
By Mr. Tobin, a petition (accompanied by bill, Senate, No. 732) of Arthur H. Tobin for legislation relative to the retirement or resignation of the members of the judiciary. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

AN ACT RELATIVE TO THE RETIREMENT OR RESIGNATION OF THE 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 strik-
2 ing out section 65A and inserting in place thereof the follow-
3 ing new section: —

4 *Section 65A.* A chief justice or any associate justice of the
5 supreme judicial court, the superior court or the municipal
6 court of the city of Boston, any judge or associate judge of the
7 land court, any judge or probate and insolvency, a justice of
8 any district court other than the municipal court of the city
9 of Boston, or a justice of the juvenile court, the Worcester or
10 the Springfield juvenile court, who shall be retired under Art.
11 LVIII of the amendments to the constitution shall thereupon
12 be entitled to receive a pension for life at an annual rate equal
13 to three-fourths of the current salary of the office from which
14 he retired, to be paid from the same source and in the same
15 manner as the salaries of like judicial officers of his court are
16 paid.

17 A chief justice, justice, associate justice, judge or associate
18 judge of any such court or courts who, after having served
19 in any such office or offices at least ten years continuously, and
20 having attained the age of seventy years, or who, after having
21 served in any such office or offices at least fifteen years contin-
22 uously and having attained the age of sixty-five years shall
23 retire under Article of the Amendments to the Constitution
24 from or resign his office, shall thereupon be entitled to receive

25 a pension for life at an annual rate equal to three-fourths of
26 the current salary of the office from which he retired or re-
27 signed, to be paid from the same source and in the same man-
28 ner as the salaries of like judicial officers of his court are paid.
29 A chief justice, justice, associate justice, judge or associate
30 judge of any such court or courts who has not served ten years
31 continuously upon his retirement under Article of the Amend-
32 ments to the Constitution at age seventy shall thereupon be
33 entitled to receive a pension for life at an annual rate equal
34 to ten percent of three-fourths of the current salary of the
35 office from which he retired multiplied by the number of years
36 he has served in such office or offices, to be paid from the same
37 source and in the same manner as the salaries of like judicial
38 officers of his court are paid. For the purposes of this para-
39 graph a year of previous service as a special justice shall be
40 computed by dividing the number of days of actual sitting
41 in such capacity by three hundred, whether or not such sit-
42 tings occurred in one calendar or fiscal year. A chief justice,
43 justice, associate justice, judge or associate judge of any such
44 court or courts shall be deemed to have served continuously,
45 although a period not in excess of thirty days shall have inter-
46 vened between the holding of one judicial office and the hold-
47 ing of another judicial office.

48 A justice of a district court who is retired under Article
49 LVIII of the amendments to the constitution or who resigns in
50 accordance with the provisions of this section, and who has
51 served continuously for ten years prior to such retirement or
52 resignation in the appellate division of a district court or in
53 the superior court under the provisions of sections fourteen B
54 to fourteen E of chapter two hundred and twelve, or corre-
55 sponding provisions of earlier laws, or as a member of the
56 administrative committee of the district courts, shall, in addi-
57 tion to all other amounts received under the provisions of this
58 section, be entitled to receive a pension for life equal to three
59 fourths of the average annual compensation paid him for such
60 service during the ten years next preceding such retirement
61 or resignation.