The Florida Bar and the Judicial Nominating Procedure Committee present

Demystifying the Judicial Nominating Commission Process

Thursday, June 22, 2023, 2:00 p.m. – 5:00 p.m.
Table of Contents

I. The Florida Court System

II. Relevant Constitutional and Statutory Provisions
   a. Article I, Section 24, Fla
   b. Article II, Section 5, Fla. Const.: Public Officers
   c. Article V., Fla. Const.: The Judiciary
   d. Article X, Section 3, Fla. Const.: Vacancy in Office
   e. Section 43.291, F.S.: Judicial Nominating Commission
   f. Section 34.021, F.S.: Qualification of County Court Judges
   g. Section 440.45, F.S.: Office of the Judges of Compensation Claims
   h. Section 16.56, F.S.: Office of the Statewide Prosecutor
   i. Section 27.701, F.S.: Capital Collateral Regional Counsels

III. Uniform Rules
    a. Uniform Rules of Procedure for Circuit JNCs
    b. Uniform Rules of Procedure for DCA JNCs
    c. Supreme Court JNC Rules of Procedure

IV. Judicial Nominating Commission Applications Information

V. Judicial Nominating Commission (Members Remaining Spots - 4)

VI. Judicial and Judicial Nominating Commission Information

VII. Application for Nomination

VIII. Florida State Courts – How Judges Get to the Bench

IX. Judicial Selection in Florida

X. Judicial and Judicial Nominating Commission Information
   a. Vacancies, Gubernatorial Appointments 2023, Judicial Nominating Commissions

XI. Federal Judicial Nominations Conference Information
I. The Florida Court System
The Florida Court System

The Florida court system is comprised of county and circuit courts at the trial level, and district courts of appeal and a Supreme Court at the appellate level. There are sixty-seven county courts and twenty circuit courts. There are five district courts of appeal and one Supreme Court. County and circuit court judges are elected. District court judges and Supreme Court justices are appointed by the Governor. However, when a judicial vacancy occurs on a county or circuit court, the Governor appoints a successor.

The Office of Judges of Compensation Claims is statutorily created within the Department of Management Services. Judges of Compensation Claims adjudicate disputes over workers' compensation benefits. There are seventeen districts throughout the State.
Judicial Nominating Commissions

Judicial Nominating Commissions (JNCs) select nominees to fill judicial vacancies within the Florida court system. There are twenty-seven separate JNCs: one for the Florida Supreme Court; five for each of the district courts of appeal or "appellate districts"; twenty for each circuit court and the county courts contained in that circuit; and one Statewide Commission for Judges of Compensation Claims. The JNCs are required to operate in accordance with the Uniform Rules of Procedure applicable to each level of JNC. JNC members serve four-year terms, except when an appointment is made to fill a vacant, unexpired term. A JNC member may hold public office other than judicial office. JNC members are ineligible for appointment to any judicial office for which the JNC has authority to make nominations during his or her term and for two years thereafter.

The Supreme Court, appellate districts, and circuit JNCs consist of nine members, all of whom are appointed by the Governor. Four members are appointed from separate lists of three nominees certified to the Governor by the Board of Governors of the Florida Bar. The Governor may reject a list of nominees and request that the Board certify a new list of three different nominees for that position. The Governor directly appoints the remaining five members. JNC members must be residents of the territorial jurisdiction served by the JNC for which he or she is appointed.

The Governor appoints judges of compensation claims from nominees chosen by the Statewide Nominating Commission for Judges of Compensation Claims. The Commission consists of fifteen members who are selected pursuant to three different processes. Five of the members are appointed by the Board of Governors of the Florida Bar and must be members of the Florida Bar, engaged in the practice of law. Another five members are appointed directly by the Governor. The last five members are selected and appointed by a majority vote of the other ten members of the Commission.

The Judicial Nominating Process

A judicial vacancy may occur because of resignation, retirement, death, elevation of a sitting judge, or by newly created judgeship. Upon notification of a vacancy, the Governor requests the Chair of the JNC to convene the JNC for the purpose of selecting and submitting names of qualified individuals to the Governor for appointment to the bench. The JNC investigates each applicant to confirm eligibility. Eligible applicants interview with the JNC, which then determines by majority vote which applicants to recommend to the Governor for his consideration. The JNC has no more than sixty days from the time it is requested to convene to nominate no fewer than three and no more than six applicants to the Governor. The Governor has sixty days to appoint a judge from among the nominees.

Upon the expiration of a four-year term, a judge of compensation claims is eligible for reappointment. Prior to the expiration of the term, the Statewide Commission for Judges of Compensation Claims determines whether the judge's performance has been satisfactory. If so, the Commission sends a report of its findings to the Governor six months before the expiration of the term. If the Governor decides not to reappoint, the Commission does not recommend reappointment, or a vacancy occurs during an unexpired term, the Governor appoints a successor from three nominees chosen by the Commission. The reappointed judge or appointed successor serves a term of four years.
II. The Florida Court System
ARTICLE I
CONSTITUTION OF THE STATE OF FLORIDA
ARTICLE I

lawfully executed by any valid method. This section shall apply retroactively.


SECTION 18. Administrative penalties.—No administrative agency, except the Department of Military Affairs in an appropriately convened court-martial action as provided by law, shall impose a sentence of imprisonment, nor shall it impose any other penalty except as provided by law.


SECTION 19. Costs.—No person charged with crime shall be compelled to pay costs before a judgment of conviction has become final.

SECTION 20. Treason.—Treason against the state shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort, and no person shall be convicted of treason except on the confession of two witnesses to the same overt act or on confession in open court.

SECTION 21. Access to courts.—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

SECTION 22. Trial by jury.—The right of trial by jury shall be secure to all and remain inviolate. The qualifications and the number of jurors, not fewer than six, shall be fixed by law.

SECTION 23. Right of privacy.—Every natural person has the right to be let alone and free from governmental intrusion into the person’s private life except as otherwise provided herein. This section shall not be construed to limit the public’s right of access to public records and meetings as provided by law.


SECTION 24. Access to public records and meetings.—
(a) Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this Constitution.
(b) All meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public and meetings of the legislature shall be open and noticed as provided in Article III, Section 4(e), except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.
(c) This section shall be self-executing. The legislature, however, may provide by general law passed by a two-thirds vote of each house for the exemption of records from the requirements of subsection (a) and the exemption of meetings from the requirements of subsection (b), provided that such law shall state with specificity the public necessity justifying the exemption and shall be no broader than necessary to accomplish the stated purpose of the law. The legislature shall enact laws governing the enforcement of this section, including the maintenance, control, destruction, disposal, and disposition of records made public by this section, except that each house of the legislature may adopt rules governing the enforcement of this section in relation to records of the legislative branch. Laws enacted pursuant to this subsection shall contain only exemptions from the requirements of subsections (a) or (b) and provisions governing the enforcement of this section, and shall relate to one subject.
(d) All laws that are in effect on July 1, 1993 that limit public access to records or meetings shall remain in force, and such laws apply to records of the legislative and judicial branches, until they are repealed. Rules of court that are in effect on the date of adoption of this section that limit access to records shall remain in effect until they are repealed.

SECTION 25. Taxpayers’ Bill of Rights.—By general law the legislature shall prescribe and adopt a Taxpayers’ Bill of Rights that, in clear and concise language, sets forth taxpayers’ rights and responsibilities and government’s responsibilities to deal fairly with taxpayers under the laws of this state. This section shall be effective July 1, 1993.


SECTION 26. Claimant’s right to fair compensation.—
(a) Article I, Section 26 is created to read “Claimant’s right to fair compensation.” In any medical liability claim involving a contingency fee, the claimant is entitled to receive no less than 70% of the first $250,000.00 in all damages received by the claimant, exclusive of reasonable and customary costs, whether received by judgment, settlement, or otherwise, and regardless of the number of defendants. The claimant is entitled to 90% of all damages in excess of $250,000.00, exclusive of reasonable and customary costs and regardless of the number of defendants. This provision is self-executing and does not require implementing legislation.
(b) This Amendment shall take effect on the day following approval by the voters.

History.—Proposed by Initiative Petition filed with the Secretary of State on September 6, 2003; adopted 2004.
ARTICLE I

CONSTITUTION OF THE STATE OF FLORIDA

SECTION 27. Marriage defined.—Inasmuch as marriage is the legal union of only one man and one woman as husband and wife, no other legal union that is treated as marriage or the substantial equivalent thereof shall be valid or recognized.

History.—Proposed by Initiative Petition filed with the Secretary of State February 9, 2005; adopted 2008.

ARTICLE II

GENERAL PROVISIONS

Sec.
1. State boundaries.
2. Seat of government.
4. State seal and flag.
5. Public officers.
7. Natural resources and scenic beauty.
8. Ethics in government.
9. English is the official language of Florida.

SECTION 1. State boundaries.—
(a) The state boundaries are: Begin at the mouth of the Perdido River, which for the purposes of this description is defined as the point where latitude 30°16'53" north and longitude 87°31'06" west intersect; thence to the point where latitude 30°17'02" north and longitude 87°31'06" west intersect; thence to the point where latitude 30°18'00" north and longitude 87°27'08" west intersect; thence to the point where the center line of the Intracoastal Canal (as the same existed on June 12, 1953) and longitude 87°27'00" west intersect; the same being the middle of the Perdido River three leagues from the coastline as measured on a line bearing south 0°01'00" west from the point of beginning; thence northerly along said line to the point of beginning. The State of Florida shall also include any additional territory within the United States adjacent to the Peninsula of Florida lying south of the St. Marys River, east of the Perdido River, and south of the States of Alabama and Georgia.

(b) The coastal boundaries may be extended by statute to the limits permitted by the laws of the United States or international law.

SECTION 2. Seat of government.—The seat of government shall be the City of Tallahassee, in Leon County, where the offices of the governor, lieutenant governor, cabinet members and the supreme court shall be maintained and the sessions of the legislature shall be held; provided that, in time of invasion or grave emergency, the governor by proclamation may for the period of the emergency transfer the seat of government to another place.

SECTION 3. Branches of government.—The powers of the state government shall be divided into legislative, executive and judicial branches. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.

SECTION 4. State seal and flag.—The design of the great seal and flag of the state shall be prescribed by law.

SECTION 5. Public officers.—
(a) No person holding any office of emolument under any foreign government, or civil office of emolument under the United States or any other state, shall hold any office of honor or of emolument under the government of this state. No person shall hold at the same time more than one office under the government of this state. No person shall hold any office of honor or of emolument under the United States or international law.

(b) The coastal boundaries may be extended by statute to the limits permitted by the laws of the United States or international law.

SECTION 3. Branches of government.—The powers of the state government shall be divided into legislative, executive and judicial branches. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.

SECTION 4. State seal and flag.—The design of the great seal and flag of the state shall be prescribed by law.

SECTION 5. Public officers.—
(a) No person holding any office of emolument under any foreign government, or civil office of emolument under the United States or any other state, shall hold any office of honor or of emolument under the government of this state. No person shall hold at the same time more than one office under the government of this state. No person shall hold at the same time more than one office under the government of the state and the counties and municipalities therein, except that a notary public or military officer may hold another office, and any officer may be a member of a constitution revision commission, taxation and budget reform commission, constitutional convention, or statutory body having only advisory powers.

(b) Each state and county officer, before entering upon the duties of the office, shall give bond as required by law, and shall swear or affirm:

"I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the state; and that I will well and faithfully perform the duties of (title of office) on which I am now about to enter. So help me God."

and thereafter shall devote personal attention to the duties of the office, and continue in office until a successor qualifies.
SECTION 27. Marriage defined.—Inasmuch as marriage is the legal union of only one man and one woman as husband and wife, no other legal union that is treated as marriage or the substantial equivalent thereof shall be valid or recognized.

History.—Proposed by Initiative Petition filed with the Secretary of State February 9, 2005; adopted 2008

ARTICLE II
GENERAL PROVISIONS

Sec.
1. State boundaries.
2. Seat of government.
4. State seal and flag.
5. Public officers.
7. Natural resources and scenic beauty.
8. Ethics in government.
9. English is the official language of Florida.

SECTION 1. State boundaries.—
(a) The state boundaries are: Begin at the mouth of the Perdido River, which for the purposes of this description is defined as the point where latitude 30°16'53" north and longitude 87°31'06" west intersect; thence to the point where latitude 30°17'02" north and longitude 87°31'06" west intersect; thence to the point where latitude 30°18'00" north and longitude 87°27'08" west intersect; thence to the point where the center line of the Intracoastal Canal (as the same existed on June 12, 1953) and longitude 87°27'00" west intersect; the same being in the middle of the Perdido River; thence up the middle of the Perdido River to the point where it intersects the south boundary of the State of Alabama, being also the point of intersection of the middle of the Perdido River with latitude 31°00'00" north; thence east, along the south boundary line of the State of Alabama, the same being along latitude 31°00'00" north to the middle of the Chattachoochee River; thence down the middle of said river to its confluence with the Flint River; thence in a straight line to the head of the St. Marys River; thence down the middle of said river to the Atlantic Ocean; thence due east to the edge of the Gulf Stream or a distance of three geographic miles whichever is the greater distance; thence in a southerly direction along the edge of the Gulf Stream or along a line three geographic miles from the Atlantic coastline and three leagues distant from the Gulf of Mexico coastline, whichever is greater, to and through the Straits of Florida and westerly, including the Florida reefs, to a point due south of and from three leagues from the southernmost point of the Marquesas Keys; thence westerly along a straight line to a point due south of and three leagues from Loggerhead Key, the westernmost of the Dry Tortugas Islands; thence westerly, northerly and easterly along the arc of a curve three leagues distant from Loggerhead Key to a point due north of Loggerhead Key; thence northeast along a straight line to a point three leagues from the coastline of Florida; thence northerly and westerly three leagues distant from the coastline to a point west of the mouth of the Perdido River three leagues from the coastline as measured on a line bearing south 0°01'00" west from the point of beginning; thence northerly along said line to the point of beginning. The State of Florida shall also include any additional territory within the United States adjacent to the Peninsula of Florida lying south of the St. Marys River, east of the Perdido River, and south of the States of Alabama and Georgia.
(b) The coastal boundaries may be extended by statute to the limits permitted by the laws of the United States or international law.

SECTION 2. Seat of government.—The seat of government shall be the City of Tallahassee, in Leon County, where the offices of the governor, lieutenant governor, cabinet members and the supreme court shall be maintained and the sessions of the legislature shall be held; provided that, in time of invasion or grave emergency, the governor by proclamation may for the period of the emergency transfer the seat of government to another place.

SECTION 3. Branches of government.—The powers of the state government shall be divided into legislative, executive and judicial branches. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.

SECTION 4. State seal and flag.—The design of the great seal and flag of the state shall be prescribed by law.

SECTION 5. Public officers.—
(a) No person holding any office of emolument under any foreign government, or civil office of emolument under the United States or any other state, shall hold any office of honor or of emolument under the government of this state. No person shall hold at the same time more than one office under the government of the state and the counties and municipalities therein, except that a notary public or military officer may hold another office, and any officer may be a member of a constitution revision commission, taxation and budget reform commission, constitutional convention, or statutory body having only advisory powers.
(b) Each state and county officer, before entering upon the duties of the office, shall give bond as required by law, and shall swear or affirm:
"I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the state; and that I will well and faithfully perform the duties of [name of office], on which I am now about to enter. So help me God."
and thereafter shall devote personal attention to the duties of the office, and continue in office until a successor qualifies.
no special law or general law of local application pertaining to hunting or fishing. The commission's exercise of executive powers in the area of planning, budgeting, personnel management, and purchasing shall be as provided by law. Revenue derived from license fees for the taking of wild animal life and fresh water aquatic life shall be appropriated to the commission by the legislature for the purposes of management, protection, and conservation of wild animal life and fresh water aquatic life. Revenue derived from license fees relating to marine life shall be appropriated by the legislature for the purposes of management, protection, and conservation of marine life as provided by law. The commission shall not be a unit of any other state agency and shall have its own staff, which includes management, research, and enforcement. Unless provided by general law, the commission shall have no authority to regulate matters relating to air and water pollution.

**SECTION 10. Attorney General.**—The attorney general shall, as directed by general law, request the opinion of the justices of the supreme court as to the validity of any initiative petition circulated pursuant to Section 3 of Article XI. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented and shall render their written opinion no later than April 1 of the year in which the initiative is to be submitted to the voters pursuant to Section 5 of Article XI.


**SECTION 11. Department of Veterans Affairs.**—The legislature, by general law, may provide for the establishment of the Department of Veterans Affairs.


**SECTION 12. Department of Elderly Affairs.**—The legislature may create a Department of Elderly Affairs and prescribe its duties. The provisions governing the administration of the department must comply with Section 6 of Article IV of the State Constitution.


**SECTION 13. Revenue Shortfalls.**—In the event of revenue shortfalls, as defined by general law, the governor and cabinet may establish all necessary reductions in the state budget in order to comply with the provisions of Article VII, Section 1(d). The governor and cabinet shall implement all necessary reductions for the executive budget, the chief justice of the supreme court shall implement all necessary reductions for the judicial budget, and the speaker of the house of representatives and the president of the senate shall implement all necessary reductions for the legislative budget. Budget reductions pursuant to this section shall be consistent with the provisions of Article III, Section 19(h).

History.—Proposed by Taxation and Budget Reform Commission Revision No. 1, 1992, filed with the Secretary of State May 7, 1992; adopted 1992.

---

**ARTICLE V**

**JUDICIARY**

Sec.

1. Courts.
2. Administration; practice and procedure.
3. Supreme court.
4. District courts of appeal.
5. Circuit courts.
6. County courts.
7. Specialized divisions.
8. Eligibility.
9. Determination of number of judges.
10. Retention; election and terms.
11. Vacancies.
12. Discipline; removal and retirement.
13. Prohibited activities.
14. Funding.
15. Attorneys; admission and discipline.
17. State attorneys.
18. Public defenders.
19. Judicial officers as conservators of the peace.
20. Schedule to Article V.

**SECTION 1. Courts.**—The judicial power shall be vested in a supreme court, district courts of appeal, circuit courts and county courts. No other courts may be established by the state, any political subdivision or any municipality. The legislature shall, by general law, divide the state into appellate court districts and judicial circuits following county lines. Commissions established by law, or administrative officers or bodies may be granted quasi-judicial power in matters connected with the functions of their offices. The legislature may establish by general law a civil traffic hearing officer system for the purpose of hearing civil traffic infractions. The legislature may, by general law, authorize a military court-martial to be conducted by military judges of the Florida National Guard, with direct appeal of a decision to the District Court of Appeal, First District.


**SECTION 2. Administration; practice and procedure.**—

(a) The supreme court shall adopt rules for the practice and procedure in all courts including the time for seeking appellate review, the administrative supervision of all courts, the transfer to the court having jurisdiction of any proceeding when the jurisdiction of another court has been improvidently invoked, and a requirement that no cause shall be dismissed because an improper remedy has been sought. The supreme court shall adopt rules to allow the court and the district courts of appeal to submit questions relating to military law to the federal Court of Appeals for the Armed Forces for an advisory opinion. Rules of court may be repealed by general law enacted by two-thirds vote of the membership of each house of the legislature.
(b) The chief justice of the supreme court shall be chosen by a majority of the members of the court; shall be the chief administrative officer of the judicial system; and shall have the power to assign justices or judges, including consenting retired justices or judges, to temporary duty in any court for which the judge is qualified and to delegate to a chief judge of a judicial circuit the power to assign judges for duty in that circuit.

(c) A chief judge for each district court of appeal shall be chosen by a majority of the judges thereof or, if there is no majority, by the chief justice. The chief judge shall be responsible for the administrative supervision of the court.

(d) A chief judge in each circuit shall be chosen from among the circuit judges as provided by supreme court rule. The chief judge shall be responsible for the administrative supervision of the circuit courts and county courts in his circuit.

SECTION 3. Supreme court.—

(a) ORGANIZATION.—The supreme court shall consist of seven justices. Of the seven justices, each appellate district shall have at least one justice elected or appointed from the district to the supreme court who is a resident of the district at the time of the original appointment or election. Five justices shall constitute a quorum. The concurrence of four justices shall be necessary to a decision. When recusals for cause would prohibit the court from convening because of the requirements of this section, judges assigned to temporary duty may be substituted for justices.

(b) JURISDICTION.—The supreme court:

(1) Shall hear appeals from final judgments of trial courts imposing the death penalty and from decisions of district courts of appeal declaring invalid a state statute or a provision of the state constitution.

(2) When provided by general law, shall hear appeals from final judgments entered in proceedings for the validation of bonds or certificates of indebtedness and shall review action of statewide agencies relating to rates or service of utilities providing electric, gas, or telephone service.

(3) May review any decision of a district court of appeal that expressly declares valid a state statute, or that expressly construes a provision of the state or federal constitution, or that expressly affects a class of constitutional or state officers, or that expressly and directly conflicts with a decision of another district court of appeal or of the supreme court on the same question of law.

(4) May review any decision of a district court of appeal that passes upon a question certified by it to be of great public importance, or that is certified by it to be in direct conflict with a decision of another district court of appeal.

(5) May review any order or judgment of a trial court certified by the district court of appeal in which an appeal is pending to be of great public importance, or to have a great effect on the proper administration of justice throughout the state, and certified to require immediate resolution by the supreme court.

(6) May review a question of law certified by the Supreme Court of the United States or a United States Court of Appeals which is determinative of the cause and for which there is no controlling precedent of the supreme court of Florida.

(7) May issue writs of prohibition to courts and all writs necessary to the complete exercise of its jurisdiction.

(8) May issue writs of mandamus and quo warranto to state officers and state agencies.

(9) May, or any justice may, issue writs of habeas corpus returnable before the supreme court or any justice, a district court of appeal or any judge thereof, or any circuit judge.

(10) Shall, when requested by the attorney general pursuant to the provisions of Section 10 of Article IV, render an advisory opinion of the justices, addressing issues as provided by general law.

(c) CLERKS AND MARSHAL.—The supreme court shall appoint a clerk and a marshal who shall hold office during the pleasure of the court and perform such duties as the court directs. Their compensation shall be fixed by general law. The marshal shall have the power to execute the process of the court throughout the state, and in any county may deputize the sheriff or a deputy sheriff for such purpose.

SECTION 4. District courts of appeal.—

(a) ORGANIZATION.—There shall be a district court of appeal serving each appellate district. Each district court of appeal shall consist of at least three judges. Three judges shall consider each case and the concurrence of two shall be necessary to a decision.

(b) JURISDICTION.—

(1) District courts of appeal have jurisdiction to hear appeals, that may be taken as a matter of right, from final judgments or orders of trial courts, including those entered on review of administrative action, not directly appealable to the supreme court or a circuit court. They may review interlocutory orders in such cases to the extent provided by rules adopted by the supreme court.

(2) District courts of appeal shall have the power of direct review of administrative action, as prescribed by general law.

(3) A district court of appeal or any judge thereof may issue writs of habeas corpus returnable before the court or any judge thereof or before any circuit judge within the territorial jurisdiction of the court. A district court of appeal may issue writs of mandamus, certiorari, prohibition, quo warranto, and other writs necessary to the complete exercise of its jurisdiction. To the extent necessary to dispose of all issues in a cause properly before it, a district court of appeal may exercise any of the appellate jurisdiction of the circuit courts.

(c) CLERKS AND MARSHALS.—Each district court of appeal shall appoint a clerk and a marshal who shall hold office during the pleasure of the court and perform such duties as the court directs. Their compensation shall be fixed by general law. The marshal shall have the
power to execute the process of the court throughout
the territorial jurisdiction of the court, and in any county
may deputize the sheriff or a deputy sheriff for such
purpose.

SECTION 5. Circuit courts.—
(a) ORGANIZATION.—There shall be a circuit court
serving each judicial circuit.
(b) JURISDICTION.—The circuit courts shall have
original jurisdiction not vested in the county courts, and
jurisdiction of appeals when provided by general law.
They shall have the power to issue writs of mandamus,
quo warranto, certiorari, prohibition and habeas corpus,
and all writs necessary or proper to the complete
exercise of their jurisdiction. Jurisdiction of the circuit
court shall be uniform throughout the state. They shall
have the power of direct review of administrative action
prescribed by general law.

SECTION 6. County courts.—
(a) ORGANIZATION.—There shall be a county
court in each county. There shall be one or more judges
for each county court as prescribed by general law.
(b) JURISDICTION.—The county courts shall ex­
ercise the jurisdiction prescribed by general law. Such
jurisdiction shall be uniform throughout the state.

SECTION 7. Specialized divisions.—All courts
except the supreme court may sit in divisions as may
be established by general law. A circuit or county court
may hold civil and criminal trials and hearings in any
place within the territorial jurisdiction of the court as
designated by the chief judge of the circuit.

SECTION 8. Eligibility.—No person shall be eligi­
ble for office of justice or judge of any court unless the
person is an elector of the state and resides in the
territorial jurisdiction of the court. No justice or judge
shall serve after attaining the age of seventy years
except upon temporary assignment or to complete a
term, one-half of which has been served. No person is
eligible for the office of justice of the supreme court or
judge of a district court of appeal unless the person is,
and has been for the preceding ten years, a member of
the bar of Florida. No person is eligible for the office of
circuit judge unless the person is, and has been for the
preceding five years, a member of the bar of Florida.
Unless otherwise provided by general law, no person is
eligible for the office of county court judge unless the
person is, and has been for the preceding five years, a
member of the bar of Florida. Unless otherwise provided
by general law, a person shall be eligible for election or
appointment to the office of county court judge in a
county having a population of 40,000 or less if the
person is a member in good standing of the bar of
Florida.
(effective July 1, 1986); Am. proposed by Constitution Revision Commission,

SECTION 9. Determination of number of judges.
The supreme court shall establish by rule uniform
criteria for the determination of the need for additional
judges except supreme court justices, the necessity for
decreasing the number of judges and for increasing,
decreasing or redefining appellate districts and judicial
circuits. If the supreme court finds that a need exists for
increasing or decreasing the number of judges or for
increasing, decreasing or redefining appellate districts
and judicial circuits, it shall, prior to the next regular
session of the legislature, certify to the legislature its
findings and recommendations concerning such need.
Upon receipt of such certificate, the legislature, at the
next regular session, shall consider the findings and
recommendations and may reject the recommendations
or by law implement the recommendations in whole or in
part; provided the legislature may create more judicial
offices than are recommended by the supreme court or
may decrease the number of judicial offices by a greater
number than recommended by the court only upon a
finding of two-thirds of the membership of both houses
of the legislature, that such a need exists. A decrease in
the number of judges shall be effective only after the
expiration of a term. If the supreme court fails to make
findings as provided above when need exists, the
legislature may by concurrent resolution request the
court to certify its findings and recommendations and
upon the failure of the court to certify its findings for nine
consecutive months, the legislature may, upon a finding
of two-thirds of the membership of both houses of the
legislature that a need exists, increase or decrease the
number of judges or increase, decrease or redefine
appellate districts and judicial circuits.

SECTION 10. Retention; election and terms.—
(a) Any justice or judge may qualify for retention by a
vote of the electors in the general election next
preceding the expiration of the justice’s or judge’s
term in the manner prescribed by law. If a justice or
judge is ineligible or fails to qualify for retention, a
vacancy shall exist in that office upon the expiration of
the term being served by the justice or judge. When a
justice or judge so qualifies, the ballot shall read
substantially as follows: “Shall Justice (or Judge)
(name of justice or judge) of the (name of the court) be retained
in office?” If a majority of the qualified electors voting
within the territorial jurisdiction of the court vote to retain,
the justice or judge shall be retained for a term of six
years. The term of the justice or judge retained shall
commence on the first Tuesday after the first Monday in
January following the general election. If a majority of
the qualified electors voting within the territorial jurisdic­
tion of the court vote to not retain, a vacancy shall exist
in that office upon the expiration of the term being
served by the justice or judge.

(b)(1) The election of circuit judges shall be pre­served notwithstanding the provisions of subsection (a)
unless a majority of those voting in the jurisdiction of the
circuit approves a local option to select circuit judges by
merit selection and retention rather than by election.
The election of circuit judges shall be by a vote of the
ARTICLE V
CONSTITUTION OF THE STATE OF FLORIDA

qualified electors within the territorial jurisdiction of the court.

(2) The election of county court judges shall be
preserved notwithstanding the provisions of subsection
(a) unless a majority of those voting in the jurisdiction of
that county approves a local option to select county
judges by merit selection and retention rather than by
election. The election of county court judges shall be by
a vote of the qualified electors within the territorial
jurisdiction of the court.

(3) A vote to exercise a local option to select
circuit court judges and county court judges by merit
selection and retention rather than by election shall be
held in each circuit and county at the general election in
the year 2000. If a vote to exercise this local option fails
in a vote of the electors, such option shall not again be
put to a vote of the electors of that jurisdiction until the
expiration of at least two years.

b. After the year 2000, a circuit may initiate the local
option for merit selection and retention or the election of
circuit judges, whichever is applicable, by filing with the
custodian of state records a petition signed by the
number of electors equal to at least ten percent of the
votes cast in the circuit in the last preceding election in
which presidential electors were chosen.

c. After the year 2000, a county may initiate the
local option for merit selection and retention or the
election of county court judges, whichever is applicable,
by filing with the supervisor of elections a petition signed
by the number of electors equal to at least ten percent of
the votes cast in the county in the last preceding election
in which presidential electors were chosen. The terms of
circuit judges and judges of county courts shall be for six
years.

History.—S.J.R. 52-0, 1971; adopted 1972; Am. C.S. for S.J.R.’s 49, 81, 1976;
adopted 1996; Am. proposed by Constitution Revision Commission, Revision Nos.
7 and 13, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.

SECTION 12. Discipline; removal and retire­
ment.—

(a) JUDICIAL QUALIFICATIONS COMMISSION.—
A judicial qualifications commission is created.

(1) There shall be a judicial qualifications commis­sion vested with jurisdiction to investigate and recom­


m. Five electors who reside in the state, who have
fourth of the constitution and have served for
least one year after the date of appointment, one of not
fewer than three persons or more than six persons
named by the appropriate judicial nominating com­
mission.

b. The governor shall fill each vacancy on a circuit
court or on a county court, wherein the judges are
elected by a majority vote of the electors, by appointing
for a term ending on the first Tuesday after the first
Monday in January of the year following the next
primary and general election occurring at least one
year after the date of appointment, one of not fewer than
three persons nor more than six persons named by
the appropriate judicial nominating commission. An
election shall be held to fill that judicial office for
the term of the office beginning at the end of the appointed
term.

c. The nominations shall be made within thirty days
from the occurrence of a vacancy unless the period is
extended by the governor for a time not to exceed thirty
days. The governor shall make the appointment within
sixty days after the nominations have been certified to
the governor.

(d) There shall be a separate judicial nominating
commission as provided by general law for the supreme
court, each district court of appeal, and each judicial
circuit for all trial courts within the circuit. Uniform rules
of procedure shall be established by the judicial
nominating commissions at each level of the court
system. Such rules, or any part thereof, may be
repealed by general law enacted by a majority vote of
the membership of each house of the legislature, or by
the supreme court, five justices concurring. Except for
deliberations of the judicial nominating commissions,
the proceedings of the commissions and their records
shall be open to the public.

History.—S.J.R. 55-0, 1971; adopted 1972; Am. C.S. for S.J.R.’s 49, 81, 1976;
adopted 1996; Am. proposed by Constitution Revision Commission, Revision Nos.
7 and 13, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.
hold public office, provided that a judge may campaign for judicial office and hold that office. The commission shall elect one of its members as its chairperson.

(3) Members of the judicial qualifications commission not subject to impeachment shall be subject to removal from the commission pursuant to the provisions of Article IV, Section 7, Florida Constitution.

(4) The commission shall adopt rules regulating its proceedings, the filling of vacancies by the appointing authorities, the disqualification of members, the rotation of members between the panels, and the temporary replacement of disqualified or incapacitated members. The commission’s rules, or any part thereof, may be repealed by general law enacted by a majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring. The commission shall have power to issue subpoenas. Until formal charges against a justice or judge are filed by the investigative panel with the clerk of the supreme court of Florida all proceedings by or before the commission shall be confidential; provided, however, upon a finding of probable cause and the filing by the investigative panel with said clerk of such formal charges against a justice or judge such charges and all further proceedings before the commission shall be public.

(5) The commission shall have access to all information from all executive, legislative and judicial agencies, including grand juries, subject to the rules of the commission. At any time, on request of the speaker of the house of representatives or the governor, the commission shall make available all information in the possession of the commission for use in consideration of impeachment or suspension, respectively.

(b) PANELS.—The commission shall be divided into an investigative panel and a hearing panel as established by rule of the commission. The investigative panel is vested with the jurisdiction to receive or initiate complaints, conduct investigations, dismiss complaints, and upon a vote of a simple majority of the panel submit formal charges to the hearing panel. The hearing panel is vested with the authority to receive and hear formal charges from the investigative panel and upon a two-thirds vote of the panel recommend to the supreme court the removal of a justice or judge or the involuntary retirement of a justice or judge for any permanent disability that seriously interferes with the performance of judicial duties. Upon a simple majority vote of the membership of the hearing panel, the panel may recommend to the supreme court that the justice or judge be subject to appropriate discipline.

(c) SUPREME COURT.—The supreme court shall receive recommendations from the judicial qualifications commission’s hearing panel.

(1) The supreme court may accept, reject, or modify in whole or in part the findings, conclusions, and recommendations of the commission and it may order that the justice or judge be subjected to appropriate discipline, or be removed from office with termination of compensation for willful or persistent failure to perform judicial duties or for other conduct unbecoming a member of the judiciary demonstrating a present unfitness to hold office, or be involuntarily retired for any permanent disability that seriously interferes with the performance of judicial duties. Malafides, scienter or moral turpitude on the part of a justice or judge shall not be required for removal from office of a justice or judge whose conduct demonstrates a present unfitness to hold office. After the filing of a formal proceeding and upon request of the investigative panel, the supreme court may suspend the justice or judge from office, with or without compensation, pending final determination of the inquiry.

(2) The supreme court may award costs to the prevailing party.

(d) The power of removal conferred by this section shall be both alternative and cumulative to the power of impeachment.

(e) Notwithstanding any of the foregoing provisions of this section, if the person who is the subject of proceedings by the judicial qualifications commission is a justice of the supreme court of Florida all justices of such court automatically shall be disqualified to sit as justices of such court with respect to all proceedings therein concerning such person and the supreme court for such purposes shall be composed of a panel consisting of the seven chief judges of the judicial circuits of the state of Florida most senior in tenure of judicial office as circuit judge. For purposes of determining seniority of such circuit judges in the event there be judges of equal tenure in judicial office as circuit judge the judge or judges from the lower numbered circuit or circuits shall be deemed senior. In the event any such chief circuit judge is under investigation by the judicial qualifications commission or is otherwise disqualified or unable to serve on the panel, the next most senior chief circuit judge or judges shall serve in place of such disqualified or disabled chief circuit judge.

(f) SCHEDULE TO SECTION 12.—

(1) Except to the extent inconsistent with the provisions of this section, all provisions of law and rules of court in force on the effective date of this article shall continue in effect until superseded in the manner authorized by the constitution.

(2) After this section becomes effective and until adopted by rule of the commission consistent with it:

(a) The commission shall be divided, as determined by the chairperson, into one investigative panel and one hearing panel to meet the responsibilities set forth in this section.

(b) The investigative panel shall be composed of:

1. Four judges,
2. Two members of the bar of Florida, and
3. Three non-lawyers.

(c) The hearing panel shall be composed of:

1. Two judges,
2. Two members of the bar of Florida, and
3. Two non-lawyers.

(d) Membership on the panels may rotate in a manner determined by the rules of the commission provided that no member shall vote as a member of the investigative and hearing panel on the same proceeding.

(e) The commission shall hire separate staff for each panel.

(f) The members of the commission shall serve for staggered terms of six years.
ARTICLE V
CONSTITUTION OF THE STATE OF FLORIDA

The terms of office of the present members of the judicial qualifications commission shall expire upon the effective date of the amendments to this section approved by the legislature during the regular session of the legislature in 1996 and new members shall be appointed to serve the following staggered terms:

1. Group I.—The terms of five members, composed of two electors as set forth in s. 12(a)(1)c. of Article V, one member of the bar of Florida as set forth in s. 12(a)(1)b. of Article V, one judge from the district courts of appeal and one circuit judge as set forth in s. 12(a)(1)a. of Article V, shall expire on December 31, 1998.

2. Group II.—The terms of five members, composed of one elector as set forth in s. 12(a)(1)c. of Article V, two members of the bar of Florida as set forth in s. 12(a)(1)b. of Article V, one circuit judge and one county judge as set forth in s. 12(a)(1)a. of Article V shall expire on December 31, 2000.

3. Group III.—The terms of five members, composed of two electors as set forth in s. 12(a)(1)c. of Article V, one member of the bar of Florida as set forth in s. 12(a)(1)b. of Article V, one judge from the district courts of appeal and one county judge as set forth in s. 12(a)(1)a. of Article V shall expire on December 31, 2002.

h. An appointment to fill a vacancy of the commission shall be for the remainder of the term.

i. Selection of members by district courts of appeal judges, circuit judges, and county court judges, shall be by no less than a majority of the members voting at the respective courts’ conferences. Selection of members by the board of governors of the bar of Florida shall be by no less than a majority of the board.

j. The commission shall be entitled to recover the costs of investigation and prosecution, in addition to any penalty levied by the supreme court.

k. The compensation of members and referees shall be the travel expenses or transportation and per diem allowance as provided by general law.

SECTION 13. Prohibited activities.—All justices and judges shall devote full time to their judicial duties. They shall not engage in the practice of law or hold office in any political party.

SECTION 14. Funding.—

(a) All justices and judges shall be compensated only by state salaries fixed by general law. Funding for the state courts system, state attorneys’ offices, public defenders’ offices, and court-appointed counsel, except as otherwise provided in subsection (c), shall be provided from state revenues appropriated by general law.

(b) All funding for the offices of the clerks of the circuit and county courts performing court-related functions, except as otherwise provided in this subsection and subsection (c), shall be provided by adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions as required by general law. Selected salaries, costs, and expenses of the state courts system may be funded from appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions, as provided by general law. Where the requirements of either the United States Constitution or the Constitution of the State of Florida preclude the imposition of filing fees for judicial proceedings and service charges and costs for performing court-related functions sufficient to fund the court-related functions of the offices of the clerks of the circuit and county courts, the state shall provide, as determined by the legislature, adequate and appropriate supplemental funding from state revenues appropriated by general law.

(c) No county or municipality, except as provided in this subsection, shall be required to provide any funding for the state courts system, state attorneys’ offices, public defenders’ offices, court-appointed counsel or the offices of the clerks of the circuit and county courts performing court-related functions. Counties shall be required to fund the cost of communications services, existing radio systems, existing multi-agency criminal justice information systems, and the cost of construction or lease, maintenance, utilities, and security of facilities for the trial courts, public defenders’ offices, state attorneys’ offices, and the offices of the clerks of the circuit and county courts performing court-related functions. Counties shall also pay reasonable and necessary salaries, costs, and expenses of the state courts system to meet local requirements as determined by general law.

(d) The judiciary shall have no power to fix appropriations.

SECTION 15. Attorneys; admission and discipline.—The supreme court shall have exclusive jurisdiction to regulate the admission of persons to the practice of law and the discipline of persons admitted.

SECTION 16. Clerks of the circuit courts.—There shall be in each county a clerk of the circuit court who shall be selected pursuant to the provisions of Article VIII section 1. Notwithstanding any other provision of the constitution, the duties of the clerk of the circuit court may be divided by special or general law between two officers, one serving as clerk of court and one serving as ex officio clerk of the board of county commissioners, auditor, recorder, and custodian of all county funds. There may be a clerk of the county court if authorized by general or special law.

SECTION 17. State attorneys.—In each judicial circuit a state attorney shall be elected for a term of four years. Except as otherwise provided in this constitution, the state attorney shall be the prosecuting officer of all trial courts in that circuit and shall perform other duties prescribed by general law; provided, however, when authorized by general law, the violations of all municipal ordinances may be prosecuted by municipal
prosecutors. A state attorney shall be an elector of the state and reside in the territorial jurisdiction of the circuit; shall be and have been a member of the bar of Florida for the preceding five years; shall devote full time to the duties of the office; and shall not engage in the private practice of law. State attorneys shall appoint such assistant state attorneys as may be authorized by law.  

SECTION 18. Public defenders.—In each judicial circuit a public defender shall be elected for a term of four years, who shall perform duties prescribed by general law. A public defender shall be an elector of the state and reside in the territorial jurisdiction of the circuit and shall be and have been a member of the Bar of Florida for the preceding five years. Public defenders shall appoint such assistant public defenders as may be authorized by law.  

SECTION 19. Judicial officers as conservators of the peace.—All judicial officers in this state shall be conservators of the peace.  

SECTION 20. Schedule to Article V.—  
(a) This article shall replace all of Article V of the Constitution of 1885, as amended, which shall then stand repealed.  
(b) Except to the extent inconsistent with the provisions of this article, all provisions of law and rules of court in force on the effective date of this article shall continue in effect until superseded in the manner authorized by the constitution.  
(c) After this article becomes effective, and until changed by general law consistent with sections 1 through 19 of this article:  
(1) The supreme court shall have the jurisdiction immediately therefore exercised by it, and it shall determine all proceedings pending before it on the effective date of this article.  
(2) The appellate districts shall be those in existence on the date of adoption of this article. There shall be a district court of appeal in each district. The district courts of appeal shall have the jurisdiction immediately therefore exercised by the district courts of appeal and shall determine all proceedings pending before them on the effective date of this article.  
(3) Circuit courts shall have jurisdiction of appeals from county courts and municipal courts, except those appeals which may be taken directly to the supreme court; and they shall have exclusive original jurisdiction in all actions at law not cognizable by the county courts; of proceedings relating to the settlement of the estates of decedents and minors, the granting of letters testamentary, guardianship, involuntary hospitalization, the determination of incompetency, and other jurisdiction usually pertaining to courts of probate; in all cases in equity including all cases relating to juveniles; of all felonies and of all misdemeanors arising out of the same circumstances as a felony which is also charged; in all cases involving legality of any tax assessment or toll; in the action of ejectment; and in all actions involving the titles or boundaries or right of possession of real property. The circuit court may issue injunctions. There shall be judicial circuits which shall be the judicial circuits in existence on the date of adoption of this article. The chief justice of a circuit may authorize a county court judge to order emergency hospitalizations pursuant to Chapter 71-131, Laws of Florida, in the absence from the county of the circuit judge and the county court judge shall have the power to issue all temporary orders and temporary injunctions necessary or proper to the complete exercise of such jurisdiction.  
(4) County courts shall have original jurisdiction in all criminal misdemeanor cases not cognizable by the circuit courts, of all violations of municipal and county ordinances, and of all actions at law in which the matter in controversy does not exceed the sum of two thousand five hundred dollars ($2,500.00) exclusive of interest and costs, except those within the exclusive jurisdiction of the circuit courts. Judges of county courts shall be committing magistrates. The county courts shall have jurisdiction now exercised by the county judge's courts other than that vested in the circuit court by subsection (c)(3) hereof, the jurisdiction now exercised by the county courts, the claims court, the small claims courts, the small claims magistrates courts, magistrates courts, justice of the peace courts, municipal courts and courts of chartered counties, including but not limited to the counties referred to in Article VIII, sections 9, 10, 11 and 24 of the Constitution of 1885.  
(5) Each judicial nominating commission shall be composed of the following:  
(a) Three members appointed by the Board of Governors of The Florida Bar from among The Florida Bar members who are actively engaged in the practice of law with offices within the territorial jurisdiction of the affected court, district or circuit;  
(b) Three members who reside in the territorial jurisdiction of the court or circuit appointed by the governor; and  
(c) Three members who reside in the territorial jurisdiction of the court or circuit and who are not members of the bar of Florida, selected and appointed by a majority vote of the other six members of the commission.  
(6) No justice or judge shall be a member of a judicial nominating commission. A member of a judicial nominating commission may hold public office other than judicial office. No member shall be eligible for appointment to state judicial office so long as that person is a member of a judicial nominating commission and for a period of two years thereafter. All acts of a judicial nominating commission shall be made with a concurrence of a majority of its members.  
(7) The members of a judicial nominating commission shall serve for a term of four years except the terms of the initial members of the judicial nominating commissions shall expire as follows:  
(a) The terms of one member of category a. b. and c. in subsection (c)(5) hereof shall expire on July 1, 1974;  
(b) The terms of one member of category a. b. and c. in subsection (c)(5) hereof shall expire on July 1, 1975;
The courts of record of Broward, Brevard, Escambia, Alachua, Leon and Volusia Counties, Hillsborough, Lee, Manatee and Sarasota Counties, shall be paid monthly to the circuit judges for the remainder of the terms to which they were appointed and shall serve as such circuit judges thereafter. These courts are: civil court of record of Dade County, all criminal courts of record, the felony judges of the circuit court for each of the counties of the above named courts whose term expires in 1973. Elections to such offices shall take place at the same time and manner as elections to other state judicial offices in 1972 and the terms of such offices shall be for a term of six years. Unless changed pursuant to section nine of this article, the number of circuit judges presently existing and created by this subsection shall not be changed.

In all counties having a population of less than 100,000 according to the 1970 federal census and having more than one county judge on the date of the adoption of this article, there shall be the same number of judges of the county court as there are county judges existing on that date unless changed pursuant to section 9 of this article.

Municipal courts shall continue with their same jurisdiction until amended or terminated in a manner prescribed by special or general law or ordinances, or until January 3, 1977, whichever occurs first. On that date all municipal courts not previously abolished shall cease to exist. Judges of municipal courts shall remain in office and be subject to reappointment or reelection in the manner prescribed by law until said courts are terminated pursuant to the provisions of this subsection. Upon municipal courts being terminated or abolished in accordance with the provisions of this subsection, the judges thereof who are not members of the bar of Florida, shall be eligible to seek election as judges of county courts of their respective counties.

Judges, holding elective office in all other courts abolished by this article, whose terms do not expire in 1973 including judges established pursuant to Article VIII, sections 9 and 11 of the Constitution of 1885 shall serve as judges of the county court for the remainder of the term to which they were elected. Unless created pursuant to section 9, of this Article V such judicial office shall not continue to exist thereafter.

By March 21, 1972, the supreme court shall certify the need for additional circuit and county judges. The legislature in the 1972 regular session may by general law create additional offices of judge, the terms of which shall begin on the effective date of this article. Elections to such offices shall take place at the same time and manner as election to other state judicial offices in 1972.

County judges of existing county judge's courts and justices of the peace and magistrates' court who are not members of bar of Florida shall be eligible to seek election as county court judges of their respective counties.

No judge of a court abolished by this article shall become or be eligible to become a judge of the circuit court unless the judge has been a member of bar of Florida for the preceding five years.
ARTICLE V

CONSTITUTION OF THE STATE OF FLORIDA

ARTICLE VI

CONSTITUTION OF THE STATE OF FLORIDA

ARTICLE VI

SUFFRAGE AND ELECTIONS

Sec.

1. Regulation of elections.
2. Electors.
expire before the next general election and, except as provided herein, to fill each vacancy in elective office for the unexpired portion of the term. A general election may be suspended or delayed due to a state of emergency or impending emergency pursuant to general law. Special elections and referenda shall be held as provided by law.

(b) If all candidates for an office have the same party affiliation and the winner will have no opposition in the general election, all qualified electors, regardless of party affiliation, may vote in the primary elections for that office.

SECTION 6. Municipal and district elections.—Registration and elections in municipalities shall, and in other governmental entities created by statute may, be provided by law.

SECTION 7. Campaign spending limits and funding of campaigns for elective state-wide office. It is the policy of this state to provide for state-wide elections in which all qualified candidates may compete effectively. A method of public financing for campaigns for state-wide office shall be established by law. Spending limits shall be established for such campaigns for candidates who use public funds in their campaigns. The legislature shall provide funding for this provision. General law implementing this paragraph shall be at least as protective of effective competition by a candidate who uses public funds as the general law in effect on January 1, 1998.

History.—Proposed by Constitution Revision Commission, Revision No. 11, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.

ARTICLE VII

FINANCE AND TAXATION

Sec.

1. Taxation; appropriations; state expenses; state revenue limitation.
2. Taxes; rate.
3. Taxes; exemptions.
4. Taxation; assessments.
5. Estate, inheritance and income taxes.
6. Homestead exemptions.
7. Allocation of pari-mutuel taxes.
8. Aid to local governments.
9. Local taxes.
10. Pledging credit.
11. State bonds; revenue bonds.
12. Local bonds.
13. Relief from illegal taxes.
14. Bonds for pollution control and abatement and other water facilities.
15. Revenue bonds for scholarship loans.
16. Bonds for housing and related facilities.
17. Bonds for acquiring transportation right-of-way or for constructing bridges.

Sec.

18. Laws requiring counties or municipalities to spend funds or limiting their ability to raise revenue or receive state tax revenue.

SECTION 1. Taxation; appropriations; state expenses; state revenue limitation.—
(a) No tax shall be levied except in pursuance of law. No state ad valorem taxes shall be levied upon real estate or tangible personal property. All other forms of taxation shall be preempted to the state except as provided by general law.
(b) Motor vehicles, boats, airplanes, trailers, trailer coaches and mobile homes, as defined by law, shall be subject to a license tax for their operation in the amounts and for the purposes prescribed by law, but shall not be subject to ad valorem taxes.
(c) No money shall be drawn from the treasury except in pursuance of appropriation made by law.
(d) Provision shall be made by law for raising sufficient revenue to defray the expenses of the state for each fiscal period.
(e) Except as provided herein, state revenues collected for any fiscal year shall be limited to state revenues allowed under this subsection for the prior fiscal year plus an adjustment for growth. As used in this subsection, "growth" means an amount equal to the average annual rate of growth in Florida personal income over the most recent twenty quarters times the state revenues allowed under this subsection for the prior fiscal year. For the 1995-1996 fiscal year, the state revenues allowed under this subsection for the prior fiscal year shall equal the state revenues collected for the 1994-1995 fiscal year. Florida personal income shall be determined by the legislature, from information available from the United States Department of Commerce or its successor on the first day of February prior to the beginning of the fiscal year. State revenues collected for any fiscal year in excess of this limitation shall be transferred to the budget stabilization fund until the fund reaches the maximum balance specified in Section 19(g) of Article III, and thereafter shall be refunded to taxpayers as provided by general law. State revenues allowed under this subsection for any fiscal year may be increased by a two-thirds vote of the membership of each house of the legislature in a separate bill that contains no other subject and that sets forth the dollar amount by which the state revenues allowed will be increased. The vote may not be taken less than seventy-two hours after the third reading of the bill. For purposes of this subsection, "state revenues" means taxes, fees, licenses, and charges for services imposed by the legislature on individuals, businesses, or agencies outside state government. However, "state revenues" does not include: revenues that are necessary to meet the requirements set forth in documents authorizing the issuance of bonds by the state; revenues that are used to provide matching funds for the federal Medicaid program with the exception of the revenues used to support the Public Medical Assistance Trust Fund or its successor program and with the exception of state matching funds used to fund elective
ARTICLE X
CONSTITUTION OF THE STATE OF FLORIDA
ARTICLE X
MISCELLANEOUS

Sec.
1. Amendments to United States Constitution.
3. Vacancy in office.
4. Homestead; exemptions.
5. Eminent domain.
6. Coverture and property.
7. Lotteries.
9. Repeal of criminal statutes.
10. Felony; definition.
11. Sovereignty lands.
13. Suits against the state.
14. State retirement systems benefit changes.
15. State operated lotteries.
16. Limiting marine net fishing.
17. Everglades Trust Fund.
18. Disposition of conservation lands.
19. High speed ground transportation system.
20. Workplaces without tobacco smoke.
22. Parental notice of termination of a minor's pregnancy.
23. Slot machines.
24. Florida minimum wage.
25. Patients' right to know about adverse medical incidents.
27. Comprehensive Statewide Tobacco Education And Prevention Program.

SECTION 1. Amendments to United States Constitution.—The legislature shall not take action on any proposed amendment to the constitution of the United States unless a majority of the members thereof have been elected after the proposed amendment has been submitted for ratification.

SECTION 2. Militia.—
(a) The militia shall be composed of all ablebodied inhabitants of the state who are or have declared their intention to become citizens of the United States; and no person because of religious creed or opinion shall be exempted from military duty except upon conditions provided by law.
(b) The organizing, equipping, housing, maintaining, and disciplining of the militia, and the safekeeping of public arms may be provided for by law.
(c) The governor shall appoint all commissioned officers of the militia, including an adjutant general who shall be chief of staff. The appointment of all general officers shall be subject to confirmation by the senate.
(d) The qualifications of personnel and officers of the federally recognized national guard, including the adjutant general, and the grounds and proceedings for their discipline and removal shall conform to the appropriate United States army or air force regulations and usages.

SECTION 3. Vacancy in office.—Vacancy in office shall occur upon the creation of an office, upon the death, removal from office, or resignation of the incumbent or the incumbent's succession to another office, unexplained absence for sixty consecutive days, or failure to maintain the residence required when elected or appointed, and upon failure of one elected or appointed to office to qualify within thirty days from the commencement of the term.

SECTION 4. Homestead; exemptions.—
(a) There shall be exempt from forced sale under process of any court, and no judgment, decree or execution shall be a lien thereon, except for the payment of taxes and assessments thereon, obligations contracted for the purchase, improvement or repair thereof, or obligations contracted for house, field or other labor performed on the realty, the following property owned by a natural person:
   (1) a homestead, if located outside a municipality, to the extent of one hundred sixty acres of contiguous land and improvements thereon, which shall not be reduced without the owner's consent by reason of subsequent inclusion in a municipality; or if located within a municipality, to the extent of one-half acre of contiguous land, upon which the exemption shall be limited to the residence of the owner or the owner's family;
   (2) personal property to the value of one thousand dollars.
(b) These exemptions shall inure to the surviving spouse or heirs of the owner.
(c) The homestead shall not be subject to devise if the owner is survived by spouse or minor child, except the homestead may be devised to the owner's spouse if there be no minor child. The owner of homestead real estate, joined by the spouse if married, may alienate the homestead by mortgage, sale or gift and, if married, may by deed transfer the title to an estate by the entirety with the spouse. If the owner or spouse is incompetent, the method of alienation or encumbrance shall be as provided by law.

SECTION 5. Coverture and property.—There shall be no distinction between married women and married men in the holding, control, disposition, or encumbering of their property, both real and personal, except that dower or curtesy may be established and regulated by law.

SECTION 6. Eminent domain.—
(a) No private property shall be taken except for a public purpose and with full compensation therefor paid to each owner or secured by deposit in the registry of the court and available to the owner.
43.291 Judicial nominating commissions.—

(1) Each judicial nominating commission shall be comprised of the following members:

(a) Four members of The Florida Bar, appointed by the Governor, who are engaged in the practice of law, each of whom is a resident of the territorial jurisdiction served by the commission to which the member is appointed. The Board of Governors of The Florida Bar shall submit to the Governor three recommended nominees for each position. The Governor shall select the appointee from the list of nominees recommended for that position, but the Governor may reject all of the nominees recommended for a position and request that the Board of Governors submit a new list of three different recommended nominees for that position who have not been previously recommended by the Board of Governors.

(b) Five members appointed by the Governor, each of whom is a resident of the territorial jurisdiction served by the commission to which the member is appointed, of which at least two are members of The Florida Bar engaged in the practice of law.

(2) A justice or judge may not be a member of a judicial nominating commission. A member of a judicial nominating commission may hold public office other than judicial office. A member of a judicial nominating commission is not eligible for appointment, during his or her term of office and for a period of 2 years thereafter, to any state judicial office for which that commission has the authority to make nominations. All acts of a judicial nominating commission must be made with a concurrence of a majority of its members.

(3) Notwithstanding any other provision of this section, each current member of a judicial nominating commission appointed directly by the Board of Governors of The Florida Bar shall serve the remainder of his or her term, unless removed for cause. The terms of all other members of a judicial nominating commission are hereby terminated, and the Governor shall appoint new members to each judicial nominating commission in the following manner:

(a) Two appointments for terms ending July 1, 2002, one of which shall be an appointment selected from nominations submitted by the Board of Governors of The Florida Bar pursuant to paragraph (1)(a);

(b) Two appointments for terms ending July 1, 2003; and

(c) Two appointments for terms ending July 1, 2004.

Every subsequent appointment, except an appointment to fill a vacant, unexpired term, shall be for 4 years. Each expired term or vacancy shall be filled by appointment in the same manner as the member whose position is being filled.

(4) In making an appointment, the Governor shall seek to ensure that, to the extent possible, the membership of the commission reflects the racial, ethnic, and gender diversity, as well as the geographic distribution, of the population within the territorial jurisdiction of the court for which nominations will be considered. The Governor shall also consider the adequacy of representation of each county within the judicial circuit.

(5) A member of a judicial nominating commission may be suspended for cause by the Governor pursuant to uniform rules of procedure established by the Executive Office of the Governor consistent with s. 7 of Art. IV of the State Constitution.

(6) A quorum of the judicial nominating commission is necessary to take any action or transact any business. For purposes of this section, a quorum consists of a majority of commission members currently appointed.

(7) The Executive Office of the Governor shall provide all administrative support for each judicial nominating commission. The Executive Office of the Governor shall adopt rules necessary to administer this section.

History.—s. 1, ch. 2001-282.
34.021 Qualifications of county court judges.—

(1) No person is eligible for election or appointment to the office of county court judge unless the person is, and has been for the preceding 5 years, a member in good standing of the bar of Florida prior to qualifying for election to such office or submitting his or her name to the appropriate judicial nominating commission for appointment. However, a person is eligible for election or appointment to the office of county court judge in a county having a population of 40,000 or less if he or she is a member in good standing of the bar of Florida.

(2) A county court judge is eligible to seek reelection or retention, notwithstanding the provisions of subsection (1), if, on the first day of the qualification period for election to such office or a retention vote, such judge is actively serving in such office and is not under suspension or disqualification.

(3) Any person who was a county court judge prior to July 1, 1978, in any county having a population of 40,000 or less, according to the last decennial census, and who has successfully completed a 3-year law training program approved by the Supreme Court for the training of county court judges who are not members of The Florida Bar is eligible to seek election or retention and to serve as a county court judge in any county having a population of 40,000 or less, the provisions of subsection (1) to the contrary notwithstanding.

(4) Any county judge who is not a member of the bar, in any county having a population of 40,000 or less, according to the last decennial census, and who has successfully completed a law training program approved by the Supreme Court for the training of county court judges who are not members of The Florida Bar is entitled to serve as a county court judge in any county encompassed in the circuit in which the judge has been elected or retained in a retention vote, when assigned thereto.

History.—s. 10, ch. 72-404; s. 1, ch. 78-346; s. 1, ch. 79-411; s. 1, ch. 83-166; s. 1, ch. 84-303; s. 194, ch. 95-147; s. 1, ch. 99-355.

440.45 Office of the Judges of Compensation Claims.—

(1)(a) There is created the Office of the Judges of Compensation Claims within the Department of Management Services. The Office of the Judges of Compensation Claims shall be headed by the Deputy Chief Judge of Compensation Claims. The Deputy Chief Judge shall report to the director of the Division of Administrative Hearings. The Deputy Chief Judge shall be appointed by the Governor for a term of 4 years from a list of three names submitted by the statewide nominating commission created under subsection (2). The Deputy Chief Judge must demonstrate prior administrative experience and possess the same qualifications for appointment as a judge of compensation claims, and the procedure for reappointment of the Deputy Chief Judge will be the same as for reappointment of a judge of compensation claims. The office shall be a separate budget entity and the director of the Division of Administrative Hearings shall be its agency head for all purposes, including, but not limited to, rulemaking pursuant to subsection (4) and establishing agency policies and procedures. The Department of Management Services shall provide administrative support and service to the office to the extent requested by the director of the Division of Administrative Hearings but shall not direct, supervise, or control the Office of the Judges of Compensation Claims in any manner, including, but not limited to, personnel, purchasing, budgetary matters, or property transactions. The operating budget of the Office of the Judges of Compensation Claims shall be paid out of the Workers' Compensation Administration Trust Fund established in s. 440.50.

(b) Effective October 1, 2001, the position of Deputy Chief Judge of Compensation Claims is created.

(2)(a) The Governor shall appoint full-time judges of compensation claims to conduct proceedings as required by this chapter or other law. No person may be nominated to serve as a judge of compensation claims unless he or she has been a member of The Florida Bar in good standing for the previous 5 years and is experienced in the practice of law of workers' compensation. No judge of compensation claims shall engage in the private practice of law during a term of office.

(b) Except as provided in paragraph (c), the Governor shall appoint a judge of compensation claims from a list of three persons nominated by a statewide.
nominating commission. The statewide nominating commission shall be composed of the following:

. Five members, at least one of whom must be a member of a minority group as defined in s. 288.703(3), one of each who resides in each of the territorial jurisdictions of the district courts of appeal, appointed by the Board of Governors of The Florida Bar from among The Florida Bar members who are engaged in the practice of law. On July 1, 1999, the term of office of each person appointed by the Board of Governors of The Florida Bar to the commission expires. The Board of Governors shall appoint members who reside in the odd-numbered district court of appeal jurisdictions to 4-year terms each, beginning July 1, 1999, and members who reside in the even-numbered district court of appeal jurisdictions to 2-year terms each, beginning July 1, 1999. Thereafter, each member shall be appointed for a 4-year term;

2. Five electors, at least one of whom must be a member of a minority group as defined in s. 288.703(3), one of each who resides in each of the territorial jurisdictions of the district courts of appeal, appointed by the Governor. On July 1, 1999, the term of office of each person appointed by the Governor to the commission expires. The Governor shall appoint members who reside in the odd-numbered district court of appeal jurisdictions to 4-year terms each, beginning July 1, 1999, and members who reside in the even-numbered district court of appeal jurisdictions to 2-year terms each, beginning July 1, 1999. Thereafter, each member shall be appointed for a 4-year term; and

3. Five electors, at least one of whom must be a member of a minority group as defined in s. 288.703(3), one of each who resides in the territorial jurisdictions of the district courts of appeal, selected and appointed by a majority vote of the other 10 members of the commission. On October 1, 1999, the term of office of each person appointed to the commission by its other members expires. A majority of the other members of the commission shall appoint members who reside in the odd-numbered district court of appeal jurisdictions to 2-year terms each, beginning October 1, 1999, and members who reside in the even-numbered district court of appeal jurisdictions to 4-year terms each, beginning October 1, 1999. Thereafter, each member shall be appointed for a 4-year term.

A vacancy occurring on the commission shall be filled by the original appointing authority for the unexpired balance of the term. No attorney who appears before any judge of compensation claims more than four times a year is eligible to serve on the statewide nominating commission. The meetings and determinations of the nominating commission as to the judges of compensation claims shall be open to the public.

(c) Each judge of compensation claims shall be appointed for a term of 4 years, but during the term of office may be removed by the Governor for cause. Prior to the expiration of a judge's term of office, the statewide nominating commission shall review the judge’s conduct and determine whether the judge’s performance is satisfactory. Effective July 1, 2002, in determining whether a judge's performance is satisfactory, the commission shall consider the extent to which the judge has met the requirements of this chapter, including, but not limited to, the requirements of ss. 440.25(1) and (4)(a)-(e), 440.34(2), and 440.442. If the judge's performance is deemed satisfactory, the commission shall report its finding to the Governor no later than 6 months prior to the expiration of the judge’s term of office. The Governor shall review the commission’s report and may reappoint the judge for an additional 4-year term. If the Governor does not reappoint the judge, the Governor shall inform the commission. The judge shall remain in office until the Governor has appointed a successor judge in accordance with paragraphs (a) and (b). If a vacancy occurs during a judge’s unexpired term, the statewide nominating commission does not find the judge’s performance is satisfactory, or the Governor does not reappoint the judge, the Governor shall appoint a successor judge for a term of 4 years in accordance with paragraph (b).

(d) The Governor may appoint any attorney who has at least 5 years of experience in the practice of law in this state to serve as a judge of compensation claims pro hac vice in the absence or disqualification of any full-time judge of compensation claims or to serve temporarily as an additional judge of compensation claims in any area of the state in which the Governor determines that a need exists for such an additional judge. However, an attorney who is so appointed by the Governor may not serve for a period of more than 120 successive days.

(e) The director of the Division of Administrative Hearings may receive or initiate complaints, conduct investigations, and dismiss complaints against the Deputy Chief Judge and the judges of compensation claims on the basis of the Code of Judicial Conduct. The director may recommend to the Governor the removal of the Deputy Chief Judge or a judge of compensation claims or recommend the discipline of a
judge whose conduct during his or her term of office warrants such discipline. For purposes of this section, the term "discipline" includes reprimand, fine, and suspension with or without pay. At the conclusion of each investigation, the director shall submit preliminary findings of fact and recommendations to the judge of compensation claims who is the subject of the complaint. The judge of compensation claims has 20 days within which to respond to the preliminary findings. The response and the director's rebuttal to the response must be included in the final report submitted to the Governor.

(3) The Deputy Chief Judge shall establish training and continuing education for new and sitting judges.

(4) The Office of the Judges of Compensation Claims shall adopt rules to effect the purposes of this section. Such rules shall include procedural rules applicable to workers' compensation claim resolution and uniform criteria for measuring the performance of the office, including, but not limited to, the number of cases assigned and disposed, the age of pending and disposed cases, timeliness of decisionmaking, extraordinary fee awards, and other data necessary for the judicial nominating commission to review the performance of judges as required in paragraph (2)(c). The workers' compensation rules of procedure approved by the Supreme Court apply until the rules adopted by the Office of the Judges of Compensation Claims pursuant to this section become effective.

(5) Not later than December 1 of each year, the Office of the Judges of Compensation Claims shall issue a written report to the Governor, the House of Representatives, the Senate, The Florida Bar, and the statewide nominating commission summarizing the amount, cost, and outcome of all litigation resolved in the previous fiscal year; summarizing the disposition of mediation conferences, the number of mediation conferences held, the number of continuances granted for mediations and final hearings, the number and outcome of litigated cases, the amount of attorney's fees paid in each case according to order year and accident year, and the number of final orders not issued within 30 days after the final hearing or closure of the hearing record; and recommending changes or improvements to the dispute resolution elements of the Workers' Compensation Law and regulations. If the Deputy Chief Judge finds that judges generally are unable to meet a particular statutory requirement for reasons beyond their control, the Deputy Chief Judge shall submit such findings and any recommendations to the Legislature.
16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs the Office of Statewide Prosecution. The office shall be a separate “budget entity” as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:
   1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, and home-invasion robbery;
   2. Any crime involving narcotic or other dangerous drugs;
   3. Any violation of the provisions of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(1)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;
   4. Any violation of the provisions of the Florida Anti-Fencing Act;
   5. Any violation of the provisions of the Florida Antitrust Act of 1980, as amended;
   6. Any crime involving, or resulting in, fraud or deceit upon any person;
   7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;
   8. Any violation of the provisions of chapter 815;
   9. Any criminal violation of part I of chapter 499;
   10. Any violation of the provisions of the Florida Motor Fuel Tax Relief Act of 2004;
   11. Any criminal violation of s. 409.920 or s. 409.9201;
   12. Any crime involving voter registration, voting, or candidate or issue petition activities;
   13. Any criminal violation of the Florida Money Laundering Act; or
   14. Any criminal violation of the Florida Securities and Investor Protection Act; or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

(b) Investigate and prosecute any crime enumerated in subparagraphs (a)1.14. facilitated by or connected to the use of the Internet. Any such crime is a crime occurring in every judicial circuit within the state.

(c) Upon request, cooperate with and assist state attorneys and state and local law enforcement officials in their efforts against organized crimes.

(d) Request and receive from any department, division, board, bureau, commission, or other agency of the state, or of any political subdivision thereof, cooperation and assistance in the performance of its duties.

(2) The Attorney General shall appoint a statewide prosecutor from not less than three persons nominated by the judicial nominating commission for the Supreme Court. The statewide prosecutor shall be in charge of the Office of Statewide Prosecution for a term of 4 years to run concurrently with the term of the appointing official. The statewide prosecutor shall be an elector of the state, shall have been a member of The Florida Bar for the preceding 5 years, and shall devote full time to the duties of statewide prosecutor and not engage in the private practice of law. The Attorney General may remove the statewide prosecutor prior to the end of his or her term. A vacancy in the position of statewide prosecutor shall be filled within 60 days. During the period of any vacancy, the Attorney General shall exercise all the powers and perform all the duties of the statewide prosecutor. A person
appointed statewide prosecutor is prohibited from running for or accepting appointment to any state office for a period of 2 years following vacation of office. The statewide prosecutor shall on March 1 of each year report in writing to the Governor and the Attorney General on the activities of the office for the preceding year and on the goals and objectives for the next year.

(3) The statewide prosecutor may conduct hearings at any place in the state; summon and examine witnesses; require the production of physical evidence; sign informations, indictments, and other official documents; confer immunity; move the court to reduce the sentence of a person convicted of drug trafficking who provides substantial assistance; attend to and serve as the legal adviser to the statewide grand jury; and exercise such other powers as by law are granted to state attorneys. The statewide prosecutor may designate one or more assistants to exercise any such powers.

(4) It is the intent of the Legislature that in carrying out the duties of this office, the statewide prosecutor shall, whenever feasible, use sworn investigators employed by the Department of Law Enforcement, and may request the assistance, where appropriate, of sworn investigators employed by other law enforcement agencies.

History.—ss. 1, 9, ch. 85-179; s. 1, ch. 90-12; s. 1, ch. 92-108; s. 4, ch. 93-212; s. 51, ch. 95-147; s. 5, ch. 95-427; s. 8, ch. 96-252; s. 6, ch. 96-260; s. 69, ch. 96-388; s. 3, ch. 97-78; s. 12, ch. 2001-54; s. 30, ch. 2003-155; s. 8, ch. 2004-73; s. 1, ch. 2004-344; s. 6, ch. 2004-391; s. 9, ch. 2005-209; s. 73, ch. 2005-277; s. 2, ch. 2007-143; s. 1, ch. 2009-242.

27.701 Capital collateral regional counsel.—

(1) There are created three regional offices of capital collateral counsel, which shall be located in a northern, middle, and southern region of the state. The northern region shall consist of the First, Second, Third, Fourth, Eighth, and Fourteenth Judicial Circuits; the middle region shall consist of the Fifth, Sixth, Seventh, Ninth, Tenth, Twelfth, Thirteenth, and Eighteenth Judicial Circuits; and the southern region shall consist of the Eleventh, Fifteenth, Sixteenth, Seventeenth, Nineteenth, and Twentieth Judicial Circuits. Each regional office shall be administered by a regional counsel. A regional counsel must be, and must have been for the preceding 5 years, a member in good standing of The Florida Bar or a similar organization in another state. Each capital collateral regional counsel shall be appointed by the Governor, and is subject to confirmation by the Senate. The Supreme Court Judicial Nominating Commission shall recommend to the Governor three qualified candidates for each appointment as regional counsel. The Governor shall appoint a regional counsel for each region from among the recommendations, or, if it is in the best interest of the fair administration of justice in capital cases, the Governor may reject the nominations and request submission of three new nominees by the Supreme Court Judicial Nominating Commission. Each capital collateral regional counsel shall be appointed to a term of 3 years. Vacancies in the office of capital collateral regional counsel shall be filled in the same manner as appointments. A person appointed as a regional counsel may not run for or accept appointment to any state office for 2 years following vacation of office.

(2) Notwithstanding the provisions of subsection (1), the responsibilities of the regional office of capital collateral counsel for the northern region of the state shall be met through a pilot program using only attorneys from the registry of attorneys maintained pursuant to s. 27.710. Each attorney participating in the pilot must be qualified to provide representation in federal court. The Auditor General shall schedule a performance review of the pilot program to determine the effectiveness and efficiency of using attorneys from the registry compared to the capital collateral regional counsel. The review, at a minimum, shall include comparisons of the timeliness and costs of the pilot and the counsel and shall be submitted to the President of the Senate and the Speaker of the House of Representatives by January 30, 2007. The Legislature may determine whether to convert the pilot program to a permanent program after receipt of the Auditor General's review.
History.—s. 3, ch. 85-332; s. 145, ch. 95-147; s. 1, ch. 97-313; s. 84, ch. 2003-399; s. 1, ch. 2004-240; ss. 63, 8, ch. 2004-269.
III. Uniform Rules
UNIFORM RULES OF PROCEDURE FOR CIRCUIT
JUDICIAL NOMINATING COMMISSIONS

Section I. Initial Procedure; Investigative Sources; Notice

Whenever a vacancy occurs in a judicial office within the jurisdiction of a
judicial nominating commission, the appropriate commission shall actively seek,
receive and review the approved background statements submitted by those who
voluntarily request consideration, and by those who otherwise consent in writing to
such consideration by the commission. The commission shall require completion of
the application form attached hereto and incorporated herein, which shall include a
waiver of confidentiality of all material necessary to adequately investigate each
applicant, including but not limited to, disciplinary records of The Florida Bar, records
of the Florida Board of Bar Examiners, credit records, records maintained by any law
enforcement agency, and records of the Florida Judicial Qualifications Commission.
The commission shall notify The Florida Bar, representative bar associations
(including minority and women's bar associations) within the jurisdiction where the
vacancy occurs and electronic media; and shall seek applications for nominations
from all persons who meet the eligibility requirements in the Florida Constitution.
The commissions may seek and shall receive information from interested persons
and groups.

Section II. Screening Procedures

Within a reasonable time after notice is given of the existence of the vacancy,
the commission shall meet to consider applicants. At this meeting the procedures
for screening and voting upon applicant for said vacancy shall be determined.

Section III. Electronic Media and Still Photography Coverage

of Judicial Nominating Commission Proceedings

Subject at all times to the authority of the chairperson of the commission to:

(i) control the conduct of proceedings before the commission; (ii) ensure decorum
and prevent distractions; and (iii) ensure the fair administration of justice in the
pending cause, electronic media and still photography coverage of the open
commission proceedings shall be allowed in accordance with Judicial Administrative
Rule 2.170.

Section IV. Further Investigation; Interviews

The commission shall investigate the fitness and qualifications of each
applicant, utilizing all sources reasonably available within the time permitted by the
Florida Constitution. In addition, the commission may invite any applicant to appear
before a quorum of the commission sitting as a whole to respond to questions
deemed pertinent to each applicant's fitness and qualifications to hold the judicial
office. All applications, and other information received from or concerning
applicants, and all interviews and proceedings of the commission, except for
deliberations by the commission, shall be open to the public to the extent required by
the Florida Constitution or Florida Statutes.

The application shall include a separate page asking applicants to identify
their race, ethnicity and gender. Completion of this page shall be optional, and the
page shall include an explanation that the information is requested for data collection purposes in order to assess and promote diversity in the judiciary. The chair of the Commission shall forward all such completed pages, along with the names of the nominees, to the JNC Coordinator in the Governor's Office.

At a point in the investigative and interview process deemed appropriate by the commission, the commission shall require financial disclosure from the applicant.

**Section V. Standards and Qualifications; Criteria**

No nominee shall be recommended to the governor for appointment unless the commission finds that the nominee meets all constitutional and statutory requirements and is fit for appointment to the particular judicial office after full and careful consideration which consideration shall include but not necessarily limited to the following criteria:

(a) Personal attributes

(1) Personal integrity

(2) Standing in community

(3) Sobriety

(4) Moral conduct

(5) Ethics

(6) Commitment to equal justice under law

(b) Competency and experience

(1) General health, mental and physical

(2) Intelligence
(3) Knowledge of the law
(4) Professional Reputation
(5) Knowledge of and experience in the court involved
(c) Judicial capabilities
(1) Patience
(2) Decisiveness
(3) Impartiality
(4) Courtesy
(5) Civility
(6) Industry and promptness
(7) Administrative ability
(8) Possible reaction to judicial power
(9) Temperament
(10) Independence

Section VI. Final Selection of Nominees

By majority vote, the commission shall select no fewer than three and no more than six nominees from the list of applicants who meet the requirements of the Florida Constitution and all other legal requirements for the judicial office.

The names of such nominees selected by the commission shall be certified to the governor in alphabetical order, and a copy of all investigative information and documents relating to each such nominee shall be forwarded to the governor.

Section VII. Publication of Names of Nominees
The chairperson of the commission shall make public the names of all persons recommended for gubernatorial appointment, without indicating any preference of the commission.

Section VIII. Ethical Responsibilities

Judicial nominating commissioners hold positions of public trust. A commissioner's conduct should not reflect discredit upon the judicial selection process or disclose partisanship or partiality in the consideration of applicants. Consideration of applicants shall be made impartially and objectively.

A commissioner shall disclose to all other commissioners present all personal and business relationships with an applicant. If a substantial conflict of interest is apparent, that commissioner shall not vote on further consideration of any affected applicants. A Commissioner shall declare any conflict of interest that he/she has. Alternatively, upon motion by any Commissioner, a majority of all of the Commissioners may declare that a commissioner has a conflict of interest. The affected Commissioner may vote on the motion. All balloting by the commission shall be by secret ballot and the chair shall be entitled to vote in all instances. Upon certification of a list of nominees to the governor, no commissioner shall contact the governor or any member of his office or staff, for the purpose of further influencing the governor's ultimate decision. However, if contacted by the governor, or his office or staff, a commissioner shall be entitled to answer questions about each nominee. No attempt should be made to rank such nominees or to otherwise disclose a preference of the commission.

Section IX. Misconduct
Each commissioner shall be accountable to the Governor and the chair of their commission for compliance with these rules and the proper performance of their duties as a member of a judicial nominating commission. Each commissioner affirms that under these rules the Governor and/or the chair of their commission may dispose of any legally sufficient written complaint alleging the misconduct of one or more commissioners or commissions, limited only by Article IV, Section 7 of the Constitution of the State of Florida. Each commissioner further acknowledges that pursuant to Article IV, Section 7 the Governor may suspend from office any commission member for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform their official duties, or commission of a felony.

A complaint alleging the misconduct of one or more commissioners (other than the chair) within a single judicial nominating commission shall be reported in writing to the chair of the affected commission for action. Upon the chair's receipt of any such charges, the subject commissioner(s) and the Governor shall be immediately notified thereof and thereafter kept continuously apprised of their status through final disposition. The chair shall investigate any complaint if the allegations are in writing, signed by the complainant, and legally sufficient. A complaint is legally sufficient if the chair determines that it contains ultimate facts which show a violation of these rules or reflects discredit on the judicial selection process. Prior to determining legal sufficiency the chair may require supporting information or documentation as necessary for that determination. Upon determination of legal sufficiency each charge may be disposed of by the chair solely, or may be referred by the chair for disposition by the Governor, exclusively or with the concurrence of
the chair, but in consultation with all other members of the affected JNC who are not otherwise involved in the disposition. Disposition of a complaint shall include a hearing which affords the opportunity for the presentation of evidence to be evaluated by a clear and convincing standard of proof. Action shall be taken within 60 days of receipt of any written complaint and its final disposition shall be immediately reported.

A complaint alleging the sole misconduct of a judicial nominating commission chair shall be reported in writing to the Governor for action. Upon the Governor's receipt of any such charges, the subject chair shall be immediately notified thereof and thereafter kept continuously apprised of their status through final disposition.

The Governor shall investigate any complaint if the allegations are in writing, signed by the complainant, and legally sufficient. A complaint is legally sufficient if the Governor determines that it contains ultimate facts which show a violation of these rules or reflects discredit upon the judicial selection process. Prior to determining legal sufficiency the Governor may require supporting information or documentation as necessary for that determination. Upon determination of legal sufficiency, each charge shall be disposed of by the Governor in consultation with all other members of the affected JNC who are not otherwise involved in the disposition. Disposition of a complaint shall include a hearing which affords the opportunity for the presentation of evidence to be evaluated by a clear and convincing standard of proof. Action shall be taken within 60 days of receipt of any written complaint and its final disposition shall be immediately reported.

A complaint alleging the misconduct of a judicial nominating commission chair and one or more commissioners of a judicial nominating commission shall be
reported in writing to the Governor for action. Upon the Governor's receipt of any such charges, the subject chair and commissioner(s) shall be immediately notified thereof and thereafter kept continuously apprised of their status through final disposition. The Governor shall investigate any complaint if the allegations are in writing, signed by the complainant, and legally sufficient. A complaint is legally sufficient if the Governor determines that it contains ultimate facts which show a violation of these rules or reflects discredit on the judicial selection process. Prior to determining legal sufficiency the Governor may require supporting information or documentation as necessary for that determination. Upon determination of legal sufficiency each charge may be disposed of by the Governor solely, or in consultation with all other members of the affected JNC who are not otherwise involved in the disposition or the subjects of the alleged misconduct. Disposition of a complaint shall include a hearing which affords the opportunity for the presentation of evidence to be evaluated by a clear and convincing standard of proof. Action shall be taken within 60 days of receipt of any written complaint and its final disposition shall be immediately reported.

Section X. Annual Meeting; Selection of Chairperson; Local Rules

On July 2 of each year or as soon thereafter as practicable, each commission shall designate a chairperson by majority vote to serve for one year and shall certify his or her name to the Governor. The chairperson shall be entitled to vote in all matters. His or her term shall end on July 1 of the next succeeding year. After July 1st and the appointment of all commission vacancies by the Governor, the new commission shall meet to elect by majority vote a vice chairperson who shall have at
least two years remaining in his or her term. The vice chairperson shall automatically be nominated for chairperson at the next annual election held. Additional nominations of qualified persons for chairperson are allowed. The chairperson shall keep a permanent written record of the minutes of all meetings of the commission, and all policies and procedures adopted by the commission, and all policies and procedures adopted by the commission during his or her term. At the conclusion of his or her term the outgoing chairperson shall turn over to the newly elected chairperson all minutes of meetings and written records of adopted policies and procedures. Each commission may adopt such additional operating rules, forms and notices as it may from time to time deem necessary, so long as they are not inconsistent with these rules.

Within the first twelve months of appointment, each JNC appointee must complete an educational course designed to familiarize members with JNC rules and procedures. Training shall include segments regarding interviewing techniques and diversity sensitivity.

Section XI. Amendments

These rules may be amended by majority vote of the circuit judicial nominating commissions, voting by an authorized representative. Upon written request of 25% of all circuit judicial nominating commissions, a meeting shall be convened within 90 days for the purpose of considering amendments to these rules.

Note: These rules were promulgated by a majority of the circuit judicial nominating commissions, meeting in open session on January 24, 1985 in Miami. The rules were amended in open session on January 11, 1989 in Orlando; February 22, 1991 in Tampa; April 3, 1992 in Tampa; January 29, 1993 in Tampa; December 7, 1994 in Tampa; September 6, 1995 in Tampa; January 22, 1997 in Miami; and March 30, 2000 in Tampa; and June 25, 2003 in Orlando.
UNIFORM RULES OF PROCEDURE FOR DCA
JUDICIAL NOMINATING COMMISSIONS

Section I. Initial Procedure; Investigative Sources; Notice

Whenever a vacancy occurs in a judicial office within the jurisdiction of a judicial nominating commission, the appropriate commission shall actively seek, receive, and review the approved background statements submitted by those who voluntarily request consideration, and by those who otherwise consent in writing to such consideration by the commission. Each such background statement shall be in substantial compliance with the form provided for this purpose, and shall include a waiver of confidentiality of all material necessary to adequately investigate each applicant, including but not limited to, disciplinary records of The Florida Bar, records of the Florida Board of Bar Examiners, credit records, records maintained by any law enforcement agency, and records of the Florida Judicial Qualifications Commission. The commission shall notify The Florida Bar, the county or local bar associations (including minority and women’s bar associations) within the jurisdiction where the vacancy exists, newspapers of general circulation in such area, and the electronic media, to the extent reasonably possible, of the existence of the vacancy and the deadline for applications. The commissions may seek and shall receive information from interested persons and groups.

Section II. Initial Screening

The commission shall require completion of the application for judicial nomination prescribed by the commission. The commission shall meet within a reasonable time after the deadline for applications to evaluate, classify, and list applicants as "most
qualified" for further investigation and consideration. The list may be limited in number if agreed upon by 2/3 of the commissioner's voting. No person shall be classified as "most qualified" until the commission affirmatively determines that the applicant meets all legal requirements for that judicial office and that the applicant appears from the materials then available to the commission to possess the personal qualities and attributes of character, experience, judicial temperament, and professional competence essential to that judicial office.

Section III. Electronic Media and Still Photography Coverage of Judicial Nominating Commission Proceedings

(a) Subject at all times to the authority of the chairperson of the commission to: (i) control the conduct of proceedings before the commission; (ii) ensure decorum and prevent distractions; and (iii) ensure the fair administration of justice in the pending cause, electronic media and still photography coverage of the open commission proceedings shall be allowed in accordance with Judicial Administration Rule 2.170.

Section IV. Further Investigation; Interviews

After selection of the "most qualified" list of applicants, the commission shall further investigate the fitness and qualifications of each applicant, utilizing all sources reasonably available within the time permitted by the Florida Constitution. In addition, the commission may invite each "most qualified" applicant to appear before a quorum of the commission sitting as a whole to respond to questions deemed pertinent to each applicant's fitness and qualifications to hold the judicial office. All applications, and
other information received from or concerning applicants, and all interviews and
proceedings of the commission, except for deliberations by the commission, shall be
open to the public to the extent required by the Florida Constitution.

The application shall include a separate page asking applicants to identify their
race, ethnicity and gender. Completion of this page shall be optional, and the page
shall include an explanation that the information is requested for data collection
purposes in order to assess and promote diversity in the judiciary. The chair of the
Commission shall forward all such completed pages, along with the names of the
nominees, to the JNC Coordinator at the Governor's Office.

At a point in the investigative and interview process deemed appropriate by the
commission, the commission shall:

(a) Inquire as to an applicant's past and present affiliation with or
membership in legal and nonlegal organizations and clubs that practice or have policy
that restricts or has restricted during the time of the applicant's affiliation or membership
on the basis of race, religion, national origin, or sex. If affiliation with or membership in
a restrictive or discriminatory club or organization is disclosed, inquiry shall be made as
to whether the applicant intends to continue such affiliation or membership if selected to
serve on the bench.

(b) Inquire as to an applicant's medical status to determine whether he or she
is physically capable of performing judicial duties. Such inquiry shall include questions
regarding past and present history of drug or alcohol dependency and, if relevant,
participation in treatment and rehabilitative programs.

(c) Require complete financial disclosure from the
Section V. Standards and Qualifications; Criteria

No nominee shall be recommended to the governor for appointment unless the commission finds that the nominee meets all constitutional and statutory requirements and is fit for appointment to the particular judicial office after full and careful consideration which consideration shall include but not necessarily limited to the following criteria:

(a) Personal attributes

(1) Personal integrity

(2) Standing in community

(3) Sobriety

(4) Moral conduct

(5) Ethics

(6) Commitment to equal justice under law

(b) Competency and experience

(1) General health, mental and physical

(2) Intelligence

(3) Knowledge of the law

(4) Professional reputation

(5) Knowledge of and experience in the court involved

(c) Judicial capabilities

(1) Patience
Section VI. Final Selection of Nominees

Upon conclusion of all investigation obtained by the commission, and after the "most qualified" applicants have been afforded the opportunity of a personal interview by the commission, the commission shall meet to evaluate the "most qualified" applicants. By majority vote, the commission shall select from the list of "most qualified" applicants who meet all legal requirements for the judicial office (no fewer than three and no more than six nominees for each vacancy in the judicial office). The names of such nominees selected by the commission shall be certified to the governor in alphabetical order, and a copy of all investigative information and documents relating to each such nominee shall be forwarded to the governor in a sealed container so that it is received no later than thirty days from the occurrence of a vacancy, unless the period is extended by the governor.
Section VII. Publication of Names of Nominees

The chair of the commission shall make public the names of all persons recommended for gubernatorial appointment, without indicating any preference of the commission.

Section VIII. Ethical Responsibilities

Judicial nominating commissioners hold positions of public trust. A commissioner’s conduct should not reflect discredit upon the judicial selection process or disclose partisanship or partiality in the consideration of applicants. Consideration of applicants shall be made impartially and objectively.

A commissioner shall disclose to all other commissioners present all personal and business relationships with an applicant. If a substantial conflict of interest is apparent, that commissioner shall not vote on further consideration of any affected applicants. All balloting by the commission shall be by secret ballot and the chair shall be entitled to vote in all instances. Upon certification of a list of nominees to the governor, no commissioner shall contact the governor or any member of his office or staff, for the purpose of further influencing the governor’s ultimate decision. However, if contacted by the governor, or his office or staff, a commissioner shall be entitled to answer questions about each nominee. No attempt should be made to rank such nominees or to otherwise disclose a preference of the commission.
Section IX. Misconduct

Each commissioner shall be accountable to the Governor, and the chair of their commission for compliance with these rules and the proper performance of their duties as a member of a judicial nominating commission. Each commissioner affirms that under these rules the Governor, and/or the chair of their commission may dispose of any written complaint alleging the misconduct of one or more commissioners or commissions, limited only by Article IV, Section 7 of the Constitution of the State of Florida. Each commissioner further acknowledges that pursuant to Article IV, Section 7 the Governor may suspend from office any commission member for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform their official duties, or commission of a felony.
A complaint alleging the misconduct of one or more commissioners (other than the chair) within a single judicial nominating commission shall be reported in writing to the chair of the affected commission for action. Upon the chair's receipt of any such charges, the subject commissioner(s) and the Governor shall be immediately notified thereof and thereafter kept continuously apprised of their status through final disposition. The chair shall investigate any complaint if the allegations are in writing, signed by the complainant, and deemed sufficient. A complaint is sufficient if the chair determines that it contains allegations which if proven would be a violation of these rules or reflects discredit on the judicial selection process. Prior to determining sufficiency the chair may require supporting information or documentation as necessary for that determination. Upon determination of sufficiency each charge may be disposed of by the chair solely, or may be referred by the chair for disposition by the Governor, exclusively or with the concurrence of the chair, but in consultation with all other members of the affected JNC who are not otherwise involved in the disposition. Disposition of a complaint shall include a hearing which affords the opportunity for the presentation of evidence to be evaluated by a clear and convincing standard of proof. Action shall be taken within 60 days of receipt of any written complaint and its final disposition shall be immediately reported.

A complaint alleging the sole misconduct of a judicial nominating commission chair shall be reported in writing to the Governor for action. Upon the Governor's receipt of any such charges, the subject chair shall be immediately notified thereof and thereafter kept continuously apprised of their status through final disposition. The Governor shall investigate any complaint if the allegations are in writing, signed by the
complainant, and deemed sufficient. A complaint is sufficient if the Governor determines that it contains allegations which if proven would be a violation of these rules or reflects discredit upon the judicial selection process. Prior to determining sufficiency the Governor may require supporting information or documentation as necessary for that determination. Upon determination of sufficiency, each charge shall be disposed of by the Governor in consultation with all other members of the affected JNC who are not otherwise involved in the disposition. Disposition of a complaint shall include a hearing which affords the opportunity for the presentation of evidence to be evaluated by a clear and convincing standard of proof. Action shall be taken within 60 days of receipt of any written complaint and its final disposition shall be immediately reported.

A complaint alleging the misconduct of a judicial nominating commission chair and one or more commissioners of a judicial nominating commission shall be reported in writing to the Governor for action. Upon the Governor's receipt of any such charges, the subject chair and commissioner(s) shall be immediately notified thereof and thereafter kept continuously apprised of their status through final disposition. The Governor shall investigate any complaint if the allegations are in writing, signed by the complainant, and deemed sufficient. A complaint is sufficient if the Governor determines that it contains allegations which if proven would be a violation of these rules or reflects discredit on the judicial selection process. Prior to determining sufficiency the Governor may require supporting information or documentation as necessary for that determination. Upon determination of sufficiency each charge may be disposed of by the Governor solely, but in consultation with all other members of the
affected JNC who are not otherwise involved in the disposition or the subjects of the
alleged misconduct. Disposition of a complaint shall include a hearing which affords the
opportunity for the presentation of evidence to be evaluated by a clear and convincing
standard of proof. Action shall be taken within 60 days of receipt of any written
complaint and its final disposition shall be immediately reported.

Section X. Annual Meeting; Selection of Chair; Local Rules;

Safeguarding of Records

Annually, after July 1st, the commission shall meet to elect by a majority vote a
chair. His or her term shall end on July 1 of the next succeeding year. The chair's term
shall not exceed one year. After July 1st and the appointment of all commission
vacancies by the Governor, the new commission shall meet to elect by majority vote a
vice chair who shall have at least two years remaining in his or her term. Each
commission shall certify the chair's name to the Governor. The vice chair shall
automatically be nominated for chair at the next annual election held. Additional
nominations of qualified persons for chair are allowed.

The chair shall keep a permanent written record of all policies and procedures
adopted by the commission during his or her term.

Each commission may adopt such additional operating rules, forms and notices
as it may from time to time deem necessary, so long as they are not inconsistent with
these rules. Each commission shall maintain continuous records of its proceedings. In
order that such records may be safeguarded, the commission after completing its
deliberations and submitting its recommendations to the Governor, shall place all
remaining applications, questionnaires and other investigative data in a file. The files will be available on a continuous basis to the commission upon request, but the files may be destroyed on a yearly basis.

At the conclusion of his or her term, the outgoing chair shall turn over to the newly elected chair all written records of adopted policies and procedures.

Within the first twelve months of appointment, each JNC appointee must complete an educational course designed to familiarize members with JNC rules and procedures. Training shall include segments regarding interviewing techniques and diversity sensitivity.

**Section XI. Amendments**

These rules may be amended by majority vote of the DCA Judicial Nominating Commissions voting by an authorized representative.

Upon written request of 25% of all DCA judicial nominating commissions, a meeting shall be convened within 90 days for the purpose of considering amendments to these rules.

Note: These rules were promulgated by representatives from each of the District Courts of Appeal Judicial Nominating Commissions, meeting in open session on January 24, 1985 in Miami. The rules were amended in open session on January 11, 1989 in Orlando; April 3, 1992 in Tampa; January 29, 1993 in Tampa; December 7, 1994 in Tampa; January 22, 1997 in Miami; and March 30, 2000 in Tampa; and June 25, 2003 in Orlando.
SUPREME COURT
JUDICIAL NOMINATING
COMMISSION
RULES OF PROCEDURE

AS AMENDED NOVEMBER 7, 2002
Section I. Initial Procedure; Investigative Sources; Notice

Whenever a vacancy occurs on the Supreme Court, or in the office of Statewide Prosecutor, or in the office of Capital Collateral Regional Counsel the Supreme Court Judicial Nominating Commission (hereinafter referred to as the "Commission") shall receive and review applications submitted by those applicants who timely request consideration. Each such application shall be in substantial compliance with the approved form of the Commission and shall include a waiver of confidentiality of all materials deemed necessary by the Commission to adequately investigate each applicant including, but not limited to, disciplinary records of The Florida Bar, records of the Florida Board of Bar Examiners, credit records, records of any law enforcement agency and (where applicable) records of the Florida Judicial Qualifications Commission.

The Commission shall notify The Florida Bar, the county and the local bar associations (including minority and women's bar associations) within the jurisdiction where the vacancy exists and at least one newspaper of general circulation in such area of the existence of the vacancy and the deadline for applications.

The Commission may seek and shall receive information from interested persons and groups. All applications, and other written information received from or concerning applicants, and all interviews and proceedings of the Commission, except for deliberations by the Commission, shall be open to the public to the extent required by law.

Eleven copies of the application and all attachments shall be filed with the chair
(or designee) by each applicant prior to the deadline for filing applications. One copy of each application with attachments shall be forwarded by the chair to the Judicial Nominating Commission Coordinator, The Florida Bar, Tallahassee, Florida and one to the Judicial Nominating Commission Coordinator, General Counsel, Office of the Governor. The Commission shall require appropriate financial disclosure information as part of the application. The Commission may require such additional information as it deems appropriate.

The application shall include a separate page asking applicants to identify their race, ethnicity and gender. Completion of this page shall be optional, and the page shall include an explanation that the information is requested for data collection purposes in order to assess and promote diversity in the judiciary. The chair of the Commission shall forward all such completed pages, along with the names of the nominees, to the JNC Coordinator at The Florida Bar.

Section II. Initial Screening

Within a reasonable time after notice is given of the existence of a vacancy, the Commission shall meet to consider applicants and to select those applicants to be interviewed.

All applications, and other written information received from or concerning applicants, and all interviews and proceedings of the Commission, except for deliberations by the Commission, shall be open to the public to the extent required by law.

Section III. Electronic Media and Still Photography Coverage
of Judicial Nominating Commission Proceedings

(a) Subject at all times to the authority of the chairperson of the commission to: (i) control the conduct of proceedings before the commission; (ii) ensure decorum and prevent distractions; and (iii) ensure the fair administration of justice in the pending cause, electronic media and still photography coverage of the open commission proceedings shall be allowed in accordance with the following rule.

(b) Equipment and Personnel.

1. Not more than 1 portable television camera (film camera -- 16mm sound on film (self blimped) or videotape electronic camera), operated by not more than 1 camera person, shall be permitted in any open commission proceeding.

2. Not more than 1 still photographer, using not more than 2 still cameras with not more than 2 lenses for each camera and related equipment for print purposes, shall be permitted in any open commission proceeding.

3. Not more than 1 audio system for radio broadcast purposes shall be permitted in any open commission proceeding. Audio pickup for all media purposes shall be accomplished from existing audio systems present in the commission meeting place. If no technically suitable audio system exists in the commission meeting place, microphones and related wiring essential for media purposes shall be unobtrusive and shall be located in places designated in advance of any proceeding by the chairperson in which the commission proceeding is located.

4. Any "pooling" arrangements among the media required by these limitations on equipment and personnel shall be the sole responsibility of the media without calling upon the chairperson of the commission to mediate any dispute as to the appropriate media representative or equipment authorized to cover a particular
proceeding. In the absence of advance media agreement on disputed equipment or personnel issues, the chairperson of the commission shall exclude all contesting media personnel from a proceeding.

(c) Sound and Light Criteria.

(1) Only television photographic and audio equipment that does not produce distracting sound or light shall be used to cover open commission proceedings. Specifically, such photographic and audio equipment shall produce no greater sound or light than the equipment designated in the Appendix to this rule, when such designated equipment is in good working order. No artificial lighting device of any kind shall be used in connection with the television camera.

(2) Only still camera equipment that does not produce distracting sound or light shall be used to cover open commission proceedings. Specifically, such still camera equipment shall produce no greater sound or light than a 35mm Leica "M" Series Rangefinder camera, and no artificial lighting device of any kind shall be used in connection with a still camera.

(3) It shall be the affirmative duty of media personnel to demonstrate to the chairperson of the commission adequately in advance of any proceeding that the equipment sought to be used meets the sound and light criteria enunciated in this rule. A failure to obtain advance approval for equipment shall preclude its use in the proceeding.

(d) Location of Equipment Personnel.

(1) Television camera equipment shall be positioned in such location in the meeting place of the commission as shall be designated by the chairperson. The area designated shall provide reasonable access to coverage. If and when areas remote
from the commission proceedings permit reasonable access to coverage are provided, all television camera and audio equipment shall be positioned only in such area. Videotape recording equipment that is not a component part of a television camera shall be located in an area remote from the commission proceedings.

(2) A still camera photographer shall position himself or herself in such location in the meeting place of the commission as shall be designated by the chairperson. The area designated shall provide reasonable access to coverage. Still camera photographers shall assume a fixed position within the designated area and, once established in a shooting position, shall act so as not to call attention to themselves through further movement. Still camera photographers shall not be permitted to move about in order to obtain photographs of the commission proceedings.

(3) Broadcast media representatives shall not move about the meeting place of the commission while proceedings are in session, and microphones or taping equipment once positioned as required by subdivision (a)(3) shall not be moved during the pendency of the proceeding.

(e) Movement During Proceedings. News media photographic or audio equipment shall not be placed in or removed from the meeting place of the commission except before commencement or after adjournment of proceedings each day, or during a recess. Neither television film magazines nor still camera film or lenses shall be changed within the meeting place of the commission except during a recess in the proceeding.

(f) Commission Meeting Place Light Sources. With the concurrence of the chairperson of the commission in which the meeting is situated, modifications and additions may be made in light sources existing in the commission meeting place,
provided such modifications or additions are installed and maintained without public expense and removed immediately, following the commission proceeding, all light sources returned to their original condition.

---

**APPENDIX**

**FILM CAMERAS** ................................................................. 16mm Sound of Film (self blimped)

1. Cinema Products CP-16A-R. Sound Camera
2. Arriflex 16mm-16BL Model Sound Camera
3. Frezzolini 16mm (LW16) Sound on Film Camera
4. Auricon "Cini-Voice" Sound Camera
5. Auricon "Pro-600" Sound Camera
6. General Camera SS III Sound Camera
7. Eclair Model ACL Sound Camera
8. General Camera DGX Sound Camera
9. Wilcam Reflex 16mm Sound Camera

**VIDEOTAPE ELECTRONIC CAMERAS**

1. Ikegami HL-77 HL-33 HL-35 HL-34 HL-51
2. RCA TK 76
3. Sony DXC-1600 Trinicon
4. ASACA ACC-2006
5. Hitachi SK 80 SK 90
6. Hitachi FP-3030
7. Philips LDK-25
8. Sony BVP-200 ENG Camera
9. Fernseh Video Camera
10. JVC-8800u ENG Camera
11. AKAI CVC-150 VTS-150
12. Panasonic WV-308 NV-3085
13. JVC GC-4800u

VIDEOTAPE RECORDERS/used with video cameras
1. Ikegami 3800
2. Sony 3800
3. Sony BVU-100
4. Ampex Video Recorder
5. Panasonic 1 inch Video Recorder
6. JVC 4400
7. Sony 3800H

Section IV. Further Investigation: Interviews

Upon selection by the Commission of the applicants to be interviewed, the Commission shall further investigate the fitness and qualifications of each such applicant, utilizing all sources reasonably available within the time permitted by law. The Commission shall invite each such selected applicant to appear before a quorum of the Commission sitting as a whole to respond to questions by the Commission designed to determine the fitness of the applicant to serve on the Supreme Court, to serve as Statewide Prosecutor, or to serve as Capital Collateral Regional Counsel, as the case may be.
Prior to the interview of any applicant, each Commission member shall disclose to the remaining Commission members all negative information received by such member concerning any applicant.

At any time before its final vote is concluded, the Commission may request an applicant to reappear before the Commission to answer additional questions and to provide additional information.

Section V. Standards and Qualifications; Criteria

No person shall be recommended to the Governor or to the Attorney General for appointment unless the Commission finds such applicant to be fit for appointment after full and careful consideration. Consideration of applicants for appointment to the Supreme Court shall include, but not necessarily be limited to, the following criteria:

(a) Applicable statutory criteria

(b) Personal attributes
   (1) Personal integrity
   (2) Standing in community
   (3) Sobriety
   (4) Moral conduct
   (5) Ethics
   (6) Commitment to equal justice under law

(c) Competency and experience
   (1) General health
   (2) Physical disabilities
   (3) Intelligence
   (4) Knowledge of the law and judicial system
(5) Professional reputation
(6) Knowledge and experience of the Supreme Court
(7) Meets legal judicial requirements

(d) Judicial capabilities
(1) Patience
(2) Decisiveness
(3) Impartiality
(4) Courtesy
(5) Civility
(6) Industry and promptness
(7) Administrative ability
(8) Possible reaction to judicial power
(9) Temperament
(10) Independence

To the extent applicable, such criteria shall also be considered with relation to applicants for the position of Statewide Prosecutor and for the position of Capital Collateral Regional Counsel. Every application shall be reviewed to determine that the applicant meets all constitutional and statutory requirements; including Section 16.56, F.S. for Statewide Prosecutor, and Section 27.701, F.S. for Capital Collateral Regional Counsels.

Section VI. Final Selection of Nominees

Upon conclusion of all investigation reasonably conducted and obtained by the Commission and after the procedures set forth in Section IV have been completed, the
Commission shall meet to select by majority vote qualified nominees from those persons having applied for such vacancy. For each vacancy on the Florida Supreme Court the commission shall select not less than three (3) but not more than six (6) nominees. For a vacancy in the office of Statewide Prosecutor or a vacancy in any office of Capital Collateral Regional Counsel the Commission shall select three (3) nominees. The Commission shall complete its work within thirty (30) days from the occurrence of the vacancy, unless the period is extended by the Governor. The names of nominees selected and recommended by the Commission for appointment to the Supreme Court shall be certified to the Governor in alphabetical order and a copy of all written investigative information and documents relating to each such nominee shall be furnished therewith. The names of such three (3) nominees selected and recommended by the Commission for appointment to the Office of the Statewide Prosecutor shall be certified to the Attorney General of the State of Florida in alphabetical order and a copy of all investigative information and documents relating to each such nominee shall be furnished therewith. The names of such three (3) nominees selected and recommended by the Commission for appointment as Capital Collateral Regional Counsel shall be certified to the Governor in alphabetical order and a copy of all investigative information and documents relating to each such nominee shall be furnished therewith.

Section VII. Procedure for Final Voting

1. Final voting procedures to nominate to the Governor or to the Attorney General qualified applicants from those interviewed will take place:

   (a) After the Commissioners have had an opportunity to review the
applications, supporting data, and all other pertinent information;

(b) After the applicants selected by the Commission to be interviewed have been interviewed to the satisfaction of a majority of the Commission members;

(c) After the applicants have been discussed to the satisfaction of a majority of the Commission members; and

(d) Without any straw vote, unofficial vote, tentative vote, or official vote until the above-described steps have been taken, except that this limitation shall not apply to a screening process to reduce the number of applicants to be interviewed.

2. All votes shall be cast by written, secret ballot. On the initial round of voting each Commissioner shall cast six (6) votes, one per applicant. Any applicant who receives two (2) votes shall continue to the next round of voting.

3. On each successive round(s) of voting, the number of votes cast by each Commissioner shall be reduced by one (1) and the minimum required to remain on the proposed list shall be raised by one (1) vote.

4. This process shall continue until only three (3) applicants remain on the list or, if there is a tie for third place, more than three (3) shall be permitted so long as it is less than six (6). If there are more than six (6) then there will be a vote among those tied for third place with each Commissioner casting one (1) vote and only the person who receives the most votes shall remain on the proposed list.

5. Following completion of the initial round of voting, any Commissioner can then move to reconsider an applicant who did not make the initial proposed list. If the motion is seconded, the Commission shall vote to reconsider the applicant.
Once the list of all persons for reconsideration has been determined, the Commission shall then vote on the list of persons being reconsidered. For that ballot, the number of potential votes each Commissioner may cast will be determined by subtracting the number of applicants already on the proposed list from the number of six (6). No Commissioner shall be required to vote but may cast up to the number of votes as determined above not to exceed one vote per applicant. Any applicant who receives at least five votes shall be added to the proposed list until there are not more than six (6) applicants on the proposed list. If there is a tie for the last position, then the Commissioner shall vote on the tied applicants with each Commissioner casting one (1) vote, and the applicant with the most votes will be added to the proposed list.

6. After the proposed list is complete, any Commissioner may make a motion to remove anyone on the list. If it is seconded, a vote shall be cast on the applicant, with each Commissioner casting one (1) vote. If a majority of the Commissioners eligible to vote, vote in favor of the motion, the applicant shall be removed from the list.

7. Finally, a motion to declare the list final shall be made, seconded and if it receives a majority vote of the Commissioners, the final list shall then be complete and those names shall be submitted to the Governor.

Section VIII. Publication of Names of Nominees

The chair of the Commission shall make public the names of all persons recommended by the Commission for appointment by the Governor or by the Attorney General without indicating any preference of the Commission.
Section IX. Ethical Considerations

Judicial Nominating Commissioners hold positions of public trust. A Commissioner's conduct should not reflect discredit upon the judicial selection process or disclose partisanship or partiality in the consideration of applicants. Accordingly, a Commissioner shall not become an advocate for any applicant. Consideration of applicants shall be made impartially, and objectively.

A Commissioner shall disclose to other Commissioners present all personal, professional and business relationships with an applicant. In the event any applicant is a member of the judiciary, each member of the Commission shall disclose to the Commission all matters which he, she, or any of his or her clients have pending before such applicant. If a substantial conflict of interest is apparent, that Commissioner shall not vote on further consideration of any applicants so long as the applicant creating the conflict is under consideration during the selection of the initial three (3) nominees. In addition, the Commissioner shall not participate in the selection of any additional nominees so long as the applicant creating the conflict is eligible for consideration. The chair shall rule upon whether a substantial conflict of interest exists. All balloting by the Commission shall be by secret ballot and the chair shall be entitled to vote in all instances. Upon certification of the nominees to the Governor or to the Attorney General, no Commissioner shall contact the Governor or the Attorney General or any member of their offices or staffs, for the purpose of further influencing the Governor's or Attorney General's ultimate decision. However, if contacted by the Governor or Attorney General, or their offices or staffs, a Commissioner shall be entitled to answer questions.
about each nominee. No attempt should be made to rank nominees or to otherwise disclose a preference of the Commission.

Section X. Misconduct

Each Commissioner shall be accountable to the Governor, their appointing authority and the chair for compliance with these rules and the proper performance of their duties as a member of the Commission. Each Commissioner affirms that under these rules the Governor, their appointing authority or the chair may dispose of any written complaint alleging the misconduct of one or more Commissioners or of the Commission, limited only by Article IV, Section 7 of the Constitution of the State of Florida. Each Commissioner further acknowledges that pursuant to Article IV, Section 7 of the Constitution the Governor may suspend from office any Commission member for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform their official duties, or commission of a felony.

A complaint alleging the misconduct of one or more Commissioners (other than the chair) shall be reported in writing to the chair for action. Upon the chair's receipt of any such charges, the subject Commissioner(s) and the appointing authority of the subject Commissioner(s) shall be immediately notified thereof and thereafter kept continuously apprised of the status of such complaint through final disposition. The chair shall investigate any complaint if the allegations are in writing, signed by the complainant, and deemed sufficient by the chair. A complaint shall be deemed sufficient if the chair determines that it contains allegations which if proven would be a violation of these rules or reflects discredit on the judicial selection process. Prior to determining sufficiency the chair may require supporting information or documentation
as necessary for that determination. Upon determination of sufficiency, each charge: (a) may be disposed of by the chair solely; or, (b) may be referred by the chair for disposition by the appointing authority of the subject Commissioner exclusively, or with the concurrence of the chair, but in consultation with the Governor, the appointing authority of the subject Commissioner, and all other members of the Commission. Disposition of a complaint shall include a hearing which affords the opportunity for the presentation of evidence by all interested parties to be evaluated by a clear and convincing standard of proof. Action shall be taken within 60 days of receipt of any written complaint and its final disposition shall be immediately reported to the appointing authority, the chair and the Governor.

A complaint alleging the misconduct only of the chair shall be reported in writing to the appointing authority of the chair for action. Upon the appointing authority's receipt of any such charges, the chair shall be immediately notified thereof and thereafter kept continuously apprised of his or her status through final disposition. The appointing authority shall investigate any complaint if the allegations are in writing, signed by the complainant, and deemed sufficient. A complaint shall be deemed sufficient if the appointing authority determines that it contains allegations which if proven would be a violation of these rules or reflects discredit upon the judicial selection process. Prior to determining sufficiency the appointing authority may require supporting information or documentation as necessary for that determination. Upon determination of sufficiency, each charge shall be disposed of by the appointing authority, with the concurrence of the Governor when not otherwise involved as appointing authority, and in consultation with all other members of the Commission. Disposition of a complaint shall include a hearing which affords the opportunity for the
presentation of evidence by all interested parties to be evaluated by a clear and convincing standard of proof. Action shall be taken within 60 days of receipt of any written complaint and its final disposition shall be immediately reported to the Commission, the appointing authority and the Governor.

A complaint alleging the misconduct of the chair and one or more Commissioners shall be reported in writing to the Governor for action. Upon the Governor's receipt of any such charges, the chair and Commissioner(s) shall be immediately notified thereof and thereafter kept continuously apprised of their status through final disposition. The Governor shall investigate any complaint if the allegations are in writing, signed by the complainant, and deemed by the Governor to be sufficient. A complaint shall be deemed sufficient if the Governor determines that it contains allegations which if proven would be a violation of these rules or would reflect discredit on the judicial selection process. Prior to determining sufficiency the Governor may require supporting information or documentation as necessary for that determination. Upon determination of sufficiency each charge may be disposed of by the Governor solely, or may be referred by the Governor for disposition by the appointing authority of the chair or Commissioner, exclusively or with the concurrence of the Governor, but in consultation with both the appointing authority of the chair or Commissioner and with all other members of the Commission. Disposition of a complaint shall include a hearing which affords the opportunity for the presentation of evidence by all interested parties to be evaluated by a clear and convincing standard of proof. Action shall be taken within 60 days of receipt of any written complaint and its final disposition shall be immediately reported by the Governor to the appointing authority and members of the Commission.
Section XI. Annual Meeting; Selection of Chair; Local Rules; Safeguarding of Records

Annually, after July 1, the Commission shall designate a chair by majority vote to serve for one year and shall certify his or her name to the Governor. The chair's term shall end on July 1 of the next succeeding year or upon the election of his or her succession in office. The chair may be reappointed. After July 1st and the appointment of all Commission vacancies by the Governor and Board of Governors, the new Commission shall meet to elect by majority vote a vice chair who shall have at least two years remaining in their term. The vice chair shall automatically be nominated for chair at the next annual election held. Additional nominations of qualified persons for chair are allowed.

Within the first twelve months of appointment, each JNC appointee must complete an educational course designed to familiarize members with JNC rules and procedures. Training shall include segments regarding interviewing techniques and diversity sensitivity.

The Florida Bar (through its JNC Coordinator or other appropriate designated officer or employee) shall be the official depository and custodian of the records of the Commission.

The chair shall keep a permanent written record of all policies and procedures adopted by the Commission during his or her term and shall send a copy to the JNC Coordinator at The Florida Bar.

The Commission may adopt such additional operating rules, forms and notices as it may from time to time deem necessary, so long as they are not inconsistent with these rules. The Commission shall maintain continuous records of its proceedings. In
order that such records may be safeguarded, the Commission after completing its deliberations and submitting its recommendations to the Governor, shall place all remaining applications, questionnaires and other investigative data in a file, sealed by the chair, and transmit the same to the office of The Florida Bar. Minutes of each meeting affecting the official formal actions taken by the Commission shall be prepared and signed by the chair. The same shall be delivered to the Florida Bar where the same shall be preserved in a permanent file. The files will be available on a continuous basis to the Commission upon request, but the files may be destroyed on a yearly basis.

At the conclusion of the chair's term, the files of all written records of adopted policies and procedures shall be turned over to the newly elected chair. A copy of the same shall be permanently retained by the Florida Bar.

Section XII. Amendments

These rules may be amended by majority vote of the members of the Commission.
IV. Judicial Nominating Commission
Applications Information
JUDICIAL NOMINATING COMMISSION (JNC) APPLICATIONS

Judicial Nominating Commission
Applications

If you have questions about your application for appointment to serve on a Judicial Nominating Commission, please email Kristen Wilson or call her at 850-561-5757.

Please use the revised application and submission process if you are interested in applying for a Judicial Nominating Commission vacancy with The Florida Bar. Completed applications must be submitted by the specified deadline.

Download the JNC Application for Appointment

Application for Nomination to a Judicial Seat

Visit the Florida Governor's Judicial Nominations webpage to download an application for judicial vacancies.

Check the JNC News Releases or The Florida Bar News for current announcements of judicial openings and deadlines. The judicial application is to be used in filling judicial vacancies through the judicial nominating process.

Any questions about the application itself or submission requirements should be directed to the chair of the respective Judicial Nominating Commission.

If you have general questions about the judicial nomination process, email Joni Hooks or call her at 850-561-5662.

Other Applications

- Application for Nomination to Capital Collateral Regional Counsel: PDF / Word
• Application for Nomination for Judge of Compensation Claims: PDF
• Application for Statewide Prosecutor: PDF / Word
• Application for Criminal Conflict and Civil Regional Counsel: PDF / Word
INSTRUCTIONS

Follow these steps to complete the application process:

1. Save the application form to your computer (be sure to note the location where you save your file).

2. Complete the application form and save your changes.

3. Go to this web page: Member Portal

4. You will be prompted to login to your Member Portal account.

5. Answer the questions presented and upload your completed file.

Questions?

Contact Kristen Wilson at kwilson@floridabar.org.
JUDICIAL NOMINATING COMMISSION
APPLICATION FOR APPOINTMENT

Date: ___________ Email: ____________________________

1. Name: ____________________________ Attorney Number: ___________

2. Judicial Nominating Commission(s) requested (select all that apply):
   Supreme Court ☐ District Court of Appeal ☐ Circuit ☐

3. Home location (list all): ___________ ___________ ___________ ___________
   City County Circuit DCA

4. Are you applying for reappointment? Yes ☐ No ☐

5. Number of years admitted to The Florida Bar? _____ Age _____

6. List primary area(s) of practice: __________________________________________

7. Can you discharge the responsibilities of this position, with or without accommodations?
   Yes ☐ No ☐

8. Commissioners are subject to the Florida Financial Disclosure Laws. Are you willing to file the
   appropriate form, if appointed? Yes ☐ No ☐

   (This form can be viewed at Florida Commission on Ethics (http://www.ethics.state.fl.us/), Form 1
   and is only required after appointment.)

9. Mobile Telephone Number: __________________________

10. Gender:

11. Race/Ethnicity:

*This information will be used solely to provide demographic statistics.
QUESTIONNAIRE FOR JUDICIAL NOMINATING COMMISSION APPOINTMENT

General Information

1. Name: ____________________________ ____________________________ ____________________________
   Last First Middle

2. Employer: ____________________________

3. Business Address: ____________________________ Street/P.O. Box

   ____________________________ ____________________________ ____________________________
   City State Zip Code Phone Number

4. Residential Address: ____________________________ Street/P.O. Box

   ____________________________ ____________________________ ____________________________
   City County State Zip Code Phone Number

Specify your preferred mailing address: Business □ Residential □

5. I am presently: Solo Practitioner □ In a 2-10 lawyer office □ In an 11-35 lawyer office □
In a 35 or more lawyer office □ Other □

If Other, please explain:

6. List all your places of residence during the last 5 years:

<table>
<thead>
<tr>
<th>Address</th>
<th>City/State</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7. Since what year have you been a continuous resident of Florida? _________
8. Are you a United States citizen? Yes ☐ No ☐
   If No, please explain: ____________________________ 
   If you are a naturalized citizen, please provide the date of naturalization: _________________________

9. Are you a registered voter? Yes ☐ No ☐ County of registration: _____________________________

10. Education:

<table>
<thead>
<tr>
<th>Name and Location</th>
<th>Certificates/Degrees Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>College:</td>
<td></td>
</tr>
<tr>
<td>College:</td>
<td></td>
</tr>
<tr>
<td>Post College:</td>
<td></td>
</tr>
<tr>
<td>Post College:</td>
<td></td>
</tr>
<tr>
<td>Other:</td>
<td></td>
</tr>
</tbody>
</table>

Professional History

11. Admitted to practice before which courts?

   [Space for listing courts]

12. List any Florida Bar appointments presently held or previously held within the past 3 years:

   [Space for listing appointments]

13. Please list all previous employers during the last 5 years:

<table>
<thead>
<tr>
<th>Employer's Name and City</th>
<th>Position</th>
<th>Period(s) of Employment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
14. List any memberships in any national or local bar associations.

<table>
<thead>
<tr>
<th>Association</th>
<th>Date(s) of Service</th>
<th>Office(s) Held</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

15. Have you ever been elected or appointed to any public office in this state? Yes ☐ No ☐
   If Yes, provide the following information:

<table>
<thead>
<tr>
<th>Office Title</th>
<th>Date of Election/Appointment</th>
<th>Term of Office</th>
<th>Level of Government</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

16. Have you held or do you now hold an occupational or professional license or certificate in the state of Florida? Yes ☐ No ☐
   If Yes, provide the following information, including any disciplinary action:

<table>
<thead>
<tr>
<th>License/Certificate Title and Number</th>
<th>Original Issue Date</th>
<th>Issuing Authority</th>
<th>Disciplinary Action and Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
17. Name any business, professional, occupational, civic, or fraternal organization(s) of which you are now a member, or of which you have been a member during the past 3 years.

Provide the following information:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address(es)</th>
<th>Office(s) Held and Term</th>
<th>Date(s) of Membership</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Adverse Professional Actions**

18. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? Yes □ No □

If Yes, provide details (exclude traffic violations for which a fine or civil penalty of $500.00 or less was paid):

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Nature</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

19. Has probable cause ever been found that you were in violation of Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees? Yes □ No □

If Yes, provide the following information:

<table>
<thead>
<tr>
<th>Date(s)</th>
<th>Nature of Violation(s)</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
20. Has probable cause ever been found against you in a Florida Bar Complaint? Yes ☐ No ☐

If Yes, provide the following information:

<table>
<thead>
<tr>
<th>Date(s)</th>
<th>Nature of Violation(s)</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes ☐ No ☐

If Yes, provide the following information:

<table>
<thead>
<tr>
<th>Title of Office</th>
<th>Date of Suspension</th>
<th>Reason for Suspension</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

22. List 3 persons who have known you well within the last 5 years (exclude any relatives).

<table>
<thead>
<tr>
<th>Name</th>
<th>Mailing Address</th>
<th>Zip Code</th>
<th>Area Code/Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

23. State your experiences, interests or elements of your personal history that qualify you for this appointment.

```
Use this space to provide further detail(s) as desired – specify question number(s) followed by details.

<table>
<thead>
<tr>
<th>Additional Detail</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>
Under penalty of perjury, I declare the foregoing facts are true, correct, and complete to the best of my knowledge and belief.

Date: ____________________  Signature: ____________________

HOW TO SUBMIT YOUR COMPLETED APPLICATION

Follow these steps to complete the application process:

1. Open the saved application form, you saved to your computer.

2. Go to this web page: Member Portal

3. You will be prompted to login to your Member Portal account.

4. Answer the questions presented and upload your completed application and any other applicable documents (e.g. curriculum vitae, resume, letters of recommendation, etc.)

Questions?

Contact Kristen Wilson at kwilson@floridabar.org.
V. Judicial Nominating Commission
(Members Remaining Spots - 4)
Judicial Nominating Commissions

Judicial merit selection is a way of choosing judges through appointment, using a nonpartisan nine-member commission of lawyers and non-lawyers to locate, recruit, investigate, and evaluate applicants for judicial office. These Judicial Nominating Commissions (JNCs) then submit three to six names of the most highly qualified applicants to the Governor, who must make a final selection from the list.

Each Judicial Nominating Commission has nine members. Five members are appointed directly by the Governor, and the Bar sends nominations to the Governor to fill the remaining four spots.

Please look below for exciting opportunities for appointment to one of the state’s Judicial Nominating Commissions or to apply to be a judge.

Judicial and JNC Applications

Judicial Nominating Commission Member Lists

JNC News Releases

Judicial Nominating Procedures Committee

https://www.floridabar.org/directories/jnc/
VI. Judicial and Judicial Nominating Commission Information
Judicial and Judicial Nominating Commission Information

Welcome to Governor DeSantis' judicial webpage. Here you will find access to current, vacant, and pending judicial and judicial nominating commission appointments. You will also find information on the Florida court system, judicial nominating commissions, and the judicial nominating process. Scroll down to find links to regularly updated lists of county, circuit, and district court judges, as well as Supreme Court justices and judicial nominating commission members. Users are also able to make an appointment by accessing documents memorializing each step of the process. Judicial applications and judicial nominating commission applications (Governorial and Bar) are also easily accessible.

Make a Judicial Recommendation

Judicial and Judicial Nominating Commission Information

The judicial system of Florida is comprised of county and circuit courts at the trial level, and district courts of appeal and a Supreme Court at the appellate level. There are nine judicial circuits, which contain county courts and county circuit courts. There are six district courts of appeal and one Supreme Court. County judges are elected. District court judges and Supreme Court justices are appointed by the Governor. However, when a judicial vacancy occurs in a county or circuit court, the Governor appoints a successor.

The Office of Judge of Compensation Claims is statutorily created within the Department of Management Services. Judges of Compensation Claims adjudicate disputes over workers' compensation benefits. There are seventeen districts throughout the state.

Circuit and County Courts Vacancies

1st Circuit Court
Vacancy Caused by the Retirement of Judge Mary Belton

2nd Circuit Court & Dade County Court
Vacancy Caused by the Resignation of Judge Roberto Barrios

3rd Circuit Court
Vacancy Caused by the Resignation of Judge Margaret Henderson & Judge Joseph Boatwright

4th Circuit Court
Vacancy Caused by the Resignation of Judge John T. Piepoli & Judge Keith White

5th Circuit Court
Vacancy Caused by the Resignation of Judge Alan Price

6th Circuit Court & Volusia County Court
Vacancy Caused by the Resignation of Judge Paige Kellam & Judge John Parnell

Circuit and County Courts Vacancies

17th Circuit Court:
Vacancy Caused by the Passing of Judge Linda Alley & the Retirement of Judge Charles Greene

20th Circuit Court:
Vacancy Caused by the Retirement of Judge Dan Vaughn, Sr.

Lake County Courts:
Vacancy Caused by the Enactment of HB7027

Hillsborough County Court:
Vacancy Caused by the Elevation of Judge Cynthia Otero

Manatee County Court:
Vacancy Caused by the Elevation of Judge Javier Enriquez & the Retirement of Judge Luise Martin

Polk County Courts:
Vacancy Caused by the Elevation of Judge Dustin Anderson

Sarasota County Court:
Vacancy Caused by the Elevation of Judge Dan Moss

VII. Application for Nomination
APPLICATION FOR NOMINATION TO THE __________ COURT

Instructions: Respond fully to the questions asked below. Please make all efforts to include your full answer to each question in this document. You may attach additional pages, as necessary, however it is discouraged. In addition to the application, you must provide a recent color photograph to help identify yourself.

Full Name: ___________________________ Social Security No.: __________________

Florida Bar No.: _______ Date Admitted to Practice in Florida: ________________

1. Please state your current employer and title, including any professional position and any public or judicial office you hold, your business address and telephone number.

2. Please state your current residential address, including city, county, and zip code. Indicate how long you have resided at this location and how long you have lived in Florida. Additionally, please provide a telephone number where you can be reached (preferably a cell phone number), and your preferred email address.

3. State your birthdate and place of birth.

4. Are you a registered voter in Florida (Y/N)?

5. Please list all courts (including state bar admissions) and administrative bodies having special admissions requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have ever been suspended or resigned. Please explain the reason for any lapse in membership.

6. Have you ever been known by any aliases? If so, please indicate and when you were known by such alias.

EDUCATION:

7. List in reverse chronological order each secondary school, college, university, law school or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, the date the degree was received, class standing, and graduating GPA (if your class standing or graduating GPA is unknown, please request the same from such school).

8. List and describe any organizations, clubs, fraternities or sororities, and extracurricular activities you engaged in during your higher education. For each, list any positions or titles you held and the dates of participation.
EMPLOYMENT:

9. List in reverse chronological order all full-time jobs or employment (including internships and clerkships) you have held since the age of 21. Include the name and address of the employer, job title(s) and dates of employment. For non-legal employment, please briefly describe the position and provide a business address and telephone number.

10. Describe the general nature of your current practice including any certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

11. What percentage of your appearance in court in the last five years or in the last five years of practice (include the dates) was:

<table>
<thead>
<tr>
<th>Court</th>
<th>%</th>
<th>Area of Practice</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Appellate</td>
<td></td>
<td>Civil</td>
<td></td>
</tr>
<tr>
<td>Federal Trial</td>
<td></td>
<td>Criminal</td>
<td></td>
</tr>
<tr>
<td>Federal Other</td>
<td></td>
<td>Family</td>
<td></td>
</tr>
<tr>
<td>State Appellate</td>
<td></td>
<td>Probate</td>
<td></td>
</tr>
<tr>
<td>State Trial</td>
<td></td>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>State Administrative</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Other</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TOTAL 100% TOTAL 100%

If your appearance in court the last five years is substantially different from your prior practice, please provide a brief explanation:

12. In your lifetime, how many (number) of the cases that you tried to verdict, judgment, or final decision were:

<table>
<thead>
<tr>
<th>Type</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jury?</td>
<td></td>
</tr>
<tr>
<td>Non-jury?</td>
<td></td>
</tr>
<tr>
<td>Arbitration?</td>
<td></td>
</tr>
<tr>
<td>Administrative Bodies?</td>
<td></td>
</tr>
<tr>
<td>Appellate?</td>
<td></td>
</tr>
</tbody>
</table>

2
13. Please list every case that you have argued (or substantially participated) in front of the United States Supreme Court, a United States Circuit Court, the Florida Supreme Court, or a Florida District Court of Appeal, providing the case name, jurisdiction, case number, date of argument, and the name(s), e-mail address(es), and telephone number(s) for opposing appellate counsel. If there is a published opinion, please also include that citation.

14. Within the last ten years, have you ever been formally reprimanded, sanctioned, demoted, disciplined, placed on probation, suspended, or terminated by an employer or tribunal before which you have appeared? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

15. In the last ten years, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain full.

16. For your last six cases, which were tried to verdict or handled on appeal, either before a jury, judge, appellate panel, arbitration panel or any other administrative hearing officer, list the names, e-mail addresses, and telephone numbers of the trial/appellate counsel on all sides and court case numbers (include appellate cases). This question is optional for sitting judges who have served five years or more.

17. For your last six cases, which were either settled in mediation or settled without mediation or trial, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases). This question is optional for sitting judges who have served five years or more.

18. During the last five years, on average, how many times per month have you appeared in Court or at administrative hearings? If during any period you have appeared in court with greater frequency than during the last five years, indicate the period during which you appeared with greater frequency and succinctly explain.

19. If Questions 16, 17, and 18 do not apply to your practice, please list your last six major transactions or other legal matters that were resolved, listing the names, e-mail addresses, and telephone numbers of the other party counsel.

20. During the last five years, if your practice was greater than 50% personal injury, workers' compensation or professional malpractice, what percentage of your work was in representation of plaintiffs or defendants?
21. List and describe the five most significant cases which you personally litigated giving the case style, number, court and judge, the date of the case, the names, e-mail addresses, and telephone numbers of the other attorneys involved, and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant.

22. Attach at least two, but no more than three, examples of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach a writing sample for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE

23. Have you ever held judicial office or been a candidate for judicial office? If so, state the court(s) involved, the dates of service or dates of candidacy, and any election results.

24. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name(s) of the commission, the approximate date(s) of each submission, and indicate if your name was certified to the Governor’s Office for consideration.

25. List any prior quasi-judicial service, including the agency or entity, dates of service, position(s) held, and a brief description of the issues you heard.

26. If you have prior judicial or quasi-judicial experience, please list the following information:

   (i) the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance;
   (ii) the approximate number and nature of the cases you handled during your tenure;
   (iii) the citations of any published opinions; and
   (iv) descriptions of the five most significant cases you have tried or heard, identifying the citation or style, attorneys involved, dates of the case, and the reason you believe these cases to be significant.

27. Provide citations and a brief summary of all of your orders or opinions where your decision was reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, attach copies of the opinions.

28. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, attach copies of the opinions.
29. Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give the date, describe the complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.

30. Have you ever held an attorney in contempt? If so, for each instance state the name of the attorney, case style for the matter in question, approximate date and describe the circumstances.

31. Have you ever held or been a candidate for any other public office? If so, state the office, location, dates of service or candidacy, and any election results.

NON-LEGAL BUSINESS INVOLVEMENT

32. If you are now an officer, director, or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

33. Since being admitted to the Bar, have you ever engaged in any occupation, business or profession other than the practice of law? If so, explain and provide dates. If you received any compensation of any kind outside the practice of law during this time, please list the amount of compensation received.

POSSIBLE BIAS OR PREJUDICE

34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications of cases or litigants for which you, as a general proposition, believe it would be difficult for you to sit as the presiding judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

PROFESSIONAL ACCOMPLISHMENTS AND OTHER ACTIVITIES

35. List the titles, publishers, and dates of any books, articles, reports, letters to the editor, editorial pieces, or other published materials you have written or edited, including materials published only on the Internet. Attach a copy of each listed or provide a URL at which a copy can be accessed.

36. List any reports, memoranda or policy statements you prepared or contributed to the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. Provide the name of the entity, the date published, and a summary of the document. To the extent you have the document, please attach a copy or provide a URL at which a copy can be accessed.

37. List any speeches or talks you have delivered, including commencement speeches, remarks, interviews, lectures, panel discussions, conferences, political speeches, and question-and-answer
sessions. Include the date and place they were delivered, the sponsor of the presentation, and a summary of the presentation. If there are any readily available press reports, a transcript or recording, please attach a copy or provide a URL at which a copy can be accessed.

38. Have you ever taught a course at an institution of higher education or a bar association? If so, provide the course title, a description of the course subject matter, the institution at which you taught, and the dates of teaching. If you have a syllabus for each course, please provide.

39. List any fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement. Include the date received and the presenting entity or organization.

40. Do you have a Martindale-Hubbell rating? If so, what is it and when was it earned?

41. List all bar associations, legal, and judicial-related committees of which you are or have been a member. For each, please provide dates of membership or participation. Also, for each indicate any office you have held and the dates of office.

42. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in the previous question to which you belong, or to which you have belonged since graduating law school. For each, please provide dates of membership or participation and indicate any office you have held and the dates of office.

43. Do you now or have you ever belonged to a club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion (other than a church, synagogue, mosque or other religious institution), national origin, or sex (other than an educational institution, fraternity or sorority)? If so, state the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected to serve on the bench.

44. Please describe any significant pro bono legal work you have done in the past 10 years, giving dates of service.

45. Please describe any hobbies or other vocational interests.

46. Please state whether you have served or currently serve in the military, including your dates of service, branch, highest rank, and type of discharge.

47. Please provide links to all social media and blog accounts you currently maintain, including, but not limited to, Facebook, Twitter, LinkedIn, and Instagram.

FAMILY BACKGROUND
48. Please state your current marital status. If you are currently married, please list your spouse's name, current occupation, including employer, and the date of the marriage. If you have ever been divorced, please state for each former spouse their name, current address, current telephone number, the date and place of the divorce and court and case number information.

49. If you have children, please list their names and ages. If your children are over 18 years of age, please list their current occupation, residential address, and a current telephone number.

CRIMINAL AND MISCELLANEOUS ACTIONS

50. Have you ever been convicted of a felony or misdemeanor, including adjudications of guilt withheld? If so, please list and provide the charges, case style, date of conviction, and terms of any sentence imposed, including whether you have completed those terms.

51. Have you ever pled nolo contendere or guilty to a crime which is a felony or misdemeanor, including adjudications of guilt withheld? If so, please list and provide the charges, case style, date of conviction, and terms of any sentence imposed, including whether you have completed those terms.

52. Have you ever been arrested, regardless of whether charges were filed? If so, please list and provide sufficient details surrounding the arrest, the approximate date and jurisdiction.

53. Have you ever been a party to a lawsuit, either as the plaintiff, defendant, petitioner, or respondent? If so, please supply the case style, jurisdiction/county in which the lawsuit was filed, case number, your status in the case, and describe the nature and disposition of the matter.

54. To your knowledge, has there ever been a complaint made or filed alleging malpractice as a result of action or inaction on your part?

55. To the extent you are aware, have you or your professional liability carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the name of the client(s), approximate dates, nature of the claims, the disposition and any amounts involved.

56. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, provide the particulars of each finding or investigation.

57. To your knowledge, within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers, clients, or the like, ever filed a formal complaint or accusation of misconduct including, but not limited to, any allegations involving sexual harassment, creating a hostile work environment or conditions, or discriminatory behavior against you with any regulatory or investigatory agency or with your employer? If so, please
state the date of complaint or accusation, specifics surrounding the complaint or accusation, and the resolution or disposition.

58. Are you currently the subject of an investigation which could result in civil, administrative, or criminal action against you? If yes, please state the nature of the investigation, the agency conducting the investigation, and the expected completion date of the investigation.

59. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you, this includes any corporation or business entity that you were involved with? If so, please provide the case style, case number, approximate date of disposition, and any relevant details surrounding the bankruptcy.

60. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.

61. Please explain whether you have complied with all legally required tax return filings. To the extent you have ever had to pay a tax penalty or a tax lien was filed against you, please explain giving the date, the amounts, disposition, and current status.

HEALTH

62. Are you currently addicted to or dependent upon the use of narcotics, drugs, or alcohol?

63. During the last ten years have you been hospitalized or have you consulted a professional or have you received treatment or a diagnosis from a professional for any of the following: Kleptomania, Pathological or Compulsive Gambling, Pedophilia, Exhibitionism or Voyeurism? If your answer is yes, please direct each such professional, hospital and other facility to furnish the Chairperson of the Commission any information the Commission may request with respect to any such hospitalization, consultation, treatment or diagnosis. ["Professional" includes a Physician, Psychiatrist, Psychologist, Psychotherapist or Mental Health Counselor.] Please describe such treatment or diagnosis.

64. In the past ten years have any of the following occurred to you which would interfere with your ability to work in a competent and professional manner: experiencing periods of no sleep for two or three nights, experiencing periods of hyperactivity, spending money profusely with extremely poor judgment, suffering from extreme loss of appetite, issuing checks without sufficient funds, defaulting on a loan, experiencing frequent mood swings, uncontrollable tiredness, falling asleep without warning in the middle of an activity. If yes, please explain.

65. Do you currently have a physical or mental impairment which in any way limits your ability or fitness to properly exercise your duties as a member of the Judiciary in a competent and professional manner? If yes please explain the limitation or impairment and any treatment, program or counseling sought or prescribed.
66. During the last ten years, have you ever been declared legally incompetent or have you or your property been placed under any guardianship, conservatorship or committee? If yes, provide full details as to court, date, and circumstances.

67. During the last ten years, have you unlawfully used controlled substances, narcotic drugs, or dangerous drugs as defined by Federal or State laws? If your answer is "Yes," explain in detail. (Unlawful use includes the use of one or more drugs and/or the unlawful possession or distribution of drugs. It does not include the use of drugs taken under supervision of a licensed health care professional or other uses authorized by Federal or State law provisions.)

68. In the past ten years, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned, or terminated by an employer as result of your alleged consumption of alcohol, prescription drugs, or illegal drugs? If so, please state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

69. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? If so, please state the date you were requested to submit to such a test, the type of test required, the name of the entity requesting that you submit to the test, the outcome of your refusal, and the reason why you refused to submit to such a test.

70. In the past ten years, have you suffered memory loss or impaired judgment for any reason? If so, please explain in full.

SUPPLEMENTAL INFORMATION

71. Describe any additional education or experiences you have which could assist you in holding judicial office.

72. Explain the particular contribution you believe your selection would bring to this position and provide any additional information you feel would be helpful to the Commission and Governor in evaluating your application.

REFERENCES

73. List the names, addresses, e-mail addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for a judicial position and of whom inquiry may be made by the Commission and the Governor.
CERTIFICATE

I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(l), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Further, I stipulate I have read and understand the requirements of the Florida Code of Judicial Conduct.

Dated this ___ day of _________________________, 20___.

_________________________________________  ____________________________
Printed Name                                               Signature

(Pursuant to Section 119.071(4)(d)(1), F.S.), . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.
FINANCIAL HISTORY

1. State the amount of gross income you have earned, or losses you have incurred (before deducting expenses and taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current Year-To-Date: _____________

Last Three Years: _____________ _____________ _____________

2. State the amount of net income you have earned, or losses you have incurred (after deducting expenses but not taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current Year-To-Date: _____________

Last Three Years: _____________ _____________ _____________

3. State the gross amount of income or losses incurred (before deducting expenses or taxes) you have earned in the preceding three years on a year by year basis from all sources other than the practice of law, and generally describe the source of such income or losses.

Current Year-To-Date: _____________

Last Three Years: _____________ _____________ _____________

4. State the amount you have earned in the preceding three years on a year by year basis from all sources other than the practice of law, and generally describe the source of such income or losses.

Current Year-To-Date: _____________

Last Three Years: _____________ _____________ _____________

5. State the amount of net income you have earned or losses incurred (after deducting expenses) from all sources other than the practice of law for the preceding three-year period on a year by year basis, and generally describe the sources of such income or losses.

Current Year-To-Date: _____________

Last Three Years: _____________ _____________ _____________
**FORM 6**
**FULL AND PUBLIC**
**DISCLOSURE OF**
**FINANCIAL INTEREST**

**PART A – NET WORTH**

Please enter the value of your net worth as of December 31 or a more current date. [Note: Net worth is not calculated by subtracting your reported liabilities from your reported assets, so please see the instructions on page 3.]

My net worth as of ____, 20____ was $____.

**PART B – ASSETS**

**HOUSEHOLD GOODS AND PERSONAL EFFECTS:**

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds $1,000. This category includes any of the following, if not held for investment purposes; jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use.

The aggregate value of my household goods and personal effects (described above) is $____.

**ASSETS INDIVIDUALLY VALUED AT OVER $1,000:**

<table>
<thead>
<tr>
<th>DESCRIPTION OF ASSET (specific description is required – see Instructions p. 3)</th>
<th>VALUE OF ASSET</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PART C – LIABILITIES**

**LIABILITIES IN EXCESS OF $1,000 (See Instructions on page 4):**

<table>
<thead>
<tr>
<th>NAME AND ADDRESS OF CREDITOR</th>
<th>AMOUNT OF LIABILITY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:**

<table>
<thead>
<tr>
<th>NAME AND ADDRESS OF CREDITOR</th>
<th>AMOUNT OF LIABILITY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
PART D - INCOME

You may EITHER (1) file a complete copy of your latest federal income tax return, including all W2's, schedules, and attachments, OR (2) file a sworn statement identifying each separate source and amount of income which exceeds $1,000 including secondary sources of income, by completing the remainder of Part D, below.

☐ I elect to file a copy of my latest federal income tax return and all W2's, schedules, and attachments.

(if you check this box and attach a copy of your latest tax return, you need not complete the remainder of Part D.)

PRIMARY SOURCE OF INCOME (See Instructions on page 5):

<table>
<thead>
<tr>
<th>NAME OF SOURCE OF INCOME EXCEEDING $1,000</th>
<th>ADDRESS OF SOURCE OF INCOME</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person—see Instructions on page 6]

<table>
<thead>
<tr>
<th>NAME OF BUSINESS ENTITY</th>
<th>NAME OF MAJOR SOURCES OF BUSINESS' INCOME</th>
<th>ADDRESS OF SOURCE</th>
<th>PRINCIPAL BUSINESS ACTIVITY OF SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

PART E - INTERESTS IN SPECIFIC BUSINESS [Instructions on page 7]

<table>
<thead>
<tr>
<th>NAME OF BUSINESS ENTITY</th>
<th>BUSINESS ENTITY #1</th>
<th>BUSINESS ENTITY #2</th>
<th>BUSINESS ENTITY #3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE ☐

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.

STATE OF FLORIDA

COUNTY OF ______

Sworn to (or affirmed) and subscribed before me this _____ day of ______, 20____ by ______

(Signature of Notary Public—State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ______ OR Produced Identification ______

Type of Identification Produced ______
INSTRUCTIONS FOR COMPLETING FORM 6:

PUBLIC RECORD: The disclosure form and everything attached to it is a public record. Your Social Security Number is not required and you should redact it from any documents you file. If you are an active or former officer or employee listed in Section 119.071(4)(d), F.S., whose home address is exempt from disclosure, the Commission is required to maintain the confidentiality of your home address if you submit a written request for confidentiality.

PART A – NET WORTH

Report your net worth as of December 31 or a more current date, and list that date. This should be the same date used to value your assets and liabilities. In order to determine your net worth, you will need to total the value of all your assets and subtract the amount of all of your liabilities. Simply subtracting the liabilities reported in Part C from the assets reported in Part B will not result in an accurate net worth figure in most cases.

To total the value of your assets, add:

(1) The aggregate value of household goods and personal effects, as reported in Part B of this form;
(2) The value of all assets worth over $1,000, as reported in Part B; and
(3) The total value of any assets worth less than $1,000 that were not reported or included in the category of "household goods and personal effects."

To total the amount of your liabilities, add:

(1) The total amount of each liability you reported in Part C of this form, except for any amounts listed in the "joint and several liabilities not reported above" portion; and,
(2) The total amount of unreported liabilities (including those under $1,000, credit card and retail installment accounts, and taxes owed).

PART B – ASSETS WORTH MORE THAN $1,000

HOUSEHOLD GOODS AND PERSONAL EFFECTS:
The value of your household goods and personal effects may be aggregated and reported as a lump sum, if their aggregate value exceeds $1,000. The types of assets that can be reported in this manner are described on the form.

ASSETS INDIVIDUALLY VALUED AT MORE THAN $1,000:

Provide a description of each asset you had on the reporting date chosen for your net worth (Part A), that was worth more than $1,000 and that is not included as household goods and personal effects, and list its value. Assets include: interests in real property; tangible and intangible personal property, such as cash, stocks, bonds, certificates of deposit, interests in partnerships, beneficial interest in a trust, promissory notes owed to you, accounts received by you, bank accounts, assets held in IRAs, Deferred Retirement Option Accounts, and Florida Prepaid College Plan accounts. You are not required to disclose assets owned solely by your spouse.

How to Identify or Describe the Asset:
— Real property: Identify by providing the street address of the property. If the property has no street address, identify by describing the property's location in a manner sufficient to enable a member of the public to ascertain its location without resorting to any other source of information.

— Intangible property: Identify the type of property and the business entity or person to which or to whom it relates. Do not list simply "stocks and bonds" or "bank accounts." For example, list "Stock (Williams Construction Co.)," "Bonds (Southern Water and Gas)," "Bank accounts (First

How to Value Assets:
- Value each asset by its fair market value on the date used in Part A for your net worth.
- Jointly held assets: If you hold real or personal property jointly with another person, your interest equals your legal percentage of ownership in the property. However, assets that are held as tenants by the entirety or jointly with right of survivorship must be reported at 100% of their value.
- Partnerships: You are deemed to own an interest in a partnership which corresponds to your interest in the equity of that partnership.
- Trusts: You are deemed to own an interest in a trust which corresponds to your percentage interest in the trust corpus.
- Real property may be valued at its market value for tax purposes, unless a more accurate appraisal of its fair market value is available.
- Marketable securities which are widely traded and whose prices are generally available should be valued based upon the closing price on the valuation date.
- Accounts, notes, and loans receivable: Value at fair market value, which generally is the amount you reasonably expect to collect.
- Closely-held businesses: Use any method of valuation which in your judgment most closely approximates fair market value, such as book value, reproduction value, liquidation value, capitalized earnings value, capitalized cash flow value, or value established by “buy-out” agreements. It is suggested that the method of valuation chosen be indicated in a footnote on the form.
- Life insurance: Use cash surrender value less loans against the policy, plus accumulated dividends.

PART C—LIABILITIES

LIABILITIES IN EXCESS OF $1,000:
List the name and address of each creditor to whom you were indebted on the reporting date chosen for your net worth (Part A) in an amount that exceeded $1,000 and list the amount of the liability. Liabilities include: accounts payable; notes payable; interest payable; debts or obligations to governmental entities other than taxes (except when the taxes have been reduced to a judgment); and judgments against you. You are not required to disclose liabilities owned solely by your spouse.

You do not have to list on the form any of the following: credit card and retail installment accounts, taxes owed unless the taxes have been reduced to a judgment), indebtedness on a life insurance policy owned to the company of issuance, or contingent liabilities. A “contingent liability” is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a partner (without personal liability) for partnership debts, or where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a “co-maker” on a note and have signed as being jointly liable or jointly and severally liable, then this is not a contingent liability.

How to Determine the Amount of a Liability:
- Generally, the amount of the liability is the face amount of the debt.
- If you are the only person obligated to satisfy a liability, 100% of the liability should be listed.
- If you are jointly and severally liable with another person or entity, which often is the case where more than one person is liable on a promissory note, you should report here only the portion of the liability that corresponds to your percentage of liability. However, if you are jointly and severally liable for a debt relating to property you own with one or more others as tenants by the entirety or jointly, with right of survivorship,
report 100% of the total amount owed.

- If you are only jointly (not jointly and severally) liable with another person or entity, your share of the liability should be determined in the same way as you determined your share of jointly held assets.

Examples:
- You owe $10,000 to a bank for student loans, $5,000 for credit card debts, and $60,000 with your spouse to a savings and loan for the mortgage on the home you own with your spouse. You must report the name and address of the bank ($10,000 being the amount of that liability) and the name and address of the savings and loan ($60,000 being the amount of this liability). The credit card debts need not be reported.

- You and your 50% business partner have a $100,000 business loan from a bank and you both are jointly and severally liable. Report the name and address of the bank and $50,000 as the amount of the liability. If your liability for the loan is only as a partner, without personal liability, then the loan would be a contingent liability.

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

List in this part of the form the amount of each debt, for which you were jointly and severally liable, that is not reported in the “Liabilities in Excess of $1,000” part of the form. Example: You and your 50% business partner have a $100,000 business loan from a bank and you both are jointly and severally liable. Report the name and address of the bank and $50,000 as the amount of the liability, as you reported the other 50% of the debt earlier.

PART D – INCOME

As noted on the form, you have the option of either filing a copy of your latest federal income tax return, including all schedules, W2’s and attachments, with Form 6, or completing Part D of the form. If you do not attach your tax return, you must complete Part D.

PRIMARY SOURCES OF INCOME:

List the name of each source of income that provided you with more than $1,000 of income during the year, the address of that source, and the amount of income received from that source. The income of your spouse need not be disclosed; however, if there is a joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should include all of that income.

“Income” means the same as “gross income” for federal income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples of income include: compensation for services, gross income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, distributive share of partnership gross income, and alimony, but not child support. Where income is derived from a business activity you should report that income to you, as calculated for income tax purposes, rather than the income to the business.

Examples:
- If you owned stock in and were employed by a corporation and received more than $1,000 of income (salary, commissions, dividends, etc.) from the company, you should list the name of the company, its address, and the total amount of income received from it.

- If you were a partner in a law firm and your distributive share of partnership gross income exceeded $1,000, you should list the name of the firm, its address, and the amount of your distributive share.

- If you received dividend or interest income from investments in stocks and bonds, list only each individual company from which you received more than $1,000. Do not aggregate income from all of these investments.

- If more than $1,000 of income was gained from the sale of property, then you should list as a source of income the name of the purchaser, the purchaser’s address, and the amount of gain from the sale. If the purchaser’s
identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of
income should be listed simply as "sale of (name of company) stock," for example.

— If more than $1,000 of your income was in the form of interest from one particular financial institution
(aggregating interest from all CD’s, accounts, etc., at that institution), list the name of the institution, its address, and
the amount of income from that institution.

SECONDARY SOURCE OF INCOME:
This part is intended to require the disclosure of major customers, clients, and other sources of income to
businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should
be reported as a "Primary Source of Income." You will not have anything to report unless:

(1) You owned (either directly or indirectly in the form of an equitable or beneficial interest) during the
disclosure period, more than 5% of the total assets or capital stock of a business entity (a corporation,
partnership, limited partnership, LLC, proprietorship, joint venture, trust, firm, etc., doing business in
Florida); and

(2) You received more than $1,000 in gross income from that business entity during the period.

If your ownership and gross income exceeded the two thresholds listed above, then for that business entity you must
list every source of income to the business entity which exceeded 10% of the business entity’s gross income (computed
on the basis of the business entity’s more recently completed fiscal year), the source’s address, the source’s principal
business activity, and the name of the business entity in which you owned an interest. You do not have to list the
amount of income the business derived from that major source of income.

Examples:
— You are the sole proprietor of a dry cleaning business, from which you received more than
$1,000 in gross income last year. If only one customer, a uniform rental company, provided more than 10%
of your dry cleaning business, you must list the name of your business, the name of the uniform rental
company, its address, and its principal business activity (uniform rentals).

— You are a 20% partner in a partnership that owns a shopping mall and your gross partnership income
exceeded $1,000. You should list the name of the partnership, the name of each tenant of the mall that
provided more than 10% of the partnership’s gross income, the tenant’s address and principal business
activity.

PART E – INTERESTS IN SPECIFIED BUSINESS
The types of businesses covered in this section include: state and federally chartered banks; state and federal
savings and loan associations; cemetery companies; insurance companies; mortgage companies, credit unions; small
loan companies; alcoholic beverage licensees; pari-mutuel wagering companies; utility companies; and entities
controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county
government.

You are required to make this disclosure if you own or owned (either directly or indirectly in the form of an
equitable or beneficial interest) at any time during the disclosure period, more than 5% of the total assets or capital
stock of one of the types of business entities listed above. You also must complete this part of the form for each of
these types of business for which you are, or were at any time during the year an officer, director, partner, proprietor,
or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list: the name
of the business, its address and principal business activity, and the position held with the business (if any). Also, if
you own(ed) more than a 5% interest in the business, as described above, you must indicate that fact and describe the
nature of your interest.
JUDICIAL APPLICATION DATA RECORD

The judicial application shall include a separate page asking applicants to identify their race, ethnicity and gender. Completion of this page shall be optional, and the page shall include an explanation that the information is requested for data collection purposes in order to assess and promote diversity in the judiciary. The chair of the Commission shall forward all such completed pages, along with the names of the nominees to the JNC Coordinator in the Governor's Office (pursuant to JNC Uniform Rule of Procedure).

(Please Type or Print)

Date: ______________________

JNC Submitting To: ______________________________________

Name (please print): ______

Current Occupation: ______

Telephone Number: ______ Attorney No.: __________

Gender (check one): □ Male  □ Female

Ethnic Origin (check one): □ White, non-Hispanic
□ Hispanic
□ Black
□ American Indian/Alaskan Native
□ Asian/Pacific Islander

County of Residence: ______
The Florida Department of Law Enforcement (FDLE) may obtain one or more consumer reports, including but not limited to credit reports, about you, for employment purposes as defined by the Fair Credit Reporting Act, including for determinations related to initial employment, reassignment, promotion, or other employment-related actions.

I have read and understand the above Disclosure. I authorize the Florida Department of Law Enforcement (FDLE) to obtain one or more consumer reports on me, for employment purposes, as described in the above Disclosure.

Printed Name of Applicant

Signature of Applicant

Date: ____________________
VIII. Florida State Courts – How Judges Get to the Bench
Florida state courts – how judges get to the bench

The Supreme Court's seven justices serve staggered terms. They are appointed by the governor through the merit selection process from recommendations made by the Supreme Court Judicial Nominating Commission. After appointment, a justice faces a merit retention election within two years. Thereafter, merit retention elections are held every six years.

Florida's District Court of Appeal judges have the same selection-retention process as do Supreme Court justices. They are appointed by the governor after being screened by Judicial Nominating Commissions. They, too, face their first retention votes within two years and thereafter, if retained, every six years.

Circuit court and county court judges are elected in nonpartisan races for six-year terms. If a circumstance arises where there is a mid-term vacancy, the governor fills the position by appointment, through a merit selection process, after receiving recommendations from a Judicial Nominating Commission. To retain their seats at the end of their terms, judges must be re-elected. Judges who were appointed through vacancies must sit for election at the end of the remainder of those terms.
Starting March 6, 2023, the Online Docket will be available on the new Appellate Case Information System (ACIS). Attorneys of record and self-represented litigants wanting greater access to documents in their cases must register in the new system. Public access does not require registration. A link to ACIS and registration information will be posted here on March 6, 2023.

Check Statewide Pandemic Orders, Rules, & Advisories - Updated 12/21/2022

Florida's Court System

Quick Links:
The Supreme Court | Chief Justice | Supreme Court Jurisdiction | District Courts of Appeal | Circuit Courts | County Courts | Other Officials

Diagram of the State Courts System effective 1/1/2023 (PDF)
This updated diagram of the Florida Court System reflects changes to county court structure effective 1/1/2023. For more information about these changes, visit KNOW YOUR COURT.
The Supreme Court of Florida

The highest Court in Florida is the Supreme Court, which is composed of seven Justices. At least five Justices must participate in every case and at least four must agree for a decision to be reached. The Court's official headquarters is the Supreme Court Building in Tallahassee.

To be eligible for the office of Justice, a person must be a registered voter who resides in Florida and must have been admitted to the practice of law in Florida for the preceding 10 years.

For most of Florida's history, all judges were chosen by direct election of the people. The only exception was when a vacancy occurred on a court between elections. In that case, the Governor appointed a replacement to serve until the next election was held.

This election of appellate judges led to many problems. They had to raise campaign money, which often was donated by the same attorneys who practiced before the Court. By the mid-1970s, the problem became even more serious after several Florida appellate judges were charged with violations of ethics. A scandal resulted, creating a public call for reforms.

In 1971, Governor Reubin Askew took the first step toward reforming the system. That year he instituted a system called "merit selection." Under this system, the Governor referred a Court vacancy to an impartial panel, which suggested names of possible appointees. The Governor then selected a name from the list. In 1974, Justice Ben F. Overton became the first Supreme Court Justice chosen by this method.

Leaders knew, however, that a more complete change still was needed, because judges still faced periodic elections after appointment. The effort to do this was spearheaded by Governor Askew, Chief Justice Ben Overton, and State Rep. Talbot "Sandy" D'Alemberte, among others.

As a result, Florida voters amended the Constitution in 1976 to create a "merit retention" system for Florida's appellate judges. This system was meant to eliminate the many problems caused by judges running for office in an election.

When there is a vacancy on the Court today, this system means that the Governor chooses the next Justice from a list of between three and six qualified persons recommended by the Judicial Nominating Commission. There is no Senate confirmation in Florida, so that person becomes a Justice after taking the proper oath. When Justices' terms expire, their names will appear on the general election ballot for a merit retention vote, if they wish to remain in office.

https://supremecourt.flcourts.gov/About-the-Court/Florida's-Court-System
Under this system, the voters have eliminated contested elections in which appellate Justices and judges campaign against other candidates. Instead, the question on the ballot is: "Shall Justice ____ be retained in office?" No one runs against the Justice. Voters simply decide whether or not they will remain in office after the end of each term.

If a majority of the votes cast are not in favor of retaining the incumbent Justice, the Governor appoints another person to fill the vacancy. This person is chosen from a list of individuals whose applications have been reviewed and who have been found qualified by the Judicial Nominating Commission.

The Chief Justice

By a majority vote of the Justices, one of the Justices is elected to serve as Chief Justice, an office that is rotated every two years. Chief Justices, however, can be elected to more than one term and the selection takes into account not merely seniority in office but also administrative experience. The Chief Justice presides at all proceedings of the Court. If the Chief Justice is absent from Court, the most senior Justice present becomes acting Chief Justice.

As chief administrative officer of the judicial branch of government, the Chief Justice assigns Justices and judges, including retired Justices and judges who consent and are approved by the Court to serve, to duty in courts that require temporary assistance. The Chief Justice also supervises the compilation and presentation of the judicial budget to the Legislature.

Among other constitutional duties, the Chief Justice presides or designates another Justice to preside over impeachment proceedings in the Senate. The Chief Justice is assisted in the performance of administrative tasks by the State Courts Administrator, a Clerk of Court, a Reporter of Decisions, a Marshal, a Librarian, a Director of Central Staff, a Director of the Public Information Office handling communications, and an Inspector General.

The Chief Justice also is frequently called upon to swear in state officers.

Jurisdiction

The jurisdiction of the Supreme Court is set out in the Constitution with some degree of flexibility by which the Legislature may add or take away certain categories of cases. The Court must review final orders imposing death sentences, district court decisions declaring a State statute or provision of the State Constitution invalid, bond validations, and certain orders of the Public Service Commission on utility rates and services.
In addition to these forms of mandatory review authority, if discretionary review is sought by a party, the Court at its discretion may review any decision of a district court of appeal that expressly declares valid a state statute, construes a provision of the state or federal constitution, affects a class of constitutional or state officers, or directly conflicts with a decision of another district court or of the Supreme Court on the same question of law.

The Supreme Court may review certain categories of judgments, decisions, and questions of law certified to it by the district courts of appeal and federal appellate courts.

The Supreme Court has the constitutional authority to issue the extraordinary writs of prohibition, mandamus, quo warranto, and habeas corpus and to issue all other writs necessary to the complete exercise of its jurisdiction. These writs, which bear names as ancient as their common-law origins, have been considered indispensable to our legal system, and the Constitution specifically authorizes their issuance in a proper case without the necessity of having to proceed initially to trial.

They are by nature "extraordinary," and for that reason are not available as an alternative to the usual trial and appeal. Both by their historical development and by current judicial decisions, the writs are made available only in a narrow class of exceptional cases.

Probably the best-known writ is habeas corpus, which may be invoked by any person who seeks release from custody or confinement which is asserted to be unlawful. Upon application to any Justice or judge, the persons may test the legality of their detention, not as to guilt or innocence, but solely as to whether the commitment to custody was lawful and the retention in custody is in accordance with the requirements of due process.

Two closely related writs are the writ of prohibition, by which a court may prevent a lower tribunal from acting upon matters that are not within its jurisdiction or from exceeding its lawful powers, and the writ of mandamus, by which a court may compel an official to perform a duty the law requires but that the official has failed or refused to perform.

The writ of quo warranto, although rarely sought, is available to challenge the right of public officials to hold the offices to which they claim entitlement.

The Supreme Court also renders advisory opinions to the Governor, upon request, on questions relating to the Governor's constitutional duties and powers. As the state's highest tribunal, the Supreme Court possesses distinctive powers that are essential to the exercise of the state's judicial power but that are not, strictly speaking, decision-making powers in contested cases.
The Court promulgates rules governing the practice and procedure in all Florida courts, subject to the power of the Legislature to repeal any rule by a two-thirds vote of its membership, and the Court has the authority to repeal (if five Justices concur) any rule adopted by the Judicial Qualifications Commission.

The Court has exclusive authority to regulate the admission and discipline of lawyers in Florida. To assist in the performance of those regulatory powers, the Court has adopted a code of professional conduct, established the Florida Board of Bar Examiners to administer the admissions process, and created The Florida Bar to superintend bar governance.

The Court has been assigned the responsibility to discipline and remove judicial officers. The Court has adopted a Code of Judicial Conduct, and upon the recommendation of the Judicial Qualifications Commission, it may discipline or remove any Justice or judge who is found to have violated ethical standards.

No single aspect of the Court's jurisdiction receives more public notice than the death penalty cases. Most people are unaware that the Court is strictly required to follow a procedure dictated by the United States Supreme Court. Under this procedure, the Court must look at what are called "aggravating" and "mitigating" factors. Aggravating factors include the fact that a murder was "execution-style" or was very torturous. Mitigating factors can include mental illness, contributions to the community during life, or the fact the murderer was very young. The death sentence can never be imposed if there are no aggravating factors. If at least one aggravating factor exists, the Court then must see how it weighs against the mitigating factors. If the aggravating factors outweigh the mitigating factors, then death is a legal penalty.

The District Courts of Appeal

Organization

The bulk of trial court decisions that are appealed are never heard by the Supreme Court. Rather, they are reviewed by three-judge panels of the district courts of appeal. Florida did not have district courts of appeal until 1957.

Until that time, all appeals were heard solely by the Supreme Court. As Florida grew rapidly in the twentieth century, however, the Supreme Court's docket became badly congested. Justice Elwyn Thomas with help from other members of the Court perceived the problem and successfully lobbied for the creation of the district-court system to provide intermediate appellate courts.
The Constitution now provides that the Legislature shall divide the State into appellate court districts and that there shall be a district court of appeal (DCA) serving each district. There are six such districts that are headquartered in Tallahassee, Tampa, Miami, West Palm Beach, Daytona Beach, and Lakeland.

DCA judges must meet the same eligibility requirements for appointment to office, and they are subject to the same procedures and conditions for discipline and removal from office, as Justices of the Supreme Court. Like Supreme Court Justices, district court judges also serve terms of six years and will be eligible for successive terms under a merit retention vote of the electors in their districts.

In each district court, a chief judge, who is selected by the district court judges within the district, is responsible for the administrative duties of the court.

**Jurisdiction**

The district courts of appeal can hear appeals from final judgments and can review certain non-final orders. By general law, the district courts have been granted the power to review final actions taken by state agencies in carrying out the duties of the executive branch of government.

Finally, the district courts have been granted constitutional authority to issue the extraordinary writs of certiorari, prohibition, mandamus, quo warranto, and habeas corpus, as well as all other writs necessary to the complete exercise of their jurisdiction.

As a general rule, decisions of the district courts of appeal represent the final appellate review of litigated cases. A person who is displeased with a district court's express decision may ask for review in the Florida Supreme Court and then in the United States Supreme Court, but neither tribunal is required to accept the case for further review. Most are denied.

**The Circuit Courts**

**Overview**

Until 1973, Florida had more different kinds of trial courts than any state except New York. A movement developed in the late 1960s to reform this confusing system. As a result, Florida now has a simple two-tiered trial court system. A temporary exception was the municipal court, which was not abolished until January 1, 1977. Most of these courts in major population areas were abolished on January 1, 1973.
The majority of jury trials in Florida take place before one judge sitting as judge of the circuit court. The circuit courts are sometimes referred to as courts of general jurisdiction, in recognition of the fact that most criminal and civil cases originate at this level.

**Organization**

The Constitution provides that a circuit court shall be established to serve each judicial circuit established by the Legislature, of which there are twenty. Within each circuit, there may be any number of judges, depending upon the population and caseload of the particular area.

To be eligible for the office of circuit judge, a person must be a registered voter in a county within the circuit and must have been admitted to the practice of law in the state for the preceding five years.

Circuit court judges are elected by the voters of the circuits in nonpartisan, contested elections against other persons who choose to qualify as candidates for the position. Circuit court judges serve for six-year terms, and they are subject to the same disciplinary standards and procedures as Supreme Court Justices and district court judges.

A chief judge is chosen from among the circuit judges and county judges in each judicial circuit to carry out administrative responsibilities for all trial courts (both circuit and county courts) within the circuit.

**Jurisdiction**

Circuit courts have general trial jurisdiction over matters not assigned by statute to the county courts and also hear appeals from county court cases. Thus, circuit courts are simultaneously the highest trial courts and the lowest appellate courts in Florida's judicial system.

The trial jurisdiction of circuit courts includes, among other matters, original jurisdiction over civil disputes involving more than $50,000; controversies involving the estates of decedents, minors, and persons adjudicated as incapacitated; cases relating to juveniles; criminal prosecutions for all felonies; tax disputes; actions to determine the title and boundaries of real property; suits for declaratory judgments that is, to determine the legal rights or responsibilities of parties under the terms of written instruments, laws, or regulations before a dispute arises and leads to litigation; and requests for injunctions to prevent persons or entities from acting in a manner that is asserted to be unlawful.

Lastly, circuit courts are also granted the power to issue the extraordinary writs of certiorari, prohibition, mandamus, quo warranto, and habeas corpus, and all other writs necessary to the complete exercise of their jurisdiction.
The County Courts

Organization
The Constitution establishes a county court in each of Florida's 67 counties. The number of judges in each county court varies with the population and caseload of the county. To be eligible for the office of county judge, a person must be an elector of the county and must have been a member of The Florida Bar for five years; in counties with a population of 40,000 or less, a person must only be a member of The Florida Bar.

County judges are eligible for assignment to circuit court, and they are frequently assigned as such within the judicial circuit that embraces their counties.

County judges serve six-year terms, and they are subject to the same disciplinary standards, and to the jurisdiction of the Judicial Qualifications Commission, as all other judicial officers.

Jurisdiction
The trial jurisdiction of county courts is established by statute. The jurisdiction of county courts extends to civil disputes involving $50,000 or less.

The majority of non-jury trials in Florida take place before one judge sitting as a judge of the county court. The county courts are sometimes referred to as "the people's courts," probably because a large part of the courts' work involves voluminous citizen disputes, such as traffic offenses, less serious criminal matters (misdemeanors), and relatively small monetary disputes (small claims).

Other Officials
The Constitution creates official positions outside the judicial branch essential to the administration of justice and to the operation of the state's judicial system. Clerks of courts are county officers whose duties include the management and preservation of the records of judicial proceedings.

In each of the 20 judicial circuits, a State Attorney is elected for a term of four years to prosecute persons charged with criminal conduct. The 1963 Legislature established the office of Public Defender in each circuit to defend indigent criminal defendants in all but a small number of minor matters. Public Defenders are also elected for a term of four years.

About the Court
https://supremecourt.flcourts.gov/About-the-Court/Florida-s-Court-System
Justices
Supreme Court History
History of Florida Law
Florida's Court System
Supreme Court Seal
Portrait Gallery
Art in the Court
Architecture of Courthouse
Departments of the Court
Employment Opportunities
Educational Resources
Visiting the Court
Court Location
Request for Use of Building

Last Modified: January 11, 2023

Court Resources

Beyond the Bench Podcasts
Court Schedule
Docket Search
Emergency
Employment
Legal Research Links
Publications & Statistics
Reports & Studies
Representing Yourself?
Topics A-Z

https://supremecourt.flcourts.gov/About-the-Court/Florida-s-Court-System
Florida's Court System
Virtual Courtroom Directory

Funding & Budget
Visiting the Court

Help & FAQs
Weather-Related Emergency Orders

By Department

Clerk's Office
Library & Archives

Court Administration
Marshal's Office

Inspector General's Office
Public Information Office

Florida Courts

First DCA
Trial Courts - Circuit

Second DCA
Trial Courts - County

Third DCA
Florida's Court System

Fourth DCA
Florida Courts Website

Fifth DCA
Mission & Vision

Sixth DCA
Strategic Plan

Subscribe

Subscribe to receive Florida Supreme Court opinions.

A message will be sent to your email account for the regular calendar releases each Thursday morning and for out-of-calendar releases issued in expedited cases. The message will include a link to the full text of the opinions on our website.
IX. Judicial Selection in Florida
Judicial selection in Florida

Judicial selection refers to the process used to select judges for courts. At the state level, methods of judicial selection vary substantially in the United States, and in some cases between different court types within a state. There are six primary types of judicial selection: partisan and nonpartisan elections, the Michigan method, assisted appointment, gubernatorial appointment, and legislative elections. To read more about how these selection methods are used across the country, click here.

This article covers how state court judges are selected in Florida, including:
- Florida Supreme Court,
- Florida District Courts of Appeal,
- Florida Circuit Court, and
- Limited jurisdiction courts

As of September 2021, judges for the Florida Supreme Court and Florida District Courts of Appeal were selected through the assisted appointment method, where the governor selects a nominee from a list provided by a nominating commission. Judges for the Florida Circuit Courts and Florida County Courts were selected through nonpartisan elections.

Click here to notify us of changes to judicial selection methods in this state.

### Florida Supreme Court

*See also: Florida Supreme Court*

The seven justices of the Florida Supreme Court are selected in an identical manner. A judicial nominating commission consisting of nine members who are appointed by the governor to four-year terms screens potential judicial candidates. It submits a list of three to six nominees to the governor, and the governor must then appoint a judge from the list.

Newly appointed judges serve for at least one year, after which they appear in a yes-no retention election held during the next general election. If retained, judges serve six-year terms. Under the Florida constitution, a judge must retire at age 75; however, a judge who reaches 75 after serving at least half of his or her term may complete that term.

<table>
<thead>
<tr>
<th>Florida Supreme Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>Method: Assisted appointment, governor-controlled commission</td>
</tr>
<tr>
<td>Term: 6 years</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Florida District Courts of Appeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Method: Assisted appointment, governor-controlled commission</td>
</tr>
<tr>
<td>Term: 6 years</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Florida Circuit Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>Method: Nonpartisan election</td>
</tr>
<tr>
<td>Term: 6 years</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Florida County Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>Method: Nonpartisan election</td>
</tr>
<tr>
<td>Term: 6 years</td>
</tr>
</tbody>
</table>
Qualifications

To serve on the court, a judge must be:

- a qualified elector;
- a state resident;
- admitted to practice law in the state for 10 years prior to assuming the bench; and
- under the age of 75.

Chief justice

The chief justice of the supreme court is selected by peer vote. He or she serves in that capacity for two years.[2]

Vacancies

See also: How vacancies are filled in state supreme courts

If a midterm vacancy occurs, the seat is filled as it normally would be if the vacancy occurred at the end of a judge's term. A judicial nominating commission recommends three to six qualified candidates to the governor, and the governor selects a successor from that list. The new appointee serves for at least one year before running in a yes-no retention election.[2]

The map below highlights how vacancies are filled in state supreme courts across the country.
How vacancies are filled in state supreme courts

Governor from nominating commission list
Legislative election
Special election
State Supreme Court

Florida District Courts of Appeal

See also: Florida District Courts of Appeal

The justices of the Florida District Courts of Appeal are selected by a nine-member judicial nominating commission. The commission screens potential judicial candidates, submitting a list of three to six nominees to the governor. The governor must appoint a judge from this list.

Newly appointed judges serve for at least one year, after which they appear in a yes-no retention election held during the next general election. If retained, judges serve six-year terms. Under the Florida constitution, a judge must retire at age 75; however, a judge who reaches 75 after serving at least half of his or her term may complete that term.

Qualifications
To serve on one of these courts, a judge must be:

- a qualified elector;
- a state resident;
- admitted to practice law in the state for 10 years prior to assuming the bench;

https://ballotpedia.org/Judicial_selection_in_Florida
Chief justice
The chief justice of the appellate courts is selected by peer vote. He or she serves in that capacity for two years.[2]

Vacancies
See also: How vacancies are filled in state supreme courts
If a midterm vacancy occurs, the seat is filled as it normally would be if the vacancy occurred at the end of a judge's term. A judicial nominating commission recommends three to six qualified candidates to the governor, and the governor selects a successor from that list. The new appointee serves for at least one year before running in a yes-no retention election.[2]

Florida Circuit Court
See also: Florida Circuit Court
The Florida Circuit Court judges are elected via nonpartisan elections. They serve six-year terms, after which they must run for re-election if they wish to retain their seat.[2]

Qualifications
To serve on one of these courts, a judge must be:
• a qualified elector;
• a state resident;
• admitted to practice law in the state for 5 years prior to assuming the bench; and
• under the age of 75.

Chief judge
The chief judge is selected by peer vote, and serves in that capacity for two years.[2]

Vacancies
See also: How vacancies are filled in state supreme courts
In the event of a midterm vacancy, the circuit courts employ the same assisted appointment method that the appellate courts use. Judges selected this way serve for at least one year, after which they must run for re-election.[2]

Limited jurisdiction courts
Florida has one type of limited jurisdiction court, the Florida County Court.

Florida County Court
The Florida County Court selects its judges through nonpartisan elections. County judges serve six-year terms, after which they must run for re-election if they wish to retain their seat.[4,5]

In the event of a midterm vacancy, the county courts employ the same assisted appointment method that the appellate courts use. Judges selected this way serve for at least one year, after which they must run for re-election.[2]

Judicial qualifications are identical to those of the appellate courts, except that instead of ten years of in-state law practice, only five are required. In counties of 40,000 people or less, this five-year requirement is waived altogether.[4]
Changing the selection process

If a county wishes to use a merit selection process instead of elections, it may choose to do so. The county must collect signatures from voters (equal or greater in number to 10% of the county votes cast in the recent presidential election) and file this petition with the secretary of state. The measure must then be approved by the majority of county voters.[4]

History

Below is a timeline noting changes to judicial selection methods in Florida, from the most recent to the earliest.

- 2018: Amendment 6 was approved, raising the judicial retirement age from 70 to 75.
- 2001: The composition of Florida’s judicial nomination commissions changed. The commission was previously comprised of three lawyer members appointed by the state bar, three lawyer or non-lawyer members appointed by the governor, and three non-lawyer members selected by other members of the commission. The legislature’s 2001 revision dictated that the commission would consist of nine members, all appointed by the governor (though four of the lawyer members would be chosen from a list submitted by the state bar). The governor would also be required to consider the racial, ethnic and gender diversity, as well as geographical distribution, when making his or her appointments.
- 1998: Circuits and counties would be able to opt for their judges to be chosen through merit selection and retention, with the question to be put to popular vote in the 2000 election.
- 1976: Under a new constitutional amendment, appellate judges were to be chosen through merit selection and retention. Governor Ruben Askew, Chief Justice Ben Overton and State Representative Talbot D’Alemberte were at the forefront of the reform effort.
- 1972: A constitutional amendment was approved mandating the use of nominating commissions to fill judicial vacancies at all levels.
- 1971: The Florida Legislature instated nonpartisan judicial elections. Governor Ruben Askew moved the state toward the merit selection method by calling for the use of nominating commissions in filling judicial vacancies.
- 1957: The district courts of appeal were created.
- 1942: Elections were reinstated for circuit court judges. Since 1868, all judges had been appointed by the governor with senate approval.
- 1885: Established that supreme court justices were to be elected by popular vote to six-year terms.
- 1875: Established that the tenure of circuit court judges was to be reduced to six years.
- 1868: Established that all judges were to be appointed by the governor with senate consent. Supreme court justices were to serve for life, while circuit court judges were to serve eight-year terms.
- 1861: Established that justices of the supreme court were to be appointed by the governor with senate consent to six-year terms. Circuit court judges were to be elected by popular vote to six-year terms.
- 1853: Established that supreme court justices were to be elected by popular vote to six-year terms.
- 1851: Established that, per legislative order, the supreme court was to be served by its own judiciary, no longer sharing judges with the circuit court.
- 1848: Established that circuit court judges would no longer serve for life and would instead be elected to eight-year terms.
- 1845: Established that circuit court judges, doubling as supreme court justices, were to be elected by the Florida Legislature. They were to serve initial terms of five years, but serve for life if re-elected.[6]

Courts in Florida

In Florida, there are three federal district courts, a state supreme court, a state court of appeals, and trial courts with both general and limited jurisdiction. These courts serve different purposes, which are outlined in the sections below.

Click a link for information about that court type.

- Federal courts
- State supreme court
- State court of appeals
- Trial courts
The image below depicts the flow of cases through Florida’s state court system. Cases typically originate in the trial courts and can be appealed to courts higher up in the system.

**FLORIDA JUDICIAL SYSTEM**

- Supreme Court
- District Court of Appeals
- Circuit Court
- County Court

The structure of Florida’s state court system.

### Selection of federal judges

United States district court judges, who are selected from each state, go through a different selection process from that of state judges.

The district courts are served by Article III federal judges, who are appointed for life during good behavior. They are usually first recommended by senators (or members of the House, occasionally). The President of the United States nominates judges, who must then be confirmed by the United States Senate in accordance with Article III of the United States Constitution.\(^7\)

**SELECTION OF FEDERAL JUDGES**

- Recommendation made by Congress member to President
- President nominees to Senate Judiciary Committee
- Senate Judiciary Committee interviews candidate
- Sends candidate to Senate for confirmation
- Senate votes on candidate confirmation
- Candidate becomes a federal judge

United States district court judges, who are selected from each state, go through a different selection process than that of state judges.

https://ballotpedia.org/Judicial_selection_in_Florida
In other states

Each state has a unique set of guidelines governing how they select judges at the state and local level. These methods of selection are:

Election

- **Partisan election:** Judges are elected by the people, and candidates are listed on the ballot alongside a label designating political party affiliation.
- **Nonpartisan election:** Judges are elected by the people, and candidates are listed on the ballot without a label designating party affiliation.
- **Michigan method:** State supreme court justices are selected through nonpartisan elections preceded by either partisan primaries or conventions.
- **Retention election:** A periodic process whereby voters are asked whether an incumbent judge should remain in office for another term. Judges are not selected for initial terms in office using this election method.

Assisted appointment

- **Assisted appointment,** also known as merit selection or the Missouri Plan: A nominating commission reviews the qualifications of judicial candidates and submits a list of names to the governor, who appoints a judge from the list. At the state supreme court level, this method is further divided into the following three types:
  - **Bar-controlled commission:** The state Bar Association is responsible for appointing a majority of the judicial nominating commission that sends the governor a list of nominees that they must choose from.
  - **Governor-controlled commission:** The governor is responsible for appointing a majority of the judicial nominating commission that sends the governor a list of nominees they must choose from.
  - **Hybrid commission:** The judicial nominating commission has no majority of members chosen by either the governor or the state bar association. These commissions determine membership in a variety of ways, but no institution or organization has a clear majority control.

Direct appointment

- **Legislative election:** Judges are selected by the state legislature.
- **Gubernatorial appointment:** Judges are appointed by the governor. In some cases, approval from the legislative body is required.

Click a state on the map below to explore judicial selection processes in that state.
See also

State courts
- State supreme courts
- Intermediate appellate courts
- Trial courts

Appointment methods
- Assisted appointment
- Gubernatorial appointment
- Legislative appointment

Election methods
- Partisan elections
- Nonpartisan elections
- Michigan method

External links
- Florida Courts
- Florida Secretary of State

Footnotes

Only the first few references on this page are shown above. Click to show more.
X. Judicial and Judicial Nominating Commission Information
The Florida Court System

The Florida court system is comprised of county and circuit courts at the trial level and district courts of appeal and the Supreme Court at the appellate level. There are also special county courts and some circuit courts. There are six district courts of appeal and one Supreme Court. County court judges are elected. State circuit judges and Supreme Court Justices are appointed by the Governor, with Senate approval, when a Supreme or circuit court vacancy occurs.

The Office of the Judge of Compensation Claims is staffed by staff members who are appointed by the Governor and approved by the Senate. The Judge of Compensation Claims adjudicates appeals of errors in the compensation of State of Florida employees throughout the state.

Supreme Court  District Courts of Appeal
XI. Federal Judicial Nominations Conference Information
Dear Applicants,

The Florida Federal Judicial Nominating Conferences (JNC) are a nonpartisan body of lawyers, legal scholars, former legal professionals, and non-lawyers who will evaluate applicants for the positions of U.S. District Court Judge, U.S. Attorney, and U.S. Marshal in the Northern, Middle and Southern Districts. Members of Florida's congressional delegation have established three Federal Judicial Nominating Conferences and tasked them with identifying highly qualified and diverse candidates for these positions.

The regional JNCs will recommend candidates for each vacancy and upon receiving those recommendations, the congressional delegation under the leadership of the Dean, or their designee, will provide President Biden and Florida's Senators the names of persons recommended for nomination.

The establishment of these regional JNCs is not intended to usurp the constitutional directive that the Senate provides "advice and consent" in the federal nominations process. These conferences are simply designed to assist with the selection of suitable candidates to be considered by Florida's Senators and the White House.

These three committees are accepting applications on an ongoing basis. Applicants are advised to apply now and not to wait for a vacancy to arise. If you're interested in being considered, please complete and send the relevant application form and supporting documents electronically to the appropriate regional email contact below. Applicants for all vacancies should fill out the "Confidential Application Form."

FloridaJNC117North@mail.house.gov
FloridaJNC117Middle@mail.house.gov
FloridaJNC117South@mail.house.gov

Applicants who are selected for personal interviews will be notified via email by the Chairperson of the JNC region for which they are applying.

Sincerely,

Debbie Wasserman Schultz
Member of Congress
FEDERAL JUDICIAL NOMINATING CONFERENCES OF FLORIDA

DISTRICT COURT JUDGE APPLICATION FORM - PUBLIC

1. **Name:** State full name (include any former names used).

2. **Specific Judicial District Sought:**
   - [ ] Southern District
   - [ ] Middle District
   - [ ] Northern District

3. **Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

4. **Birthplace:** State year and place of birth.

5. **Education:** List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

6. **Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

10. **Bar and Court Admission:**
    a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.
    b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.
11. **Memberships:**

a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

12. **Published Writings and Public Statements:**

a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply an electronic copy in pdf format of all published material to the Committee.

b. Supply an electronic copy in pdf format of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

c. Supply an electronic copy in pdf format of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

d. Supply an electronic copy in pdf format of transcripts or recordings of all speeches or talks delivered by you including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where delivered they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and an electronic copy in pdf format of the clips or transcripts of these interviews where they are available to you.
13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

a. Approximately how many cases have you presided over that have gone to verdict or judgment?

   i. Of these, approximately what percent were:

   ii. jury trials: ___%  
       bench trials: ___% [total 100%]

   iii. civil proceedings: ___%  
        criminal proceedings: ___% [total 100%]

b. Provide citations for all opinions you have written, including concurrences and dissents.

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

e. Provide a list of all cases in which certiorari was requested or granted.

f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (if your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

   a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;

   b. a brief description of the asserted conflict of interest or other ground for recusal;

   c. the procedure you followed in determining whether or not to recuse yourself;

   d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations:**

   a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

   b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

16. **Legal Career:** Answer each part separately.

   a. Describe chronologically your law practice and legal experience after graduation from law school including:

      i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

      ii. whether you practiced alone, and if so, the addresses and dates;

      iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

      iv. Whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.
b. Describe:

i. the general character of your law practice and indicate by date when its character has changed over the years.

ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

i. Indicate the percentage of your practice in:
   1. federal courts: __% 
   2. state courts of record: __% 
   3. other courts: __% 
   4. administrative agencies: __%

ii. Indicate the percentage of your practice in:
   1. civil proceedings: __% 
   2. criminal proceedings: __%

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

i. What percentage of these trials were:
   1. jury: __% 
   2. non-jury: __%

e. Describe your practice, if any, before the Supreme Court of the United States. Supply an electronic copy in pdf format of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

17. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

a. the date of representation;

b. the name of the court and the name of the judge or judges before whom the case was litigated; and

c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.
18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide an electronic copy in pdf format to the committee.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding $500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

24. **Potential Conflicts of Interest:**

   a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

   b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.
**FINANCIAL STATEMENT: NET WORTH**

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.) Note: All amounts rounded to nearest $1,000

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>LIABILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash on hand and in banks</td>
<td>Notes payable to banks-secured</td>
</tr>
<tr>
<td>U.S. Government securities-add schedule</td>
<td>Notes payable to banks-unsecured</td>
</tr>
<tr>
<td>Listed securities-add schedule*</td>
<td>Notes payable to relatives</td>
</tr>
<tr>
<td>Unlisted securities--add schedule</td>
<td>Notes payable to others</td>
</tr>
<tr>
<td>Accounts and notes receivable:</td>
<td>Accounts and bills due</td>
</tr>
<tr>
<td>Due from relatives and friends</td>
<td>Unpaid income tax</td>
</tr>
<tr>
<td>Due from others</td>
<td>Other unpaid income and interest</td>
</tr>
<tr>
<td>Doubtful</td>
<td>Real estate mortgages payable-add schedule</td>
</tr>
<tr>
<td>Real estate owned-add schedule**</td>
<td>Chattel mortgages and other liens payable</td>
</tr>
<tr>
<td>Real estate mortgages receivable</td>
<td>Other debts-itemize:</td>
</tr>
<tr>
<td>Autos and other personal property</td>
<td></td>
</tr>
<tr>
<td>Cash value-life insurance</td>
<td></td>
</tr>
<tr>
<td>Other assets itemize:</td>
<td>Total liabilities</td>
</tr>
<tr>
<td></td>
<td>Net Worth</td>
</tr>
<tr>
<td>Total Assets</td>
<td>Total liabilities and net worth</td>
</tr>
</tbody>
</table>

**CONTINGENT LIABILITIES**

<table>
<thead>
<tr>
<th>As endorser, co-maker or guarantor</th>
<th>Are any assets pledged? (Add schedule)</th>
</tr>
</thead>
<tbody>
<tr>
<td>On leases or contracts</td>
<td>Are you defendant in any suits or legal actions?</td>
</tr>
<tr>
<td>Legal Claims</td>
<td>Have you ever taken bankruptcy?</td>
</tr>
<tr>
<td>Provision for Federal Income Tax</td>
<td></td>
</tr>
<tr>
<td>Other special debt</td>
<td></td>
</tr>
</tbody>
</table>
AUTHORIZATION AND RELEASE

I hereby acknowledge and agree that my application may be given to the Federal Judicial Nominating Conferences of Florida ("JNC") in the event my name is submitted for evaluation; and that all or portions of my application or the information contained therein may be given to or shared with the JNC (if that committee is providing such assistance to the President) and other committees and/or individuals who have been asked by the President to assist him in the evaluation of applicants for federal appointment. I further acknowledge and agree that for the purpose in aiding the President in evaluating my background and qualifications, the foregoing organizations and individuals will be entitled to seek and obtain information and documents concerning me from firms, companies, corporations, law schools and other educational institutions, attorneys, judges and other third parties, including those mentioned in my application.

I hereby authorize any governmental, licensing or law enforcement agency, including, but not limited to, any major national credit reporting organizations (collectively referred to as "agencies") to release to the President and the JNC any and all information which those agencies may have about me (whether public, personal or confidential) for the purpose of aiding the President in evaluating my background and qualifications for appointment as District Court Judge. I understand that I will not receive, and am not entitled to know, the contents of confidential reports received from these agencies and I further understand that these reports are privileged, except that I am entitled to receive a copy of reports from major national credit reporting agencies.

I hereby release and discharge the President and his representatives, the JNC and its members, all agencies, their agents and representatives, and any person furnishing information from any and all liability of every nature and kind arising out of the furnishing, use and inspection of documents, records and other information and the investigation of my background and qualifications, and this release shall be binding on my legal representatives, heirs and assignees.

I hereby declare under the penalty of perjury under the laws of the State of Florida and the United States of America that the answers and statements provided by me in the foregoing application are true and correct.

Name: ____________________________  Signature: ____________________________

(Type or Print)