
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 3

Session of
1979

INTRODUCED BY EARLY, JANUARY 16, 1979

REFERRED TO CONSTITUTIONAL CHANGES AND FEDERAL RELATIONS,
JANUARY 16, 1979

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania by providing for additional judges for the
3 Superior Court, changing certain provisions relating to
4 initial terms, and further providing for the president judge
5 of the Superior Court.

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

8 Section 1. The following amendments to the Constitution of
9 the Commonwealth of Pennsylvania are proposed in accordance with
10 the provisions of Article XI thereof:

11 That section 3 and subsection (b) of section 13 of Article V
12 and section 11 of the Schedule to Article V be amended to read:

13 ARTICLE V

14 THE JUDICIARY

15 § 3. Superior Court.

16 The Superior Court shall be a statewide court, and shall
17 consist of the number of judges, which shall be not less than
18 seven judges, [one of whom shall be the president judge,] and
19 [its] have such jurisdiction as shall be [as] provided by [law]

1 this Constitution or by the General Assembly. One of its judges
2 shall be the president judge.

3 § 13. Election of justices, judges and justices of the peace;
4 vacancies.

5 * * *

6 (b) A vacancy in the office of justice, judge or justice of
7 the peace shall be filled by appointment by the Governor. The
8 appointment shall be with the advice and consent of two-thirds
9 of the members elected to the Senate, except in the case of
10 justices of the peace which shall be by a majority. The person
11 so appointed shall serve for a term ending on the first Monday
12 of January following the next municipal election more than ten
13 months after the vacancy occurs or for the remainder of the
14 unexpired term whichever is less, except in the case of persons
15 selected as additional judges to the Superior Court, where the
16 General Assembly may stagger and fix the length of the initial
17 terms of such additional judges by reference to any of the
18 first, second and third municipal elections more than ten months
19 after the additional judges are selected. The manner by which
20 any additional judges are selected shall be provided by this
21 section for the filling of vacancies in judicial offices.

22 * * *

23 SCHEDULE TO JUDICIARY ARTICLE

24 § 11. Selection of president judges.

25 (a) Except in the City of Philadelphia, section 10(d) of the
26 article shall become effective upon the expiration of the term
27 of the present president judge, or upon earlier vacancy.

28 (b) Notwithstanding section 10(d) of the article the
29 president judge of the Superior Court shall be the judge longest
30 in continuous service on such court if such judge was a member

1 of such court on the first Monday of January 1977. If no such
2 judge exists or is willing to serve as president judge the
3 president judge shall be selected as provided by this article.

4 Section 2. This proposed amendment shall be submitted by the
5 Secretary of the Commonwealth to the qualified electors of this
6 Commonwealth, at the primary, municipal or general election next
7 held after the advertising requirements of Article XI, section 1
8 of the Constitution of the Commonwealth of Pennsylvania have
9 been satisfied.