

Primary 2016 Statewide Ballot Questions:

PROPOSED CONSTITUTIONAL AMENDMENT 1 AMENDING THE MANDATORY JUDICIAL RETIREMENT AGE

Ballot Question

Shall the Pennsylvania Constitution be amended to require that justices of the Supreme Court, judges and justices of the peace (known as magisterial district judges) be retired on the last day of the calendar year in which they attain the age of 75 years, instead of the current requirement that they be retired on the last day of the calendar year in which they attain the age of 70?

Plain English Statement of the Office of Attorney General

The purpose of the ballot question is to amend the Pennsylvania Constitution to require that justices, judges and justices of the peace (known as magisterial district judges) be retired on the last day of the calendar year in which they attain the age of 75 years. Presently, the Pennsylvania Constitution provides that justices, judges and justices of the peace be retired on the last day of the calendar year in which they attain the age of 70 years. Justices of the peace are currently referred to as magisterial district judges. If the ballot question were to be approved, justices, judges and magisterial district judges would be retired on the last day of the calendar year in which they attain the age of 75 years rather than the last day of the calendar year in which they attain the age of 70 years. This amendment to the mandatory retirement age would be applicable to all judges and justices in the Commonwealth, including the justices of the Pennsylvania Supreme Court, judges of the Commonwealth Court, Superior Court, county courts of common pleas, community courts, municipal courts in the City of Philadelphia, and magisterial district judges. The ballot question is limited in that it would not amend any other provisions of the Pennsylvania Constitution related to the qualification, election, tenure, or compensation of the justices, judges or magisterial district judges. The effect of the ballot question would be to allow all justices, judges, and magisterial district judges to remain in office until the last day of the calendar year in which they attain the age of 75 years. This would permit all justices, judges, and magisterial district judges to serve an additional five years beyond the current required retirement age.

PROPOSED CONSTITUTIONAL AMENDMENT 2 ABOLITION OF THE PHILADELPHIA TRAFFIC COURT

Ballot Question

Shall the Pennsylvania Constitution be amended to abolish the Philadelphia Traffic Court?

Plain English Statement of the Office of Attorney General

The purpose of the ballot question is to amend the Pennsylvania Constitution to abolish the Traffic Court in the City of Philadelphia. Presently, the Pennsylvania Constitution provides for the Traffic Court in the City of Philadelphia as part of the unified judicial system. If the ballot question were to be approved, the Traffic Court in the City of Philadelphia would be abolished by removing all references to the Traffic Court and the judges of the Traffic Court in the City of Philadelphia from the Pennsylvania Constitution. Legislation enacted in 2013 transferred the functions performed by the Traffic Court to the Philadelphia Municipal Court. As a result, violations of the Vehicle Code previously adjudicated by the Traffic Court are presently being adjudicated by the Philadelphia Municipal Court. The proposed amendment would officially abolish the Traffic Court by removing all references to the Traffic Court and its judges from the Pennsylvania Constitution. This ballot question is limited to whether the Traffic Court in the City of Philadelphia should be abolished. The ballot question would not amend any other provisions of the Pennsylvania Constitution beyond the removal of all references to the Traffic Court and its judges. The effect of the ballot question would be to abolish the Traffic Court in the City of Philadelphia. As discussed above, legislation enacted in 2013 transferred the functions of the Traffic Court to the Philadelphia Municipal Court. This amendment would officially abolish the Traffic Court by removing all references to the Traffic Court and its judges from the Pennsylvania Constitution.