

By Senator Cowin

11-399-00

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Senate Joint Resolution No. ____

A joint resolution proposing an amendment to
Section 11 of Article V of the State
Constitution to make meetings of judicial
nominating commissions open to the public.

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

That the following amendment to Section 11 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 called for that purpose:

ARTICLE V

JUDICIARY

SECTION 11. Vacancies.--

(a) Whenever a vacancy occurs in a judicial office to
which election for retention applies, the governor shall fill
the vacancy by appointing for a term ending on the first
Tuesday after the first Monday in January of the year
following the next general election occurring at least one
year after the date of appointment, one of not fewer than
three persons nor more than six persons nominated by the
appropriate judicial nominating commission.

(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

1 nominated by the appropriate judicial nominating commission.
2 An election shall be held to fill that judicial office for the
3 term of the office beginning at the end of the appointed term.

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

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15 any part thereof, may be repealed by general law enacted by a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

22 BE IT FURTHER RESOLVED that the following statement be
23 placed on the ballot:

24 CONSTITUTIONAL AMENDMENT

25 ARTICLE V, SECTION 11

26 MEETINGS OF JUDICIAL NOMINATING COMMISSIONS.--Proposing
27 an amendment to the State Constitution to require that all
28 meetings of judicial nominating commissions be open to the
29 public, except as provided by general law.

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