

By Senator King

8-1430-00

See HB 737

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A bill to be entitled  
An act relating to district courts of appeal;  
amending s. 35.01, F.S.; specifying minimum  
membership of district courts of appeal;  
providing construction and application;  
providing criteria for selecting judges to fill  
vacancies; providing an effective date.

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

Section 1. Section 35.01, Florida Statutes, is amended  
to read:

35.01 District courts of appeal; districts.--Five  
district courts of appeal are created, and the state is  
divided into five appellate districts of contiguous circuits.  
Each district court of appeal shall consist of at least one  
judge from each judicial circuit within the district.

Section 2. (1) This act shall not affect the term of  
any district court of appeal judge who is serving at the time  
of the effective date of this act or any district court of  
appeal judgeship which is vacant and awaiting filling by  
appointment by the Governor at the time of the effective date  
of this act. Any such judge may be reelected to as many  
successive terms of office for which the judge may qualify.

(2)(a) Upon the retirement, death, removal, or  
expiration of term of office without reelection of a judge of  
a district court of appeal, or upon the creation of an  
additional judgeship on a district court of appeal, for an  
appellate district for which there is a judicial circuit from  
which there is no judge then serving, such vacancy shall be

1 filled only by a qualified resident from the geographical area  
2 of such unrepresented judicial circuit.

3 (b) If at the time of any vacancy on a district court  
4 of appeal there is more than one judicial circuit which is  
5 unrepresented by a judge on such district court of appeal,  
6 such vacancy shall be filled by a qualified resident of the  
7 judicial circuit having the lowest judicial circuit  
8 designation number.

9 Section 3. This act shall take effect upon becoming a  
10 law.

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12 HOUSE SUMMARY

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14 Requires each district court of appeal to consist of at  
15 least one judge from each judicial circuit within the  
16 appellate district. Provides application to affect only  
17 vacancies occurring after the effective date of the bill.  
18 Specifies the filling of vacancies from unrepresented  
19 judicial circuits. See bill for details.  
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