADOPTED BY THE COURT AND SHALL HAVE THE RIGHT TO SUBPOENA
4 WITNESSES AND TO COMPEL THE PRODUCTION OF DOCUMENTS, BOOKS,
5 ACCOUNTS AND OTHER RECORDS AS RELEVANT. THE SUBJECT OF THE
6 CHARGES SHALL BE PRESUMED INNOCENT IN ANY PROCEEDING BEFORE THE
7 COURT, AND THE BOARD SHALL HAVE THE BURDEN OF PROVING THE
8 CHARGES BY CLEAR AND CONVINCING EVIDENCE. ALL DECISIONS OF THE
9 COURT SHALL BE IN WRITING AND SHALL CONTAIN FINDINGS OF FACT AND
10 CONCLUSIONS OF LAW. A DECISION OF THE COURT MAY ORDER REMOVAL
11 FROM OFFICE, SUSPENSION, CENSURE OR OTHER DISCIPLINE AS
12 AUTHORIZED BY THIS SECTION AND AS WARRANTED BY THE RECORD.
13 ~~HEARINGS BEFORE THE COURT MAY BE CONDUCTED BY A MEMBER OR BY A~~ <—
14 ~~QUALIFIED HEARING OFFICER APPOINTED BY THE COURT.~~

15 (6) MEMBERS OF THE COURT AND THE COURT'S STAFF SHALL BE
16 ABSOLUTELY IMMUNE FROM SUIT FOR ALL CONDUCT IN THE COURSE OF
17 THEIR OFFICIAL DUTIES, AND NO CIVIL ACTION OR DISCIPLINARY
18 COMPLAINT PREDICATED ON TESTIMONY BEFORE THE COURT MAY BE
19 MAINTAINED AGAINST ANY WITNESS OR COUNSEL.

20 (C) DECISIONS OF THE COURT SHALL BE SUBJECT TO REVIEW AS
21 FOLLOWS:

22 (1) A JUSTICE, JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE <—
23 PEACE SHALL HAVE THE RIGHT TO APPEAL A FINAL ADVERSE ORDER OF
24 DISCIPLINE OF THE COURT. A JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF <—
25 THE PEACE SHALL HAVE THE RIGHT TO APPEAL TO THE SUPREME COURT IN
26 A MANNER CONSISTENT WITH RULES ADOPTED BY THE SUPREME COURT; A
27 JUSTICE SHALL HAVE THE RIGHT TO APPEAL TO A SPECIAL TRIBUNAL
28 COMPOSED OF SEVEN JUDGES, OTHER THAN SENIOR JUDGES, CHOSEN BY
29 LOT FROM THE JUDGES OF THE SUPERIOR COURT AND COMMONWEALTH COURT
30 WHO DO NOT SIT ON THE COURT OF JUDICIAL DISCIPLINE OR THE BOARD,

1 IN A MANNER CONSISTENT WITH RULES ADOPTED BY THE SUPREME COURT.
2 THE SPECIAL TRIBUNAL SHALL HEAR AND DECIDE THE APPEAL IN THE
3 SAME MANNER IN WHICH THE SUPREME COURT WOULD HEAR AND DECIDE AN
4 APPEAL FROM AN ORDER OF THE COURT.

5 (2) ON APPEAL, THE SUPREME COURT OR SPECIAL TRIBUNAL SHALL
6 REVIEW THE RECORD OF THE PROCEEDINGS OF THE COURT AS FOLLOWS: ON
7 THE LAW, THE SCOPE OF REVIEW IS PLENARY; ON THE FACTS, THE SCOPE
8 OF REVIEW IS CLEARLY ERRONEOUS; AND AS TO SANCTIONS, THE SCOPE
9 OF REVIEW IS ABUSE OF DISCRETION WHETHER THE SANCTIONS IMPOSED <—
10 WERE LAWFUL. THE SUPREME COURT OR SPECIAL TRIBUNAL MAY REVISE OR
11 REJECT AN ORDER OF THE COURT UPON A DETERMINATION THAT THE ORDER
12 DID NOT SUSTAIN THIS STANDARD OF REVIEW; OTHERWISE, THE SUPREME
13 COURT OR SPECIAL TRIBUNAL SHALL AFFIRM THE ORDER OF THE COURT.
14 THE SUPREME COURT OR SPECIAL TRIBUNAL MAY REMAND THE MATTER TO <—
15 THE COURT FOR THE CONSIDERATION OF ADDITIONAL EVIDENCE WHICH WAS
16 EXCLUDED BY THE COURT OR WHICH BECAME AVAILABLE SUBSEQUENT TO
17 THE CONCLUSION OF THE PROCEEDINGS BEFORE THE COURT.

18 (3) AN ORDER OF THE COURT WHICH DISMISSES A COMPLAINT
19 AGAINST A JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE PEACE MAY BE <—
20 APPEALED BY THE BOARD TO THE SUPREME COURT, BUT THE APPEAL SHALL
21 BE LIMITED TO QUESTIONS OF LAW. AN ORDER OF THE COURT WHICH
22 DISMISSES A COMPLAINT AGAINST A JUSTICE OF THE SUPREME COURT MAY
23 BE APPEALED BY THE BOARD TO A SPECIAL TRIBUNAL IN ACCORDANCE
24 WITH PARAGRAPH (1), BUT THE APPEAL SHALL BE LIMITED TO QUESTIONS
25 OF LAW.

26 (4) NO JUSTICE, JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE <—
27 PEACE MAY PARTICIPATE AS A MEMBER OF THE BOARD, THE COURT, A
28 SPECIAL TRIBUNAL, OR THE SUPREME COURT IN ANY PROCEEDING IN
29 WHICH THE JUSTICE, JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE <—
30 PEACE IS A COMPLAINANT, THE SUBJECT OF A COMPLAINT, A PARTY OR A

1 WITNESS.

2 (D) A JUSTICE, JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE <—
3 PEACE SHALL BE SUBJECT TO DISCIPLINARY ACTION PURSUANT TO THIS
4 SECTION AS FOLLOWS:

5 (1) A JUSTICE, JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE <—
6 PEACE MAY BE SUSPENDED, REMOVED FROM OFFICE OR OTHERWISE
7 DISCIPLINED FOR CONVICTION OF A FELONY; VIOLATION OF SECTION 17
8 OF THIS ARTICLE; MISCONDUCT IN OFFICE; NEGLIGENCE OR FAILURE TO
9 PERFORM THE DUTIES OF OFFICE OR CONDUCT WHICH PREJUDICES THE
10 PROPER ADMINISTRATION OF JUSTICE OR BRINGS THE JUDICIAL OFFICE
11 INTO DISREPUTE, WHETHER OR NOT THE CONDUCT OCCURRED WHILE ACTING
12 IN A JUDICIAL CAPACITY OR IS PROHIBITED BY LAW; OR CONDUCT IN
13 VIOLATION OF A CANON OR RULE PRESCRIBED BY THE SUPREME COURT. IN
14 THE CASE OF A MENTALLY OR PHYSICALLY DISABLED JUSTICE, JUDGE OR
15 ~~DISTRICT JUSTICE~~ JUSTICE OF THE PEACE, THE COURT MAY ENTER AN <—
16 ORDER OF REMOVAL FROM OFFICE, RETIREMENT, SUSPENSION OR OTHER
17 LIMITATIONS ON THE ACTIVITIES OF THE JUSTICE, JUDGE OR ~~DISTRICT~~ <—
18 ~~JUSTICE~~ JUSTICE OF THE PEACE AS WARRANTED BY THE RECORD. UPON A <—
19 FINAL ORDER OF THE COURT FOR SUSPENSION WITHOUT PAY OR REMOVAL,
20 PRIOR TO ANY APPEAL, THE JUSTICE ~~OR JUDGE~~, JUDGE OR JUSTICE OF <—
21 THE PEACE SHALL BE SUSPENDED OR REMOVED FROM OFFICE; AND THE
22 SALARY OF THE JUSTICE ~~OR JUDGE~~, JUDGE OR JUSTICE OF THE PEACE <—
23 SHALL CEASE FROM THE DATE OF THE ORDER.

24 (2) PRIOR TO A HEARING, THE COURT MAY ISSUE AN INTERIM ORDER
25 DIRECTING THE SUSPENSION, WITH OR WITHOUT PAY, OF ANY JUSTICE,
26 JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE PEACE AGAINST WHOM <—
27 FORMAL CHARGES HAVE BEEN FILED WITH THE COURT BY THE BOARD OR
28 AGAINST WHOM HAS BEEN FILED AN INDICTMENT OR INFORMATION
29 CHARGING A FELONY. AN INTERIM ORDER UNDER THIS PARAGRAPH SHALL
30 NOT BE CONSIDERED A FINAL ORDER FROM WHICH AN APPEAL MAY BE

1 TAKEN.

2 (3) A JUSTICE, JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE ←
3 PEACE CONVICTED OF MISBEHAVIOR IN OFFICE BY A COURT, DISBARRED
4 AS A MEMBER OF THE BAR OF THE SUPREME COURT OR REMOVED UNDER
5 THIS SECTION SHALL FORFEIT AUTOMATICALLY HIS JUDICIAL OFFICE AND
6 THEREAFTER BE INELIGIBLE FOR JUDICIAL OFFICE.

7 (4) A JUSTICE, JUDGE OR ~~DISTRICT JUSTICE~~ JUSTICE OF THE ←
8 PEACE WHO FILES FOR NOMINATION FOR OR ELECTION TO ANY PUBLIC
9 OFFICE OTHER THAN A JUDICIAL OFFICE SHALL FORFEIT AUTOMATICALLY
10 HIS JUDICIAL OFFICE.

11 (5) THIS SECTION IS IN ADDITION TO AND NOT IN SUBSTITUTION
12 FOR THE PROVISIONS FOR IMPEACHMENT FOR MISBEHAVIOR IN OFFICE
13 CONTAINED IN ARTICLE VI. NO JUSTICE, JUDGE OR JUSTICE OF THE
14 PEACE AGAINST WHOM IMPEACHMENT PROCEEDINGS ARE PENDING IN THE
15 SENATE SHALL EXERCISE ANY OF THE DUTIES OF OFFICE UNTIL
16 ACQUITTAL.

17 (2) THAT SECTION 24 OF THE SCHEDULE TO ARTICLE V BE AMENDED
18 TO READ:

19 § 24. JUDICIAL [INQUIRY AND REVIEW BOARD] DISCIPLINE.

20 [THE SELECTION OF THE FIRST MEMBERS OF THE JUDICIAL INQUIRY
21 AND REVIEW BOARD SHALL BE MADE AS FOLLOWS: ONE JUDGE OF THE
22 SUPERIOR COURT, ONE NON-JUDGE MEMBER OF THE BAR OF THE SUPREME
23 COURT, AND ONE NON-LAWYER MEMBER SHALL BE SELECTED FOR TWO-YEAR
24 TERMS; ONE JUDGE OF THE SUPERIOR COURT, ONE NON-JUDGE MEMBER OF
25 THE BAR OF THE SUPREME COURT, AND ONE NON-LAWYER MEMBER SHALL BE
26 SELECTED FOR FOUR-YEAR TERMS; ONE JUDGE OF THE COURT OF COMMON
27 PLEAS SHALL BE SELECTED FOR A TERM OF TWO YEARS, ONE FOR A TERM
28 OF THREE YEARS, AND ONE FOR A TERM OF FOUR YEARS.]

29 (A) THE MEMBERS OF THE JUDICIAL INQUIRY AND REVIEW BOARD
30 SHALL VACATE THEIR OFFICES 90 DAYS AFTER THE ADOPTION OF THE

1 AMENDMENT TO SECTION 18 OF ARTICLE V, AND ALL PROCEEDINGS
2 PENDING BEFORE THE JUDICIAL INQUIRY AND REVIEW BOARD AND ALL
3 RECORDS SHALL BE TRANSFERRED TO THE JUDICIAL CONDUCT BOARD FOR
4 FURTHER PROCEEDINGS.

5 ~~(B) OF THE MEMBERS INITIALLY APPOINTED TO THE JUDICIAL~~ <—
6 ~~CONDUCT BOARD: THE JUDGE FIRST APPOINTED SHALL SERVE A FOUR YEAR~~
7 ~~TERM; AND THE JUDGE NEXT APPOINTED SHALL SERVE A THREE YEAR~~
8 ~~TERM. THE DISTRICT JUSTICE INITIALLY APPOINTED SHALL SERVE A~~
9 ~~TWO YEAR TERM. OF THE THREE NON JUDGE MEMBERS OF THE BAR OF THE~~
10 ~~SUPREME COURT INITIALLY APPOINTED: THE FIRST APPOINTED SHALL~~
11 ~~SERVE A THREE YEAR TERM; THE NEXT APPOINTED SHALL SERVE A TWO~~
12 ~~YEAR TERM; AND THE THIRD APPOINTED SHALL SERVE A ONE YEAR TERM.~~
13 ~~OF THE SIX NON LAWYER ELECTORS INITIALLY APPOINTED: THE FIRST~~
14 ~~APPOINTED SHALL SERVE A FOUR YEAR TERM; THE NEXT APPOINTED SHALL~~
15 ~~SERVE A THREE YEAR TERM, THE NEXT TWO APPOINTED SHALL SERVE TWO~~
16 ~~YEAR TERMS AND THE NEXT TWO APPOINTED SHALL SERVE ONE YEAR~~
17 ~~TERMS.~~

18 ~~(C) OF THE THREE JUDGES INITIALLY APPOINTED TO THE COURT OF~~
19 ~~JUDICIAL DISCIPLINE: THE FIRST APPOINTED SHALL SERVE A FOUR YEAR~~
20 ~~TERM; THE NEXT APPOINTED SHALL SERVE A THREE YEAR TERM AND THE~~
21 ~~THIRD APPOINTED SHALL SERVE A TWO YEAR TERM. THE DISTRICT~~
22 ~~JUSTICE INITIALLY APPOINTED SHALL SERVE A ONE YEAR TERM. THE~~
23 ~~MEMBER OF THE BAR INITIALLY APPOINTED SHALL SERVE A FOUR YEAR~~
24 ~~TERM. OF THE TWO NON LAWYER ELECTORS INITIALLY APPOINTED, THE~~
25 ~~FIRST APPOINTED SHALL SERVE A THREE YEAR TERM, AND THE NEXT~~
26 ~~APPOINTED SHALL SERVE A TWO YEAR TERM.~~

27 Section 2. (a) The members of the Judicial Inquiry and
28 Review Board appointed heretofore shall vacate their office 90
29 days after the issuance of the proclamation certifying voter
30 approval of the amendments to section 18 of Article V contained

1 ~~herein and all proceedings pending before the board and all~~
2 ~~records shall be transferred to the Judicial Conduct Board.~~

3 ~~(b) Of the members initially appointed to the Judicial~~
4 ~~Conduct Board, the appellate court judge and the common pleas~~
5 ~~court judge first appointed shall serve four year terms. The~~
6 ~~second common pleas court judge and the justice of the peace~~
7 ~~first appointed shall serve three year terms. The non judge~~
8 ~~member of the bar of the Supreme Court first appointed by the~~
9 ~~Governor shall serve a four year term, and the second non judge~~
10 ~~member shall serve a two year term. Of the non lawyer electors~~
11 ~~appointed by the Governor, the first two appointed shall serve~~
12 ~~four year terms; the next one appointed shall serve a three year~~
13 ~~term; and the final two appointed shall serve two year terms.~~

14 ~~(c) Of the members initially appointed to the Court of~~
15 ~~Judicial Discipline, the common pleas court judges and the~~
16 ~~appellate court judge shall serve four year terms. The non-~~
17 ~~lawyer elector first appointed and the district justice member~~
18 ~~shall serve three year terms. The non judge member of the bar of~~
19 ~~the Supreme Court and the second non lawyer elector shall serve~~
20 ~~two year terms.~~

21 (B) OF THE MEMBERS INITIALLY APPOINTED TO THE JUDICIAL <—
22 CONDUCT BOARD: THE JUDGE APPOINTED BY THE SUPREME COURT SHALL
23 SERVE A FOUR-YEAR TERM; AND THE JUDGE APPOINTED BY THE GOVERNOR
24 SHALL SERVE A THREE-YEAR TERM. THE JUSTICE OF THE PEACE
25 INITIALLY APPOINTED SHALL SERVE A TWO-YEAR TERM. OF THE THREE
26 NON-JUDGE MEMBERS OF THE BAR OF THE SUPREME COURT INITIALLY
27 APPOINTED: THE FIRST APPOINTED BY THE GOVERNOR SHALL SERVE A
28 THREE-YEAR TERM; THE NEXT APPOINTED BY THE GOVERNOR SHALL SERVE
29 A TWO-YEAR TERM; AND THE NON-JUDGE MEMBER OF THE BAR OF THE
30 SUPREME COURT APPOINTED BY THE SUPREME COURT SHALL SERVE A ONE-

1 YEAR TERM. OF THE SIX NON-LAWYER ELECTORS INITIALLY APPOINTED:
2 THE FIRST APPOINTED BY THE GOVERNOR AND THE FIRST APPOINTED BY
3 THE SUPREME COURT SHALL SERVE A FOUR-YEAR TERM; THE NEXT
4 APPOINTED BY THE GOVERNOR AND THE NEXT APPOINTED BY THE SUPREME
5 COURT SHALL SERVE A THREE-YEAR TERM; AND THE NEXT APPOINTED BY
6 THE GOVERNOR AND THE NEXT APPOINTED BY THE SUPREME COURT SHALL
7 SERVE A TWO-YEAR TERM.

8 (C) OF THE THREE JUDGES INITIALLY APPOINTED TO THE COURT OF
9 JUDICIAL DISCIPLINE: THE FIRST APPOINTED BY THE SUPREME COURT
10 SHALL SERVE A FOUR-YEAR TERM; THE NEXT APPOINTED BY THE SUPREME
11 COURT SHALL SERVE A THREE-YEAR TERM; AND THE JUDGE APPOINTED BY
12 THE GOVERNOR SHALL SERVE A TWO-YEAR TERM. THE JUSTICE OF THE
13 PEACE INITIALLY APPOINTED SHALL SERVE A ONE-YEAR TERM. OF THE
14 NON-JUDGE MEMBERS OF THE BAR INITIALLY APPOINTED: THE FIRST
15 APPOINTED SHALL SERVE A FOUR-YEAR TERM; AND THE NEXT APPOINTED
16 SHALL SERVE A THREE-YEAR TERM. OF THE TWO NON-LAWYER ELECTORS
17 INITIALLY APPOINTED: THE NON-LAWYER ELECTOR APPOINTED BY THE
18 GOVERNOR SHALL SERVE A THREE-YEAR TERM, AND THE NON-LAWYER
19 ELECTOR APPOINTED BY THE SUPREME COURT SHALL SERVE A TWO-YEAR
20 TERM.

21 Section 3 2. Upon passage by the General Assembly of ~~this~~ <—
22 ~~proposed constitutional amendment~~ THESE PROPOSED CONSTITUTIONAL <—
23 AMENDMENTS, the Secretary of the Commonwealth shall proceed
24 immediately to comply with the advertising requirements of
25 section 1 of Article XI of the Constitution of Pennsylvania and
26 shall transmit the required advertisements to two newspapers in
27 every county in which such newspapers shall be published in
28 sufficient time after passage of ~~this proposed constitutional~~ <—
29 ~~amendment~~ THESE PROPOSED CONSTITUTIONAL AMENDMENTS. Upon the <—
30 second passage of ~~this proposed constitutional amendment~~ THESE <—

1 PROPOSED CONSTITUTIONAL AMENDMENTS by the General Assembly, the
2 Secretary of the Commonwealth shall proceed immediately to
3 comply with the advertising requirements of section 1 of Article
4 XI of the Constitution of Pennsylvania and shall transmit the
5 required advertisements to two newspapers in every county in
6 which such newspapers shall be published in sufficient time
7 after passage of ~~this proposed constitutional amendment~~ THESE <—
8 PROPOSED CONSTITUTIONAL AMENDMENTS. The Secretary of the
9 Commonwealth shall submit ~~this proposed constitutional amendment~~ <—
10 THESE PROPOSED CONSTITUTIONAL AMENDMENTS to the qualified <—
11 electors of this Commonwealth at the first primary, general or
12 municipal election occurring at least three months after the
13 proposed constitutional ~~amendment is~~ AMENDMENTS ARE passed by <—
14 the General Assembly which meets the requirements of and is in
15 conformance with section 1 of Article XI of the Constitution of
16 Pennsylvania.