

Before justices and judges can be appointed or elected to their positions, they must meet certain basic requirements such as citizenship and residency. In addition, all but magisterial district judges and Philadelphia Traffic Court judges must be members of the Bar of the Pennsylvania Supreme Court.

Jurists are also subject to strict standards of conduct, and they may be removed from office, suspended or otherwise disciplined for misconduct in office. These standards are specified in the Pennsylvania Constitution; the “Code of Judicial Conduct” in the Pennsylvania Rules of Court, which applies to appellate and trial court jurists; the “Rules of Conduct, Office Standards and Civil Procedures for Magisterial District Judges”; and such other court rules and orders as have been promulgated by the state Supreme Court.

Judicial elections occur in odd-numbered years. Common Pleas Court judges and appellate jurists are elected to ten-year terms. Magisterial district judges and judges of Philadelphia’s Municipal and Traffic Courts are elected to terms of six years. Vacancies occurring before an election may be filled by gubernatorial appointment, subject to Senate confirmation, until such time as an election is held.

Justices and judges may serve an unlimited number of terms and are retained or reelected at the pleasure of the electorate. The “merit retention” provision of Pennsylvania’s constitution allows all but magisterial district judges to run for reelection on a “yes-no” vote, without ballot reference to political affiliation. This provision was designed to remove judges from the pressures of the political arena once they begin their first terms of office. Magisterial district judges run in normal elections.

Mandatory retirement age for judges is 70 years, but retired judges may, with the approval of the Supreme Court, continue to serve the Commonwealth as senior judges. This service helps ease court backlogs. Effective January 1, 1999, all but senior appellate judges and those senior judges who were sitting before this time may serve as senior judges until December 31 of the year in which they reach the age of 75. Effective January 6, 2003, any senior jurist who began serving prior to January 1, 1999, must retire on December 31 of the year in which he/she turns 80.

AOPC

**Judicial
Qualifications,
Election,
Tenure,
Vacancies**