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HOUSE JOINT RESOLUTION NO. 620

Offered January 14, 2015

Prefiled January 13, 2015

Proposing amendments to Sections 7 and 8 of Article VI of the Constitution of Virginia, relating to the election of judges by the voters.

Patron—Preston

Referred to Committee on Privileges and Elections

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendments to the Constitution of Virginia be, and the same hereby are, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Sections 7 and 8 of Article VI of the Constitution of Virginia as follows:

ARTICLE VI

JUDICIARY

Section 7. ~~Selection~~ *Election* and qualification of judges.

The justices of the Supreme Court shall be ~~chosen by the vote of a majority of the members elected to each house of the General Assembly elected by the qualified voters of the Commonwealth~~ for terms of twelve years. ~~The judges of the Courts of Appeals shall be elected by the qualified voters of the Commonwealth for terms of eight years.~~ The judges of all other courts of record shall be ~~chosen by the vote of a majority of the members elected to each house of the General Assembly elected by the qualified voters of the several circuits~~ for terms of eight years. ~~During any vacancy which may exist while the General Assembly is not in session, the Governor may appoint a successor to serve until thirty days after the commencement of the next session of the General Assembly. Upon election by the General Assembly, a new justice or judge shall begin service of a full term. Vacancies shall be filled as prescribed by law.~~

All justices of the Supreme Court and all judges of other courts of record shall be residents of the Commonwealth and shall, at least five years prior to their appointment or election, have been admitted to the bar of the Commonwealth. Each judge of a trial court of record shall during his term of office reside within the jurisdiction of one of the courts to which he was appointed or elected; provided, however, that where the boundary of such jurisdiction is changed by annexation or otherwise, no judge thereof shall thereby become disqualified from office or ineligible for reelection if, except for such annexation or change, he would otherwise be qualified.

Section 8. Additional judicial personnel.

The General Assembly may provide for additional judicial personnel, such as judges of courts not of record, ~~who shall be elected in the same manner as the judges of courts of record~~, and magistrates or justices of the peace, and may prescribe their jurisdiction and provide ~~the manner in which they shall be selected and~~ the terms for which they shall serve.

The General Assembly may confer upon the clerks of the several courts having probate jurisdiction, jurisdiction of the probate of wills and of the appointment and qualification of guardians, personal representatives, curators, appraisers, and committees of persons adjudged insane or convicted of felony, and in the matter of the substitution of trustees.

INTRODUCED

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