Florida House of Representatives - 2000 HJR 1031 By Representatives Crist, Ball, Futch, Feeney, Byrd and Trovillion

House Joint Resolution 1 2 A joint resolution proposing an amendment to 3 Section 2 of Article V of the State Constitution relating to administration of the 4 5 Supreme Court. 6 7 Be It Resolved by the Legislature of the State of Florida: 8 That the amendment to Section 2 of Article V of the State 9 Constitution set forth below is agreed to and shall be 10 11 submitted to the electors of Florida for approval or rejection at the general election to be held in November 2000: 12 13 SECTION 2. Administration; practice and procedure.--(a) The supreme court shall adopt rules for the 14 practice and procedure in all courts including the time for 15 16 seeking appellate review, the administrative supervision of all courts, the transfer to the court having jurisdiction of 17 any proceeding when the jurisdiction of another court has been 18 improvidently invoked, and a requirement that no cause shall 19 20 be dismissed because an improper remedy has been sought. Nothing in this section shall limit the authority of the 21 22 legislature to enact by general law limitations on actions or requirements for expediting particular classes of cases. 23 Nothing in this constitution shall be construed to limit the 24 authority of the legislature to limit by general law the time 25 26 within which persons sentenced to death may challenge their 27 convictions and sentences in state courts. Rules adopted by 28 the supreme court shall be consistent with general law. The 29 supreme court shall adopt rules to allow the court and the district courts of appeal to submit questions relating to 30 31 military law to the federal Court of Appeals for the Armed

CODING: Words stricken are deletions; words underlined are additions.

1

Florida House of Representatives - 2000 537-296A-00

Forces for an advisory opinion. Rules of court may be
 repealed <u>or modified</u> by general law enacted by two-thirds vote
 of the membership of each house of the legislature.

4 (b) The chief justice of the supreme court shall be 5 chosen by a majority of the members of the court; shall be the chief administrative officer of the judicial system; and shall 6 7 have the power to assign justices or judges, including 8 consenting retired justices or judges, to temporary duty in any court for which the judge is qualified and to delegate to 9 a chief judge of a judicial circuit the power to assign judges 10 11 for duty in that circuit.

12 (c) A chief judge for each district court of appeal 13 shall be chosen by a majority of the judges thereof or, if 14 there is no majority, by the chief justice. The chief judge 15 shall be responsible for the administrative supervision of the 16 court.

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

BE IT FURTHER RESOLVED that in accordance with the requirements of section 101.161, Florida Statutes, the title and substance of the amendment proposed herein shall appear on the ballot as follows:

26 27

28

RULES OF COURT

SUBJECT TO GENERAL LAW

29 Proposes that the Legislature may enact limitations on 30 actions or requirements for expediting particular classes of 31 cases and may limit the time within which persons sentenced to

2

CODING: Words stricken are deletions; words underlined are additions.

Florida House of Representatives - 2000 HJR 1031 537-296A-00

1	death may challenge their convictions and sentences. Proposes
2	that rules adopted by the court shall be consistent with, and
3	may be repealed or modified by, general law. Deletes
4	requirement of two-thirds vote of the Legislature for repeal
5	of court rules.
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
	3

CODING:Words stricken are deletions; words <u>underlined</u> are additions.