

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Ambler offered the following:

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsection (3) of section 25.073, Florida
6 Statutes, is amended, and subsection (4) is added to that
7 section to read:

8 (3) Payments required under subsection (2) ~~this section~~
9 shall be made from moneys to be appropriated for this purpose.

10 (4) In addition to subsections (1) through (3), the chief
11 judge of a judicial circuit may, subject to approval by the
12 Chief Justice of the Supreme Court, establish a program for the
13 use of retired justices or judges to preside over civil cases
14 and trials upon written request of all parties, whereby such
15 retired justices and judges may be appointed and compensated as
16 follows:

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17 (a) A retired justice or judge available for appointment
18 pursuant to this subsection shall be paid by the parties at the
19 same rate set by the Chief Justice for retired justices and
20 judges. There shall be an additional court cost assessed against
21 the parties established by administrative order of the chief
22 judge for the per diem cost of using a retired justice or judge.

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

27 (c) The additional court cost shall be deposited into the
28 Operating Trust Fund within the state courts system under s.
29 25.3844.

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

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

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

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45 Section 2. This act shall take effect July 1, 2008.

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

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Remove the entire title and insert:

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A bill to be entitled

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An act relating to senior judges; amending s. 25.073,

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F.S.; conforming provisions to changes made by this act;

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providing for the chief judge of a judicial circuit,

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subject to approval by the Chief Justice of the Supreme

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Court, to establish a program for retired justices or

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judges to preside over civil cases and trials upon written

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request of all parties; providing for compensation of

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justices or judges; providing legislative intent;

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providing an effective date.