

By Senator Wise

5-1474-03

See HB

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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 require that the deliberations
and records related thereto of judicial
nominating commissions be open to the public.

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 this state for approval or
rejection at the next general election or at an earlier
special election specifically authorized by law 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

1 occurring at least one year after the date of appointment, one
2 of not fewer than three persons nor more than six persons
3 nominated by the appropriate judicial nominating commission.
4 An election shall be held to fill that judicial office for the
5 term of the office beginning at the end of the appointed term.

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

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17 any part thereof, may be repealed by general law enacted by a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

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

25 CONSTITUTIONAL AMENDMENT

26 ARTICLE V, SECTION 11

27 OPEN MEETINGS AND RECORDS OF JUDICIAL NOMINATING
28 COMMISSIONS.--Proposing an amendment to Section 11 of Article
29 V of the State Constitution to require that the deliberations
30 and records related thereto of the judicial nominating
31 commissions be open to the public.