

SENATE . . . . . No. 1294

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1294) of Arthur Joseph Lewis, Jr., for legislation relative to voluntary retirement of the judges of the trial court. Public Service.

**The Commonwealth of Massachusetts**

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

AN ACT RELATIVE TO VOLUNTARY RETIREMENT OF THE JUDGES OF THE TRIAL COURT.

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

- 1 Any Chief Justice, Justice, Associate Justice, Judge or
- 2 Associate Judge, appointed to any judicial office prior to
- 3 January 2, 1975, of any court which pursuant to Chapter 478,
- 4 Section 110 of the Acts of 1978, is merged into the Trial Court
- 5 as a department thereof who shall retire from or resign his
- 6 office after having served in any judicial office or offices at
- 7 least fifteen years and have attained the age of sixty years,
- 8 but not having attained the age of sixty-five years, shall
- 9 thereupon, notwithstanding the provisions of Chapter 32, Sec-
- 10 tion 65A of the General Laws, be entitled to receive an annual
- 11 pension allowance for life at an annual rate equal to two-thirds
- 12 of the current salary payable to justices of the court or depart-
- 13 ment from which he retired or resigned, which shall be in-
- 14 creased by two percent for each year served in such office or
- 15 offices over fifteen years from the date of his initial appoint-
- 16 ment, to be paid from the same source and in the same man-
- 17 ner as the salaries of the like judicial officers of his court are
- 18 paid. However, the total annual pension allowances shall not
- 19 exceed three-fourths of the current salaries payable to the
- 20 justices of the court or department from which he retired or
- 21 resigned. Such judge may in lieu of the pension allowance pro-
- 22 vided herein elect to receive a pension for life at a lesser an-
- 23 nual rate under the provisions of Chapter 32, Section 65C.
- 24 For the purposes of determining years of judicial service of

25 a former special justice, a year of previous service as a Special  
26 Justice shall be computed by dividing the number of days of  
27 actual sitting in such capacity by two hundred whether or not  
28 such sittings occurred in one calendar or fiscal year.