

1 A bill to be entitled
 2 An act relating to senior judges; amending s. 25.073,
 3 F.S.; conforming provisions to changes made by this act;
 4 providing for the chief judge of a judicial circuit,
 5 subject to approval by the Chief Justice of the Supreme
 6 Court, to establish a program for retired justices or
 7 judges to preside over civil cases and trials upon written
 8 request of one or more parties; providing for compensation
 9 of such justices or judges; providing for an additional
 10 court cost and for deposit thereof; providing legislative
 11 intent; providing an effective date.

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

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 15 Section 1. Subsection (3) of section 25.073, Florida
 16 Statutes, is amended, and subsection (4) is added to that
 17 section, to read:

18 25.073 Retired justices or judges assigned to temporary
 19 duty; additional compensation; appropriation.--

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

22 (4) In addition to subsections (1)-(3), the chief judge of
 23 a judicial circuit may, subject to approval by the Chief
 24 Justice, establish a program for the use of retired justices or
 25 judges to preside over civil cases and trials upon written
 26 request of one or more parties, whereby such retired justices or
 27 judges may be appointed and compensated as follows:

28 (a) A retired justice or judge available for appointment

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29 pursuant to this subsection shall be paid by the parties at the
30 same rate set by the Chief Justice for retired justices or
31 judges. There shall be an additional court cost assessed against
32 the nonprevailing party or parties for the per diem cost of
33 using a retired justice or judge as established by
34 administrative order of the chief judge.

35 (b) The program shall require prepayment by the requesting
36 party or parties of no less than the per diem cost for the
37 anticipated number of days requested before appointment of a
38 retired justice or judge to the case. The minimum per diem cost
39 shall be 1 day. If the party or parties making the prepayment
40 prevail, this prepayment shall be refunded upon payment of the
41 costs of the retired justice or judge by the nonprevailing
42 party.

43 (c) The additional court cost shall be deposited into the
44 Operating Trust Fund within the state courts system under s.
45 25.3844.

46 (d) Only retired justices or judges who are on the list
47 that is approved by the Chief Justice are eligible for
48 appointment in this program. Assignment of such retired justices
49 or judges shall be made in accordance with current judge
50 assignment procedures in each judicial circuit.

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

55 (f) The use of this program shall in no way diminish or
56 otherwise affect the power and authority of the Chief Justice to

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57 assign justices or judges, including consenting retired justices
58 or judges, to temporary duty in any court for which the justice
59 or judge is qualified or to delegate to a chief judge of a
60 judicial circuit the power to assign justices or judges for duty
61 in that circuit.

62 Section 2. This act shall take effect upon becoming a law.