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SJR 4: Eliminating Age-Based Mandatory Retirement of Judges

Summary: SJR 4 amends the Constitution to repeal mandatory retirement age for judges.

Background:

There is no mandatory retirement age for judges at the federal level, and Oregon state law has no mandatory retirement age for other public offices, such as legislators. State law currently requires a judge to retire from service solely on the basis of age, even when the judge displays no physical or mental disability or other cause that renders him or her incapable of performing judicial duties. Such inability to perform should and can already provide the basis for mandatory retirement. (*See* ORS 1.310.) Yet, Article VII, section 1a, of the Oregon Constitution requires a judge in the state court system to retire from judicial office “at the end of the calendar year in which he attains the age of 75 years,” without exception.

What the resolution does:

- Proposes amendment to state Constitution to repeal mandatory retirement age for judges.
- Refers amendment to voters at next regular general election.
- SJR 4 would benefit both sitting and future judges.

For more information:

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