

COUNTY OF ADAMS

**CONSTABLE VACANCY
APPOINTMENT**

PROCEDURES

I. PROCEDURES

II. MODEL PETITION

Disclaimer

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Last Updated: February 13, 2013.

ADAMS COUNTY COURT OF COMMON PLEAS
PROCEDURES TO PETITION THE COURT FOR APPOINTMENT
TO FILL VACANCY IN THE OFFICE OF CONSTABLE

1. The procedure for the filling of a vacancy in the office of constable for a borough, ward or township is set forth in 44 Pa.C.S.A. §7121.
2. Persons who are interested in being appointed to fill a vacancy should first determine whether a vacancy exists and the expiration date for current term of office from the Office Voter Registration for Adams County.
3. The applicant for the vacancy must reside within the borough, ward or township where the vacancy exists.
4. Once a vacancy is verified the applicant should complete the Petition and circulate it within the borough, ward or township and obtain the signatures of at least ten (10) persons, registered to vote in municipal elections, on Exhibit "A" attached to the Petition. It is recommended that more than ten (10) signatures be obtained in case any of the signatures are challenged.
5. Once the Petition is completed and the signatures of the registered voters are obtained the applicant must file the Petition in the Office of the Clerk of Courts of Adams County and pay the required filing fee.
6. The Petition will be forwarded by the Clerk of Courts to a Judge assigned to address such petitions and a hearing will be scheduled for a date approximately 60 days later.
7. Once the applicant receives the Order scheduling the hearing he/she must serve a copy of the Order upon the Adams County Commissioners, the District Attorney of Adams County and the borough council or board of supervisors for the municipality where the vacancy exists and provide the Court at the time of the hearing with proof of such service.
8. At the time of the hearing the applicant must appear and produce evidence that he/she qualifies to serve in the position of constable, that the signatures attached to the Petition are, in fact, currently registered voters of the borough, ward or township where the vacancy exists, and that the applicant has or intends to satisfy all statutory requirements to serve as a constable.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA

In Re: Appointment of _____ : MD - ____ - ____
As Constable

PETITION FOR APPOINTMENT OF CONSTABLE

1. Currently there is a vacancy in the office of constable for _____
_____, for the term of office which expires on _____.
2. Petitioner is _____, who resides at _____
_____.
3. Petitioner requests the Court of Common Pleas of Adams County to appoint him/her to fill the aforementioned vacancy.
4. Attached hereto as Exhibit "A." are the names and addresses of at least ten (10) qualified electors of said borough/ward/township who join in this Petition.
5. Petitioner has or intends to satisfy all of the statutory requirements to serve as a constable if the appointment is granted.

WHEREFORE, Petitioner requests this Court to set a hearing for the consideration of this Petition.

Date

Petitioner

Subscribed to and sworn to before me this
_____ day of _____.

NOTARY PUBLIC

We the undersigned are current registered voters of _____
_____ and understand that there is a vacancy in the office of
constable for said municipality for the term which is to expire on _____.
We do hereby request that _____ be appointed by
the Court of Common Pleas of Adams County to fill said vacancy.

NAME: _____ NAME: _____
SIGNATURE: _____ SIGNATURE: _____
ADDRESS: _____ ADDRESS: _____
NAME: _____ NAME: _____
SIGNATURE: _____ SIGNATURE: _____
ADDRESS: _____ ADDRESS: _____
NAME: _____ NAME: _____
SIGNATURE: _____ SIGNATURE: _____
ADDRESS: _____ ADDRESS: _____
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NAME: _____ NAME: _____
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ADDRESS: _____ ADDRESS: _____
NAME: _____ NAME: _____
SIGNATURE: _____ SIGNATURE: _____
ADDRESS: _____ ADDRESS: _____

Exhibit "A"