

By Mr. Kafka of Sharon (by request), petition of Steven B. Drobnis for a legislative amendment to the Constitution relative to the appointment and renewal of judges. The Judiciary.

---

---

**The Commonwealth of Massachusetts**

---

In the Year One Thousand Nine Hundred and Ninety-Four.

---

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION  
RELATIVE TO THE APPOINTMENT AND RENEWAL OF JUDGES.

1 A majority of all the members elected to the Senate and House  
2 of Representatives, in joint session, hereby declares it to be  
3 expedient to alter the Constitution by the adoption of the  
4 following Article of Amendment, to the end that it may become  
5 a part of the Constitution [if similarly agreed to in a joint session  
6 of the next General Court and approved by the people at the state  
7 election next following]:

8 **ARTICLE OF AMENDMENT.**

9 Part 2, chapter 2, section 1 of the Constitution of the Common-  
10 wealth is hereby amended by striking out Article IX and inserting  
11 in place thereof the following article: —

12 Article IX. The solicitor general and coroners shall be nom-  
13 inated and appointed by the governor by and with the consent  
14 of the council and every such nomination shall be made by the  
15 governor and made at least seven days prior to such appointment.  
16 All judicial officers shall be nominated and appointed by the  
17 governor, with the advice and consent of the council, provided,  
18 however, such consent shall be for a probationary period of five  
19 years at the end of which the council shall vote to make such  
20 appointment permanent or not.

21 Part 2, chapter 3 of the Constitution of the Commonwealth is  
22 hereby amended by striking out Article 1 and inserting in place  
23 thereof the following article: —

24 Article 1. The tenure that all commissioned officers shall by  
25 law have in their offices, shall be expressed in their respective  
26 commissions. All judicial officers, duly appointed, commissioned  
27 and sworn, shall hold their offices during good behavior, except-  
28 ing such concerning whom there is different provision made in  
29 this Constitution, provided, nevertheless, the council may remove  
30 them.