

REMOVAL OF JUDGES

Section 5.26. Commission on Judicial Disabilities.

The Commission on Judicial Disabilities shall consist of one judge of the Intermediate Appellate Court, one judge of the Superior Court, one judge of the District Court, one lay member, and one lawyer member. The Court of Appeals shall appoint the judicial members. The governor shall appoint the lay and lawyer members from among the qualified voters of the State. The term of each member shall be four years, but the General Assembly shall prescribe by law shorter terms for the three judicial members and one of the other members first appointed, in order to establish overlapping terms of office. A vacancy on the Commission shall be filled for the remainder of the term. No member shall receive compensation for his service.

Section 5.27. Powers of Commission on Judicial Disabilities.

The Commission on Judicial Disabilities shall have the power to investigate complaints against any judge, to conduct hearings concerning the removal or retirement of a judge, to administer oaths and affirmations, to issue process to compel the attendance of witnesses and the production of evidence, and to require persons to testify and produce evidence by granting them immunity from prosecution or from penalty or forfeiture. The Commission shall have the power to recommend to the Court of Appeals the removal or retirement of a judge. All proceedings, testimony, and evidence before the Commission shall be confidential and privileged, except that the record of any proceeding filed with the Court of Appeals shall lose its confidential character. The Court of Appeals shall prescribe by rule the means to implement and enforce the powers of the Commission.

Section 5.28. Procedures of Commission on Judicial Disabilities.

The Commission on Judicial Disabilities shall act only upon the concurrence of a majority of its members. The Commission shall elect one of its members as chairman. Practice and procedure before the Commission shall be prescribed by rule.