

REVENUE: No revenue impact
FISCAL: Fiscal statement issued
SUBSEQUENT REFERRAL TO: Rules

Action:

Vote:

Yeas:

Nays:

Exc.:

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Meeting Dates: 2/17

WHAT THE MEASURE DOES: Amends Oregon Constitution to prohibit fixed age for mandatory retirement of judges. Refers amendment to people for approval or rejection at next regular general election.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: There is no mandatory retirement age for judges at the federal level. At the state level, 33 states plus the District of Columbia, currently have a mandatory retirement age for judges. The Oregon Constitution contains a mandatory requirement that a judge of any court retire at the end of the calendar year in which the judge reaches the age of 75. Mandatory retirement has been the topic of several initiatives as well as court challenges throughout the nation with mixed results. Oregon's mandatory retirement age was most recently challenged in a 2014 case. That case was dismissed.

Senate Joint Resolution 4 repeals the mandatory retirement age and instead states that the Legislative Assembly or the people may not fix an age for mandatory retirement of judges of any court. If passed, Senate Joint Resolution 4 will be submitted to the people for their approval or rejection at the next regular general election held throughout the state.