

By Representative Brummer

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House Joint Resolution

A joint resolution proposing an amendment to Section 11 of Article V of the State Constitution relating to deliberations of judicial nominating commissions and records related thereto.

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

That the amendment to Section 11 of Article V of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 2000:

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 nominated by the appropriate judicial nominating commission.

1 An election shall be held to fill that judicial office for the
2 term of the office beginning at the end of the appointed term.

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

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14 any part thereof, may be repealed by general law enacted by a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

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

25 DELIBERATIONS OF JUDICIAL NOMINATING COMMISSIONS
26 AND RECORDS RELATED THERETO OPEN TO PUBLIC

27 Provides that deliberations of judicial nominating
28 commissions and records related thereto shall be open to the
29 public, as are all other proceedings and records of such
30 commissions.

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