

**ASSEMBLY CONCURRENT
RESOLUTION No. 130**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 24, 2020

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Proposes constitutional amendment to increase mandatory retirement age for judges and justices from 70 to 72.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/1/2021)

1 **A CONCURRENT RESOLUTION** proposing to amend Article VI,
2 Section VI, paragraph 3 of the New Jersey Constitution.

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4 **BE IT RESOLVED** *by the General Assembly of the State of New*
5 *Jersey (the Senate concurring):*

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7 1. The following proposed amendment to the Constitution of
8 the State of New Jersey is agreed to:

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10 PROPOSED AMENDMENT

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12 Amend Article VI, Section VI, paragraph 3 to read as follows:

13 3. The Justices of the Supreme Court and the Judges of the
14 Superior Court shall hold their offices for initial terms of **【7】** seven
15 years and upon reappointment shall hold their offices during good
16 behavior; provided however, that, upon the abolition of the juvenile
17 and domestic relations courts or family court and county district
18 courts as provided by law, the judges in office in those former
19 courts who have acquired tenure and the Judges of the Superior
20 Court who have acquired tenure as a judge in those former courts
21 prior to appointment to the Superior Court, shall have tenure as
22 Judges of the Superior Court. Judges of the juvenile and domestic
23 relations courts or family court and county district courts who have
24 not acquired tenure as a judge of those former courts shall hold their
25 offices for the period of their respective terms which remain
26 unexpired and shall acquire tenure upon reappointment to the
27 Superior Court. Such justices and judges shall be retired upon
28 attaining the age of **【70】** 72 years. Provisions for the pensioning of
29 the Justices of the Supreme Court and the Judges of the Superior
30 Court shall be made by law.

31 (cf: Art.VI, Sec.VI, par.3; amended effective December 8, 1983)

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33 2. When this proposed amendment to the Constitution is finally
34 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
35 shall be submitted to the people at the next general election
36 occurring more than three months after the final agreement and
37 shall be published at least once in at least one newspaper of each
38 county designated by the President of the Senate, the Speaker of the
39 General Assembly and the Secretary of State, not less than three
40 months prior to the general election.

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42 3. This proposed amendment to the Constitution shall be
43 submitted to the people at that election in the following manner and
44 form:

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】 in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

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- There shall be printed on each official ballot to be used at the general election, the following:
- a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:
- If you favor the proposition printed below make a cross (X), plus (+), or check (✓) in the square opposite the word "Yes." If you are opposed thereto make a cross (X), plus (+) or check (✓) in the square opposite the word "No."
- b. In every municipality the following question:

	YES	<p>CONSTITUTIONAL AMENDMENT TO INCREASE MANDATORY RETIREMENT AGE FOR JUSTICES AND JUDGES</p> <p>Do you approve amending the Constitution to change the required retirement age of 70 for Justices of the Supreme Court and Judges of the Superior Court? These justices and judges would have to retire at age 72 instead.</p>
	NO	<p>INTERPRETIVE STATEMENT</p> <p>Currently, the Constitution requires Justices of the New Jersey Supreme Court and Judges of the New Jersey Superior Court to retire at age 70. This amendment would raise the required retirement age. These justices and judges would not be required to retire until they reach age 72.</p>

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STATEMENT

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This concurrent resolution proposes an amendment to Article VI, Section VI, paragraph 3 of the New Jersey Constitution which would increase the mandatory retirement age for Justices of the Supreme Court and Judges of the Superior Court. Currently, the Constitution requires these justices and judges to retire at age 70. Under the amendment, mandatory retirement would be at age 72.