

By Mr. Fallon of Clinton, petition of Thomas F. Fallon relative to the retirement or resignation of members of the judiciary. Public Service.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Eighty-Two.

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AN ACT relative to the retirement or resignation of members of the judiciary.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 32 of the General Laws is hereby amended by striking  
2 out section 65A and inserting in place thereof the following sec-  
3 tion: —

4 *Section 65A.* A chief justice or any associate justice of the su-  
5 preme judicial court, the appeals court, the superior court, or the  
6 municipal court of the city of Boston, any judge or associate judge  
7 of the land court, any judge or probate and insolvency, a justice of  
8 any district court other than municipal court of Boston, or a justice  
9 of a juvenile court, who was appointed to any such judicial office  
10 prior to January second, nineteen hundred and seventy-five, and  
11 who shall be retired or who has been retired under Article LVIII  
12 of the Amendments to the Constitution shall thereupon be en-  
13 titled to receive pension for life at an annual rate equal to three  
14 fourths of the annual rate of salary currently being paid to a chief  
15 justice or associate justice of the court from which he retired, to be  
16 paid from the same source and in the same manner as the salaries of  
17 like judicial officers of his court are paid.

18 A chief justice, justice, associate justice, judge, or associate  
19 judge of any such court or courts appointed to any judicial office  
20 prior to January second, nineteen hundred and seventy-five, who  
21 after having served in any such office or offices at least fifteen years  
22 continuously, notwithstanding that this continuous service may

23 involve one or more appointments made subsequent to January  
24 second, nineteen hundred and seventy-five, and having attained  
25 the age of sixty-five years but not having attained the age of seventy  
26 years, shall retire from or resign his office, shall thereupon be  
27 entitled to receive a pension for life at an annual rate equal to three  
28 fourths of the annual rate of salary currently being paid to a chief  
29 justice or associate justice of the court from which he retired, to be  
30 paid from the same source and in the same manner as the salaries of  
31 like judicial officers of his court are paid. A chief justice, justice,  
32 associate justice, judge or associate judge of any such court who  
33 does not qualify for a pension under any of the foregoing provi-  
34 sions of this section upon his retirement under Article XCVIII of  
35 the Amendments of the Constitution at age seventy shall thereupon  
36 be entitled to receive a pension for life at an annual rate equal to ten  
37 percent of three fourths of the salary currently being paid to a chief  
38 justice or associate justice of the court from which he retired,  
39 multiplied by the number of years not exceeding ten, and fractions  
40 thereof consisting of a month or more which he has served in such  
41 office, or offices, to be paid from the same source and in the same  
42 manner as the salaries of like judicial officers of his court are paid.