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HOUSE JOINT RESOLUTION NO. 115

Offered January 22, 1998

Proposing an amendment to Section 7 of Article VI of the Constitution of Virginia, relating to the selection, election, and qualification of judges.

Patrons—Stump and Abbitt

Referred to Committee on Rules

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, 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 Section 7 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 and until their successors are elected and qualified. 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 Commonwealth or of their respective districts, as provided by law, 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, and until their successors are elected and qualified. Vacancies shall be filled as provided by law. The General Assembly shall provide by law for the implementation of this section beginning with the November general election in two thousand one. Terms shall begin the January one following the November general election. The term of any justice or judge in office January one, two thousand one, may be extended no longer than one year as provided by law to establish a schedule for the election of justices and judges.

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.

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