

Office of the Vermont Secretary of State
Vermont State Archives

1999: Proposal 4

Subject: Judiciary; elimination of mandatory retirement provision

PROPOSAL 4

Sec. 1. PURPOSE

This proposal would allow the general assembly to prescribe a mandatory retirement age for justices of the Supreme Court and judges of all subordinate courts.

Sec. 2 Section 35 of Chapter II of the Vermont Constitution is amended to read:

§ 35 [MANDATORY RETIREMENT]

All justices of the Supreme Court and judges of all subordinate courts shall be retired at such age, not less than seventy years of age, as the General Assembly may prescribe by law, or, if the General Assembly has not so provided by law, at the end of the calendar year in which they attain seventy years of age or at the end of the term of election during which they attain seventy years of age, as the case may be, and shall be pensioned as provided by law. The chief justice may from time to time appoint retired justices and judges to special assignments as permitted under the rules of the Supreme Court.

Sec. 3. EFFECTIVE DATE; TRANSITION

This proposal of amendment shall take effect upon ratification and adoption by the people of this state in accordance with the provisions of chapter 32 of Title 17 and shall apply to justices and judges in office at the time this proposal becomes a part of the constitution, and to justices and judges subsequently appointed.