

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Ambler offered the following:

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3 **Amendment (with directory and title amendments)**

4 Between lines 31 and 32, insert:

5 (4)(3)- Payments required under subsection (2) this section
6 shall be made from moneys to be appropriated for this purpose.

7 (5) In addition to subsections (1) through (4), the chief
8 judge of a judicial circuit may, subject to approval by the
9 Chief Justice of the Supreme Court, establish a program for the
10 use of retired justices or judges to preside over civil cases
11 and trials upon written request of all parties, whereby such
12 retired justices and judges may be appointed and compensated as
13 follows:

14 (a) A retired justice or judge available for appointment
15 pursuant to this subsection shall be paid by the parties at the
16 same rate set by the Chief Justice for retired justices and

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4/25/2008 4:24 PM

Amendment No.

17 judges. There shall be an additional court cost assessed against
18 the parties established by administrative order of the chief
19 judge for the per diem cost of using a retired justice or judge.

20 (b) The program shall require prepayment by the requesting
21 parties of no less than the per diem cost for the anticipated
22 number of days requested before appointment of a retired justice
23 or judge to the case. The minimum per diem cost shall be 1 day.

24 (c) The additional court cost shall be deposited into the
25 Operating Trust Fund within the state courts system under s.
26 25.3844.

27 (d) Only retired justices and judges who are on the list
28 that is approved by the Chief Justice are eligible for
29 appointment in this program and individual case assignments
30 shall be made by the chief judge of the judicial circuit.

31 (e) The funds collected under this program shall not
32 diminish or otherwise affect legislative appropriations to
33 judicial circuits for retention of retired justices or judges
34 who have not been requested by the parties under this program.

35 (f) The use of this program shall in no way diminish or
36 otherwise affect the power and authority of the Chief Justice of
37 the Supreme Court to assign justices or judges, including
38 consenting retired justices or judges, to temporary duty in any
39 court for which the judge is qualified and to delegate to a
40 chief judge of a judicial circuit the power to assign judges for
41 duty in that circuit.

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44 **D I R E C T O R Y A M E N D M E N T**

732613
4/25/2008 4:24 PM

Amendment No.

45 Remove lines 11-14 and insert:

46 Section 1. Present subsections (2) and (3) of section
47 25.073, Florida Statutes, are renumbered as subsections (3) and
48 (4), respectively, new subsections (2) and (5) are added to that
49 section, and present subsection (3) of that section is amended
50 to read:

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53 **T I T L E A M E N D M E N T**

54 Remove line 7 and insert:

55 retired justice or judge; conforming provisions to changes made
56 by this act; providing for the chief judge of a judicial
57 circuit, subject to approval by the Chief Justice of the Supreme
58 Court, to establish a program for retired justices or judges to
59 preside over civil cases and trials upon written request of all
60 parties; providing for compensation of justices or judges;
61 providing legislative intent; providing an effective date.