

Office of the Vermont Secretary of State
Vermont State Archives

1995: Proposal 9

Subject: Judicial Term Limitation

PROPOSAL 9

Sec. 1. PURPOSE

This proposal would amend the Vermont Constitution to establish term limitations for the Justices of the Supreme Court and all judges except for probate and assistant judges. A justice or judge affected by this proposal of amendment would be limited to no more than two six-year terms, on any one court, during his or her lifetime. The two terms may be either consecutive or separated by a period of time. This proposal would also amend the Vermont Constitution to provide that all judicial appointments will be for a full six-year term.

Sec. 2. Section 34 of Chapter II of the Vermont Constitution is amended to read:

§34. [JUDICIAL TERM OF OFFICE]

The justices of the Supreme Court and judges of all subordinate courts, except Assistant Judges and Judges of Probate, shall hold office for terms of six years *[except when holding office under an interim appointment]*.

No justice or judge, except for an Assistant Judge or Probate Judge, may serve more than two terms on the same court during his or her lifetime. At the end of the initial six year term *[and at the end of each six year term thereafter]*, such justice or judge may give notice in the manner provided by law of a desire to continue in office. When such justice or judge gives the required notice, the question of continuance in office shall be submitted to the General Assembly and the justice or judge shall continue in office for another term of six years unless a majority of the

members of the General Assembly voting on the question vote against continuation in office.

Sec. 3. APPLICATION

A person who is serving as a justice of the supreme court or as a judge of the superior, family or district court on the effective date of this amendment shall be subject to the provisions of section 34 of Chapter II of the Vermont Constitution. However, a justice or judge who has served at least two full terms in the same office, shall not be eligible for retention but shall be permitted to complete his or her current term. In the case of a person serving as a justice or judge on the effective date of this amendment, who was initially appointed to fill an unexpired term, the initial term of that justice or judge shall not be considered as one of the two lifetime terms that a person is eligible to serve.