

By Representative Sorensen

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

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

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

13 35.01 District courts of appeal; districts.--Five
14 district courts of appeal are created, and the state is
15 divided into five appellate districts of contiguous circuits.
16 Each district court of appeal shall consist of at least one
17 judge from each judicial circuit within the district.

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

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

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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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