

HOUSE JOINT RESOLUTION 1

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By: **Delegate Morhaim**

Introduced and read first time: January 26, 2015

Assigned to: Rules and Executive Nominations

HOUSE JOINT RESOLUTION

1 A House Joint Resolution concerning

2 **Number and Terms of United States Supreme Court Justices**

3 FOR the purpose of urging the members of the Maryland Congressional Delegation to
4 utilize their resources and influence to ensure passage of federal legislation
5 concerning the number and terms of the Justices of the United States Supreme
6 Court.

7 WHEREAS, Article III, Section 1 of the United States Constitution, which effectively
8 provides life tenure to Supreme Court Justices, has unintended consequences, resulting in
9 Justices now remaining on the Court for longer periods and to a later age than ever before
10 in American history; and

11 WHEREAS, Significantly less frequent vacancies on the Supreme Court have
12 undermined the democratic check that the appointment process provides on the Court's
13 membership; and

14 WHEREAS, The combination of longer tenures of office for Supreme Court Justices
15 and less frequent vacancies on the Court means that, when vacancies do arise, confirmation
16 battles have grown increasingly intense; and

17 WHEREAS, Shorter term limits for Supreme Court Justices and staggered vacancies
18 would move the Court closer to the people by ensuring that, as every President would have
19 the opportunity to replace multiple Justices each term, no Court could stretch its ideology
20 over multiple generations, Justices would no longer select retirement dates based on
21 politics, and the ever-increasing tenure of Justices would come to an end; and

22 WHEREAS, A bipartisan group of nationally prominent legal scholars has studied
23 and recommended prospective federal legislation establishing staggered, fixed terms for
24 the Justices of the Supreme Court; now, therefore, be it

25 **RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND,** That the General
26 Assembly urges the members of the Maryland Congressional Delegation to utilize



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1 immediately the full measure of their resources and influence in order to ensure the
2 passage of prospective federal legislation fixing the membership of the United States
3 Supreme Court at nine Justices, establishing non-renewable 18-year term limits for the
4 Justices, and staggering the Justices' terms such that a vacancy would occur on the Court
5 every 2 years at the end of the term in every odd-numbered calendar year; and be it further

6 RESOLVED, That a copy of this Resolution be forwarded by the Department of
7 Legislative Services to the Honorable Joseph R. Biden, Jr., Vice President of the United
8 States, President of the United States Senate, United States Capitol Building, Washington,
9 D.C. 20510; the Honorable Addison Mitchell McConnell, Majority Leader, United States
10 Senate, Senate Office Building, Washington, D.C. 20510; the Honorable John Boehner,
11 Speaker of the House of Representatives of the United States, House Office Building,
12 Washington, D.C. 20515; and the Maryland Congressional Delegation: Senators Barbara
13 A. Mikulski and Benjamin L. Cardin, Senate Office Building, Washington, D.C. 20510; and
14 Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes,
15 Donna Edwards, Steny Hamilton Hoyer, John K. Delaney, Elijah E. Cummings, and
16 Christopher Van Hollen, Jr., House Office Building, Washington, D.C. 20515.