

By Senator Cowin

11-557-99

1 A bill to be entitled
 2 An act relating to judicial nominating
 3 commissions; amending s. 43.29, F.S.; deleting
 4 a requirement for appointment based upon race
 5 or gender and requiring consideration of those
 6 factors in making appointments; providing for
 7 the judicial nominating commission of a
 8 judicial circuit to include among its members
 9 and electors at least one resident from each
 10 county within the judicial circuit; providing
 11 an effective date.

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 13 Be It Enacted by the Legislature of the State of Florida:

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 15 Section 1. Subsection (1) of section 43.29, Florida
 16 Statutes, is amended and subsection (4) is added to that
 17 section to read:

18 43.29 Judicial nominating commissions.--

19 (1) Each judicial nominating commission shall be
 20 composed of the following:

21 (a) Three members, ~~at least one of whom must be a~~
 22 ~~member of a racial or ethnic minority group or a woman,~~
 23 appointed by the Board of Governors of The Florida Bar from
 24 among The Florida Bar members who are actively engaged in the
 25 practice of law with offices within the territorial
 26 jurisdiction of the affected court, or in the district or
 27 circuit;

28 (b) Three electors, ~~at least one of whom must be a~~
 29 ~~member of a racial or ethnic minority group or a woman,~~ who
 30 reside in the territorial jurisdiction of the court or in the
 31 circuit appointed by the Governor; and

1 (c) ~~Three electors, at least one of whom must be a~~
2 ~~member of a racial or ethnic minority group or a woman, who~~
3 reside in the territorial jurisdiction of the court or in the
4 circuit and who are not members of the bar of Florida,
5 selected and appointed by a majority vote of the other six
6 members of the commission.

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8 The appointing authorities shall consider whether the existing
9 commission members, together with potential appointees,
10 reflect the racial, ethnic, and gender diversity, as well as
11 the geographic distribution, of the population within the
12 territorial jurisdiction of the court for which they are
13 making nominations.

14 (4) The judicial nominating commission for each of the
15 twenty judicial circuits must include among its members and
16 electors at least one resident from each county within the
17 judicial circuit. This subsection shall apply only to members
18 or electors appointed on or after July 1, 1999.

19 Section 2. This act shall take effect July 1, 1999.

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22 SENATE SUMMARY

23 Modifies existing criteria for the composition of
24 judicial nominating commissions. Deletes the requirement
25 that appointments be based on race or gender, but
26 requires that consideration of such factors be considered
27 in making appointments. Requires the judicial nomination
28 commission in each judicial circuit to include among its
29 members and electors at least one resident from each
30 county within the circuit.
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