

By Senator Dudley

25-925-98

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Senate Joint Resolution No. ____

A joint resolution proposing an amendment to
Section 10 of Article V of the State
Constitution to allow a candidate for judicial
office to take a public position on issues.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 10 of Article V
of the State Constitution is agreed to and shall be submitted
to the electors of this state for approval or rejection at the
next general election or at an earlier special election
specifically authorized by law for that purpose:

ARTICLE V
JUDICIARY

SECTION 10. Retention; election and terms.--

(a) Any justice of the supreme court or any judge of a
district court of appeal may qualify for retention by a vote
of the electors in the general election next preceding the
expiration of his 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 of the supreme court or a judge of a district
court of appeal 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 commencing on the first Tuesday after the first

1 Monday in January following the general election. If a
2 majority of the qualified electors voting within the
3 territorial jurisdiction of the court vote to not retain, a
4 vacancy shall exist in that office upon the expiration of the
5 term being served by the justice or judge.

6 (b) Circuit judges and judges of county courts shall
7 be elected by vote of the qualified electors within the
8 territorial jurisdiction of their respective courts. The
9 terms of circuit judges shall be for six years. The terms of
10 judges of county courts shall be for four years.

11 (c) A candidate for any judicial office may not be
12 precluded from taking a public position on issues.

13 BE IT FURTHER RESOLVED that the following statement be
14 placed on the ballot:

15 CONSTITUTIONAL AMENDMENT

16 ARTICLE V, SECTION 10

17 JUDICIAL CANDIDATES.--Proposing an amendment to the
18 State Constitution to allow candidates for judicial offices to
19 take public positions on issues.

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