

By Senator Siplin

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Senate Joint Resolution

A joint resolution proposing amendments to Sections 1, 2, 3, 4, 5, 8, 12, 14, 15, 17, and 20 of Article V of the State Constitution, relating to the judiciary, to provide a general revision of provisions relating to state courts; courts administration, practices, and procedures; organization and jurisdiction of the Supreme Court, district courts of appeal, and circuit courts; eligibility criteria for judges; organization and jurisdiction of the judicial qualification commission; funding of the state courts system; and regulation of admission and practice of attorneys; and to delete obsolete schedule provisions.

WHEREAS, it seems, whether intentionally or not, that the people are denied or deprived their rights to political power under s. 1, Article I of the State Constitution and their basic rights to be heard on procedural laws under s. 2, Article I of the State Constitution. This is obvious from the historic volumes of rules and cases lacking their input or giving them proper or adequate notice of such proceedings, and

WHEREAS, Florida citizens, in enhancing integrity and justice in their court system through their state Legislature, are a true voice and source of political power of the people, and

WHEREAS, it is the duty of the Legislature to prescribe substantive law, and procedural law promulgated and adopted by the courts is simply or merely supplementary to executing such substantive law, and

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30 WHEREAS, not a few among the members of The Florida Bar
31 openly and many silently have and do attest to the unfitness of
32 many judges throughout the state as may be seen for example in
33 the Florida Bar News of 2/15 and 3/1, 2007, and the media, and

34 WHEREAS, many citizens throughout the state have attested
35 openly to the unfitness of the judiciary and the courts, for
36 example the 2006-2007 public meetings and transcripts produced
37 by the Florida Supreme Court committee on fairness and diversity
38 and the media, and

39 WHEREAS, the Judicial Qualifications Commission disciplines
40 the judicial officers of the courts, yet such vehicle fails to
41 sufficiently keep accountability of such officers, though many
42 complaints may be filed citing valid violations, ultimately,
43 being in the discretion of the commission to prosecute, and

44 WHEREAS, if or when discipline is pursued successfully
45 against any given judge, the majority are very lightly
46 sanctioned, being clearly without question of moral and fiscal
47 injustice to the people, for example Honorable Brandt Downey,
48 III, and Bonnie S. Newton, and

49 WHEREAS, Honorable Judges Cliff Barnes in case SC06-2119
50 and Michael Allen in case SC07-774 have been clearly harassed
51 and retaliated against by their colleagues for upholding their
52 duty and oath as law-abiding judicial officers to speak out
53 against such judicial branch misconduct, and

54 WHEREAS, rulings and opinions rendered by the courts made
55 without written expression (per curiam) have been shunned or
56 deprive the people of justice as expressed by The Florida Bar
57 and the people in the 2006 Report on District Court of Appeal
58 Workload & Jurisdiction, Public Trust and Confidence, pgs 19-20,

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59 and Other Recommendations, pg 32, conducted by the District
60 Court of Appeal Workload and Jurisdiction Assessment Committee,
61 and

62 WHEREAS, in *Newmons v. Lake Worth Drainage District*, 87
63 So.2d 49, 50-51[1,2] (Fla. 1956) it is obvious the resulting
64 injustice in using a per curiam, where any litigant or lawyer
65 must guess as to why or how the determination was adverse, and
66 in all reality may never figure it out due to the myriad of
67 grounds expressed by the court as to what may have prompted such
68 an opinion, and a basis of such an opinion is to dispose of
69 heavy caseloads as expressed in *Whipple v. State*, 431 So.2d
70 1011, 1115 (Fla. 2d DCA 1983), thereby, violating the rules of
71 binding precedent, stare decisis, and due process of law, and

72 WHEREAS, in the recent 15 to 20 years numerous decisions
73 sent down from the Florida Supreme Court have lacked clarity and
74 thoroughness subjecting them to differing or conflicting
75 constructions to such a extent that District Courts of Appeal
76 have struggled in resolving or comprehending them, thereby,
77 eroding and undermining the rules of binding precedent, stare
78 decisis, and due process of law, and

79 WHEREAS, since its mandate in *The Florida Bar v. Furman*,
80 376 So.2d 378, 382 (Fla. 1979) the bar and courts have failed to
81 provide adequate legal representation services to the poor and
82 disadvantaged, and there has been further a decline and
83 unwillingness to provide pro bono services as expressed in the
84 Florida Bar News, 2/15, 2007, as to such, and

85 WHEREAS, The Florida Bar has conceded the majority of their
86 members lack proper and adequate competence, yet dismisses
87 thousands of complaints as expressed by LOMAS, the bar, and

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88 bench, thereby undermining the people claiming to protect the
89 public from those who are incompetent, unethical, or
90 irresponsible in *The Florida Bar v. Moses*, 380 So.2d 412, 417
91 (Fla. 1980), *Ippolito v. State Of Florida*, 824 F.Supp. 1562,
92 1575 (M.D. Fla. 1993), and

93 WHEREAS, due to the state of the bar and bench, any officer
94 of the court must in any given circumstance, at any given time,
95 compromise or, worse, forsake his or her oath and duty for fear
96 or favor, and

97 WHEREAS, qualifying and aspiring bar members have been
98 deprived an office of judgeship by being subjected to a custom
99 based on fear or favor of present judges claiming their office
100 for life and that they dare not run for such an office until a
101 particular judge retires, resigns, or is impeached, and

102 WHEREAS, the people of Florida are made, whether
103 intentionally or not, estranged to or ignorant of their judicial
104 branch, as has been reported by The Florida Bar and the media,
105 and

106 WHEREAS, by the foregoing the people have developed a clear
107 perception of lack of trust and confidence in their judiciary,
108 bar, and court system as expressed in recent public meetings and
109 transcripts prepared by the Florida Supreme Court committee on
110 fairness and diversity, and the media, and

111 WHEREAS, the judicial branch of this state has been in dire
112 need of proper funding to resolve many of the internal problems
113 it bears presently as to misconduct, injustice, and the rule of
114 law, and

115 WHEREAS, the 44th Governor of this state, Charlie Crist,
116 expressed in voluminous recordings and public appearances that

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117 the people are the boss, and "it is the checks and balances
118 built into America's republican form of government that keeps
119 the nation strong and he is committed to preserving the balance
120 between the three branches of government" and "it is up to all
121 Floridians to address the state's problems" and "making sure
122 that if we see an injustice, we try to stop it. If we see
123 somebody that needs help, we give it. We need to do what we can
124 to ensure that social justice is done and that Florida - our
125 dear blessed Florida - leads the way." in the Florida Bar News
126 of 2/15, 2007, and

127 WHEREAS, as a complement and memorial to ideas 38, 46, 93,
128 and 97 of the 100 Ideas of former Speaker of the House of
129 Representatives, Marco Rubio, NOW, THEREFORE,

130
131 Be It Resolved by the Legislature of the State of Florida:

132
133 That the following amendments to Sections 1, 2, 3, 4, 5, 8,
134 12, 14, 15, 17, and 20 of Article V of the State Constitution
135 are agreed to and shall be submitted to the electors of this
136 state for approval or rejection at the next general election or
137 at an earlier special election specifically authorized by law
138 for that purpose:

139 ARTICLE V

140 JUDICIARY

141 SECTION 1. Courts.-

142 (a) The judicial power shall be vested in a supreme court,
143 district courts of appeal, circuit courts and county courts. No
144 other courts may be established by the state, any political
145 subdivision or any municipality. The legislature shall, by

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146 general law, divide the state into appellate court districts and
147 judicial circuits following county lines, except that a district
148 court of appeal may have geographical jurisdiction up to and
149 including the entire state respecting any subject matter granted
150 within such jurisdiction exclusively to that court by general
151 law. Commissions established by law, or administrative officers
152 or bodies, may be granted quasi-judicial power in matters
153 connected with the functions of their offices. The legislature
154 may establish by general law a civil traffic hearing officer
155 system for the purpose of hearing civil traffic infractions. The
156 legislature may, by general law, authorize a military court-
157 martial to be conducted by military judges of the Florida
158 National Guard, with direct appeal of a decision to the District
159 Court of Appeal, First District.

160 (b) Final judgments or orders of all courts, commissions,
161 or administrative officers or bodies created and established
162 under subsection (a) shall be subject to a review of last resort
163 by an Electors' Tribunal On Justice as established by and
164 subject to general law, with the purpose of ensuring the
165 application of the rule of law and civic duty of the citizens of
166 this state. Officers of the tribunal are constitutional state
167 officers and shall be funded under the state courts system.

168 SECTION 2. Administration; practice and procedure.—

169 (a) (1) The supreme court shall adopt rules for the practice
170 and procedure in all courts in accordance with the judicial
171 conference established under paragraph (2), including the time
172 for seeking appellate review, the administrative supervision of
173 all courts, the transfer to the court having jurisdiction of any
174 proceeding when the jurisdiction of another court has been

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175 improvidently invoked, and a requirement that no cause shall be
176 dismissed because an improper remedy has been sought. The
177 supreme court shall adopt rules to allow the court and the
178 district courts of appeal to submit questions relating to
179 military law to the federal Court of Appeals for the Armed
180 Forces for an advisory opinion. ~~Rules of court may be repealed~~
181 ~~by general law enacted by two-thirds vote of the membership of~~
182 ~~each house of the legislature.~~

183 (2)a. A judicial conference is established. The judicial
184 conference shall propose rules of practice and procedure for all
185 courts.

186 b. The judicial conference shall be composed of members as
187 provided by general law.

188 c. The judicial conference shall adopt rules governing
189 conference proceedings. Meetings of the judicial conference
190 shall be open to the public and must provide an opportunity for
191 public comment.

192 d. Rules proposed by the judicial conference shall be
193 submitted to the supreme court for consideration.

194 e. Unless otherwise provided by general law, the supreme
195 court shall submit a proposed rule to the legislature by
196 November 30 of the year preceding the year in which the proposed
197 rule would take effect. The legislature may adopt, reject, or
198 amend a proposed rule by general law. If the legislature takes
199 no action upon a proposed rule by adjournment sine die of the
200 next regular session, the rule shall be deemed approved. Unless
201 and until adopted by general law or approved as provided in this
202 subparagraph, a rule proposed by the judicial conference shall
203 have no force or effect.

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204 (3) Rules of practice and procedure may not be inconsistent
205 with general law and shall not abridge, enlarge, or modify any
206 substantive right. Rules of practice and procedure may be
207 repealed or amended by general law.

208 (b) The chief justice of the supreme court shall be chosen
209 by a majority of the members of the court; shall be the chief
210 administrative officer of the judicial system; and shall have
211 the power to assign justices or judges, including consenting
212 retired justices or judges, to temporary duty in any court for
213 which the judge is qualified and to delegate to a chief judge of
214 a judicial circuit the power to assign judges for duty in that
215 circuit.

216 (c) A chief judge for each district court of appeal shall
217 be chosen by a majority of the judges thereof or, if there is no
218 majority, by the chief justice. The chief judge shall be
219 responsible for the administrative supervision of the court.

220 (d) A chief judge in each circuit shall be chosen from
221 among the circuit judges as provided by supreme court rule. The
222 chief judge shall be responsible for the administrative
223 supervision of the circuit courts and county courts in his
224 circuit.

225 SECTION 3. Supreme court.—

226 (a) ORGANIZATION.—The supreme court shall consist of seven
227 justices. Of the seven justices, each appellate district shall
228 have at least one justice elected or appointed from the district
229 to the supreme court who is a resident of the district at the
230 time of the original appointment or election. Five justices
231 shall constitute a quorum. The concurrence of four justices
232 shall be necessary to a decision. When recusals for cause would

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233 prohibit the court from convening because of the requirements of
234 this section, judges assigned to temporary duty may be
235 substituted for justices.

236 (b) JURISDICTION.—

237 (1) The supreme court:

238 a.~~(1)~~ Shall hear appeals from final judgments of trial
239 courts imposing the death penalty and from decisions of district
240 courts of appeal declaring invalid a state statute or a
241 provision of the state constitution.

242 b.~~(2)~~ When provided by general law, shall hear appeals from
243 final judgments entered in proceedings for the validation of
244 bonds or certificates of indebtedness and shall review action of
245 statewide agencies relating to rates or service of utilities
246 providing electric, gas, or telephone service.

247 c.~~(3)~~ May review any decision of a district court of appeal
248 that expressly declares valid a state statute, or that expressly
249 construes a provision of the state or federal constitution, or
250 that expressly affects a class of constitutional or state
251 officers, or that expressly and directly conflicts with a
252 decision of another district court of appeal or of the supreme
253 court on the same question of law.

254 d.~~(4)~~ May review any decision of a district court of appeal
255 that passes upon a question certified by it to be of great
256 public importance, or that is certified by it to be in direct
257 conflict with a decision of another district court of appeal.

258 e.~~(5)~~ May review any order or judgment of a trial court
259 certified by the district court of appeal in which an appeal is
260 pending to be of great public importance, or to have a great
261 effect on the proper administration of justice throughout the

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262 state, and certified to require immediate resolution by the
263 supreme court.

264 f.~~(6)~~ May review a question of law certified by the Supreme
265 Court of the United States or a United States Court of Appeals
266 which is determinative of the cause and for which there is no
267 controlling precedent of the supreme court of Florida.

268 g.~~(7)~~ May issue writs of prohibition to courts and all
269 writs necessary to the complete exercise of its jurisdiction.

270 h.~~(8)~~ May issue writs of mandamus and quo warranto to state
271 officers and state agencies.

272 i.~~(9)~~ May, or any justice may, issue writs of habeas corpus
273 returnable before the supreme court or any justice, a district
274 court of appeal or any judge thereof, or any circuit judge.

275 j.~~(10)~~ Shall, when requested by the attorney general
276 pursuant to the provisions of Section 10 of Article IV, render
277 an advisory opinion of the justices, addressing issues as
278 provided by general law.

279 (2) The disposition by the supreme court of matters heard
280 or reviewed or in any writ shall be supported by at least one
281 binding authority for each point subject to review or original
282 proceeding, which must be cited in the rendered final order or
283 opinion.

284 (c) CLERK AND MARSHAL.—The supreme court shall appoint a
285 clerk and a marshal who shall hold office during the pleasure of
286 the court and perform such duties as the court directs. Their
287 compensation shall be fixed by general law. The marshal shall
288 have the power to execute the process of the court throughout
289 the state, and in any county may deputize the sheriff or a
290 deputy sheriff for such purpose.

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291 SECTION 4. District courts of appeal.—

292 (a) ORGANIZATION.—There shall be a district court of appeal
293 serving each appellate district. Each district court of appeal
294 shall consist of at least three judges. Three judges shall
295 consider each case and the concurrence of two shall be necessary
296 to a decision.

297 (b) JURISDICTION.—

298 (1) Unless the subject matter of the case is assigned by
299 general law to another district court of appeal, and unless
300 otherwise limited by general law, district courts of appeal
301 shall have jurisdiction to hear appeals, that may be taken as a
302 matter of right, from final judgments or orders of trial courts,
303 including those entered on review of administrative action, not
304 directly appealable to the supreme court or a circuit court.
305 They may review interlocutory orders in such cases to the extent
306 provided by rules adopted by the supreme court.

307 (2) District courts of appeal shall have the power of
308 direct review of administrative action, as prescribed by general
309 law.

310 (3) A district court of appeal or any judge thereof may
311 issue writs of habeas corpus returnable before the court or any
312 judge thereof or before any circuit judge within the territorial
313 jurisdiction of the court. A district court of appeal may issue
314 writs of mandamus, certiorari, prohibition, quo warranto, and
315 other writs necessary to the complete exercise of its
316 jurisdiction. To the extent necessary to dispose of all issues
317 in a cause properly before it, a district court of appeal may
318 exercise any of the appellate jurisdiction of the circuit
319 courts. The disposition by a district court of appeal of matters

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320 heard or reviewed or in any writ shall be supported by at least
321 one binding authority for each point subject to review or
322 original proceeding, which must be cited in the rendered final
323 order or opinion.

324 (c) CLERKS AND MARSHALS.—Each district court of appeal
325 shall appoint a clerk and a marshal who shall hold office during
326 the pleasure of the court and perform such duties as the court
327 directs. Their compensation shall be fixed by general law. The
328 marshal shall have the power to execute the process of the court
329 throughout the territorial jurisdiction of the court, and in any
330 county may deputize the sheriff or a deputy sheriff for such
331 purpose.

332 SECTION 5. Circuit courts.—

333 (a) ORGANIZATION.—There shall be a circuit court serving
334 each judicial circuit.

335 (b) JURISDICTION.—The circuit courts shall have original
336 jurisdiction not vested in the county courts, and jurisdiction
337 of appeals when provided by general law. They shall have the
338 power to issue writs of mandamus, quo warranto, certiorari,
339 prohibition and habeas corpus, and all writs necessary or proper
340 to the complete exercise of their jurisdiction. Jurisdiction of
341 the circuit court shall be uniform throughout the state. They
342 shall have the power of direct review of administrative action
343 prescribed by general law. The disposition by a circuit court of
344 matters heard or reviewed or in any writ or on appeal shall be
345 supported by at least one binding authority for each point
346 subject to review or original proceeding, which must be cited in
347 the rendered final order or opinion.

348 SECTION 8. Eligibility.—A ~~No~~ person is not ~~shall be~~

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349 eligible for office of justice or judge of any court unless the
350 person is an elector of the state and resides in the territorial
351 jurisdiction of the court. A ~~no~~ justice or judge may not ~~shall~~
352 serve after attaining the age of seventy years except upon
353 temporary assignment or to complete a term, one-half of which
354 has been served. Unless otherwise provided by general law, a ~~no~~
355 person is not eligible for the office of justice of the supreme
356 court or judge of a district court of appeal unless the person
357 is, and has been for the preceding ten years, a member of the
358 bar of Florida. Unless otherwise provided by general law, a ~~no~~
359 person is not eligible for the office of circuit judge unless
360 the person is, and has been for the preceding five years, a
361 member of the bar of Florida. Unless otherwise provided by
362 general law, a ~~no~~ person is not eligible for the office of
363 county court judge unless the person is, and has been for the
364 preceding five years, a member of the bar of Florida. Unless
365 otherwise provided by general law, a person shall be eligible
366 for election or appointment to the office of county court judge
367 in a county having a population of 40,000 or less if the person
368 is a member in good standing of the bar of Florida.

369 SECTION 12. Discipline; removal and retirement.—

370 (a) JUDICIAL QUALIFICATIONS COMMISSION.—A judicial
371 qualifications commission is created.

372 (1) There shall be a judicial qualifications commission
373 vested with jurisdiction to investigate and recommend to the
374 Supreme Court of Florida the removal from office of any justice
375 or judge whose conduct, during term of office or otherwise
376 occurring on or after November 1, 1966, (without regard to the
377 effective date of this section) demonstrates a present unfitness

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378 to hold office, and to investigate and recommend the discipline
379 of a justice or judge whose conduct, during term of office or
380 otherwise occurring on or after November 1, 1966 (without regard
381 to the effective date of this section), warrants such
382 discipline. For purposes of this section, discipline is defined
383 as any or all of the following: reprimand, fine, suspension with
384 or without pay, or lawyer discipline. The commission shall have
385 jurisdiction over justices and judges regarding allegations that
386 misconduct occurred before or during service as a justice or
387 judge if a complaint is made no later than one year following
388 service as a justice or judge. The commission shall have
389 jurisdiction regarding allegations of incapacity during service
390 as a justice or judge. The commission shall be composed of:

391 a. Two judges of district courts of appeal selected by the
392 judges of those courts, two circuit judges selected by the
393 judges of the circuit courts and two judges of county courts
394 selected by the judges of those courts;

395 b. Two ~~Four~~ electors who reside in the state, who are
396 members of the bar of Florida, and who shall be chosen by the
397 governing body of the bar of Florida; ~~and~~

398 c. Two electors who reside in the state, who are court
399 reporters, and who shall be chosen by the legislature by
400 concurrent or joint resolution;

401 d. Two electors who reside in the state, who are employed
402 by the Florida department of law enforcement, and who shall be
403 chosen by the chairperson of the commission; and

404 e. ~~e.~~ Five electors who reside in the state, who have never
405 held judicial office or been members of the bar of Florida and
406 who are not considered officers of the court, and who shall be

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407 appointed by the governor.

408 (2) The members of the judicial qualifications commission
409 shall serve staggered terms, not to exceed six years, as
410 prescribed by general law. A ~~No~~ member of the commission except
411 a judge is not ~~shall be~~ eligible for state judicial office while
412 acting as a member of the commission and for a period of two
413 years thereafter. A ~~No~~ member of the commission may not ~~shall~~
414 hold office in a political party or participate in any campaign
415 for judicial office or hold public office; provided that a judge
416 may campaign for judicial office and hold that office. The
417 commission shall elect one of its members as its chairperson.

418 (3) Members of the judicial qualifications commission not
419 subject to impeachment shall be subject to removal from the
420 commission pursuant to the provisions of Article IV, Section 7,
421 Florida Constitution.

422 (4) The commission shall adopt rules regulating its
423 proceedings, the filling of vacancies by the appointing
424 authorities, the disqualification of members, the rotation of
425 members between the panels, and the temporary replacement of
426 disqualified or incapacitated members. The commission's rules,
427 or any part thereof, may be repealed, amended, or modified by
428 general law enacted by a majority vote of the membership of each
429 house of the legislature, ~~or by the supreme court, five justices~~
430 ~~concurring~~. The commission shall have power to issue subpoenas.
431 Until formal charges against a justice or judge are filed by the
432 investigative panel with the clerk of the supreme court of
433 Florida all proceedings by or before the commission shall be
434 confidential; provided, however, upon a finding of probable
435 cause and the filing by the investigative panel with said clerk

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436 of such formal charges against a justice or judge such charges
437 and all further proceedings before the commission shall be
438 public.

439 (5) The commission shall have access to all information
440 from all executive, legislative and judicial agencies, including
441 grand juries, subject to the rules of the commission. At any
442 time, on request of the speaker of the house of representatives,
443 the president of the senate, or the governor, the commission
444 shall make available all information in the possession of the
445 commission for use in consideration of impeachment or
446 suspension, respectively. Notwithstanding this paragraph, within
447 thirty days after initiating or receiving any complaint, the
448 commission or investigative panel shall provide copies of the
449 complaint to the speaker of the house of representatives, the
450 president of the senate, and the governor.

451 (b) PANELS.—The commission shall be divided into an
452 investigative panel and a hearing panel as established by rule
453 of the commission. The investigative panel is vested with the
454 jurisdiction to receive or initiate complaints, conduct
455 investigations, dismiss complaints, and upon a vote of a simple
456 majority of the panel submit formal charges to the hearing
457 panel. The hearing panel is vested with the authority to receive
458 and hear formal charges from the investigative panel and upon a
459 two-thirds vote of the panel recommend to the supreme court the
460 removal of a justice or judge or the involuntary retirement of a
461 justice or judge for any permanent disability that seriously
462 interferes with the performance of judicial duties. Upon a
463 simple majority vote of the membership of the hearing panel, the
464 panel may recommend to the supreme court that the justice or

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465 judge be subject to appropriate discipline.

466 (c) SUPREME COURT.—The supreme court shall receive
467 recommendations from the judicial qualifications commission's
468 hearing panel.

469 (1) The supreme court may accept, reject, or modify in
470 whole or in part the findings, conclusions, and recommendations
471 of the commission and it may order that the justice or judge be
472 subjected to appropriate discipline, or be removed from office
473 with termination of compensation for willful or persistent
474 failure to perform judicial duties or for other conduct
475 unbecoming a member of the judiciary demonstrating a present
476 unfitness to hold office, or be involuntarily retired for any
477 permanent disability that seriously interferes with the
478 performance of judicial duties. Malafides, scienter or moral
479 turpitude on the part of a justice or judge shall not be
480 required for removal from office of a justice or judge whose
481 conduct demonstrates a present unfitness to hold office. After
482 the filing of a formal proceeding and upon request of the
483 investigative panel, the supreme court may suspend the justice
484 or judge from office, with or without compensation, pending
485 final determination of the inquiry.

486 (2) The supreme court may award costs to the prevailing
487 party.

488 (d) The power of removal conferred by this section shall be
489 both alternative and cumulative to the power of impeachment.

490 (e) Notwithstanding any of the foregoing provisions of this
491 section, if the person who is the subject of proceedings by the
492 judicial qualifications commission is a justice of the supreme
493 court of Florida all justices of such court automatically shall

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494 be disqualified to sit as justices of such court with respect to
495 all proceedings therein concerning such person and the supreme
496 court for such purposes shall be composed of a panel consisting
497 of the seven chief judges of the judicial circuits of the state
498 of Florida most senior in tenure of judicial office as circuit
499 judge. For purposes of determining seniority of such circuit
500 judges in the event there be judges of equal tenure in judicial
501 office as circuit judge the judge or judges from the lower
502 numbered circuit or circuits shall be deemed senior. In the
503 event any such chief circuit judge is under investigation by the
504 judicial qualifications commission or is otherwise disqualified
505 or unable to serve on the panel, the next most senior chief
506 circuit judge or judges shall serve in place of such
507 disqualified or disabled chief circuit judge.

508 (f) In all other matters of procedure, organization, and
509 compensation of the commission and any panels of the commission,
510 the selection of persons to serve on the commission, and the
511 power to recover costs of an investigation shall be governed by
512 general law.

513 ~~(f) SCHEDULE TO SECTION 12.~~

514 ~~(1) Except to the extent inconsistent with the provisions~~
515 ~~of this section, all provisions of law and rules of court in~~
516 ~~force on the effective date of this article shall continue in~~
517 ~~effect until superseded in the manner authorized by the~~
518 ~~constitution.~~

519 ~~(2) After this section becomes effective and until adopted~~
520 ~~by rule of the commission consistent with it:~~

521 ~~a. The commission shall be divided, as determined by the~~
522 ~~chairperson, into one investigative panel and one hearing panel~~

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- 523 ~~to meet the responsibilities set forth in this section.~~
- 524 ~~b. The investigative panel shall be composed of:~~
- 525 ~~1. Four judges,~~
- 526 ~~2. Two members of the bar of Florida, and~~
- 527 ~~3. Three non-lawyers.~~
- 528 ~~e. The hearing panel shall be composed of:~~
- 529 ~~1. Two judges,~~
- 530 ~~2. Two members of the bar of Florida, and~~
- 531 ~~3. Two non-lawyers.~~
- 532 ~~d. Membership on the panels may rotate in a manner~~
- 533 ~~determined by the rules of the commission provided that no~~
- 534 ~~member shall vote as a member of the investigative and hearing~~
- 535 ~~panel on the same proceeding.~~
- 536 ~~e. The commission shall hire separate staff for each panel.~~
- 537 ~~f. The members of the commission shall serve for staggered~~
- 538 ~~terms of six years.~~
- 539 ~~g. The terms of office of the present members of the~~
- 540 ~~judicial qualifications commission shall expire upon the~~
- 541 ~~effective date of the amendments to this section approved by the~~
- 542 ~~legislature during the regular session of the legislature in~~
- 543 ~~1996 and new members shall be appointed to serve the following~~
- 544 ~~staggered terms:~~
- 545 ~~1. Group I. The terms of five members, composed of two~~
- 546 ~~electors as set forth in s. 12(a)(1)c. of Article V, one member~~
- 547 ~~of the bar of Florida as set forth in s. 12(a)(1)b. of Article~~
- 548 ~~V, one judge from the district courts of appeal and one circuit~~
- 549 ~~judge as set forth in s. 12(a)(1)a. of Article V, shall expire~~
- 550 ~~on December 31, 1998.~~
- 551 ~~2. Group II. The terms of five members, composed of one~~

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552 ~~elector as set forth in s. 12(a)(1)c. of Article V, two members~~
553 ~~of the bar of Florida as set forth in s. 12(a)(1)b. of Article~~
554 ~~V, one circuit judge and one county judge as set forth in s.~~
555 ~~12(a)(1)a. of Article V shall expire on December 31, 2000.~~

556 ~~3. Group III. The terms of five members, composed of two~~
557 ~~electors as set forth in s. 12(a)(1)c. of Article V, one member~~
558 ~~of the bar of Florida as set forth in s. 12(a)(1)b., one judge~~
559 ~~from the district courts of appeal and one county judge as set~~
560 ~~forth in s. 12(a)(1)a. of Article V, shall expire on December~~
561 ~~31, 2002.~~

562 ~~h. An appointment to fill a vacancy of the commission shall~~
563 ~~be for the remainder of the term.~~

564 ~~i. Selection of members by district courts of appeal~~
565 ~~judges, circuit judges, and county court judges, shall be by no~~
566 ~~less than a majority of the members voting at the respective~~
567 ~~courts' conferences. Selection of members by the board of~~
568 ~~governors of the bar of Florida shall be by no less than a~~
569 ~~majority of the board.~~

570 ~~(g)j.~~ The commission shall be entitled to recover the costs
571 of investigation and prosecution, in addition to any penalty
572 levied by the supreme court.

573 ~~(h)k.~~ The compensation of members and referees shall be the
574 travel expenses or transportation and per diem allowance as
575 provided by general law.

576 SECTION 14. Funding.—

577 (a) All justices and judges shall be compensated only by
578 state salaries fixed by general law. Funding for the state
579 courts system, state attorneys' offices, public defenders'
580 offices, and court-appointed counsel, except as otherwise

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581 provided in subsection (c), shall be provided from state
582 revenues appropriated by general law.

583 (b) All funding for the offices of the clerks of the
584 circuit and county courts performing court-related functions,
585 except as otherwise provided in this subsection and subsection
586 (c), shall be provided by adequate and appropriate filing fees
587 for judicial proceedings and service charges and costs for
588 performing court-related functions as required by general law.
589 Selected salaries, costs, and expenses of the state courts
590 system may be funded from appropriate filing fees for judicial
591 proceedings and service charges and costs for performing court-
592 related functions, as provided by general law. Where the
593 requirements of either the United States Constitution or the
594 Constitution of the State of Florida preclude the imposition of
595 filing fees for judicial proceedings and service charges and
596 costs for performing court-related functions sufficient to fund
597 the court-related functions of the offices of the clerks of the
598 circuit and county courts, the state shall provide, as
599 determined by the legislature, adequate and appropriate
600 supplemental funding from state revenues appropriated by general
601 law.

602 (c) No county or municipality, except as provided in this
603 subsection, shall be required to provide any funding for the
604 state courts system, state attorneys' offices, public defenders'
605 offices, court-appointed counsel or the offices of the clerks of
606 the circuit and county courts performing court-related
607 functions. Counties shall be required to fund the cost of
608 communications services, existing radio systems, existing multi-
609 agency criminal justice information systems, and the cost of

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610 construction or lease, maintenance, utilities, and security of
611 facilities for the trial courts, public defenders' offices,
612 state attorneys' offices, and the offices of the clerks of the
613 circuit and county courts performing court-related functions.
614 Counties shall also pay reasonable and necessary salaries,
615 costs, and expenses of the state courts system to meet local
616 requirements as determined by general law.

617 (d) The judiciary shall have no power to fix
618 appropriations.

619 (e) (1) The Fiscal Stability Trust Fund is created and
620 established in the state courts system. This trust fund is not
621 subject to termination pursuant to Article III, Section 19(f).
622 The purpose of the trust fund is to make funds available to the
623 courts to conduct the courts' duties as provided by general law
624 and to make provision for the judicial branch surplus and
625 reserves. The judicial branch shall annually receive one percent
626 of the state fiscal budget from the general revenue fund, which
627 shall be deposited into the trust fund. The trust fund shall be
628 administered by the chief justice and the supreme court,
629 consistent with general law and with the oversight of the
630 legislature.

631 (2) The Fiscal Stability Trust Fund may receive funds from
632 any source, including gifts from individuals, corporations, or
633 other entities; funds from general revenue as determined by the
634 legislature; and any other funds so designated by the
635 legislature, by the United States Congress, or by any other
636 governmental entity.

637 SECTION 15. Attorneys; admission and discipline.—The
638 supreme court, and the legislature as provided by general law,

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639 shall have concurrent ~~exclusive~~ jurisdiction to regulate the
640 admission of persons to the practice of law before the courts of
641 this state and the discipline of persons admitted. The cost of
642 such regulation and discipline shall be funded by
643 appropriations, disciplinary penalties, and fees paid to the
644 supreme court and as otherwise authorized by general law. The
645 practice of law other than before the courts of this state shall
646 be regulated by general law.

647 SECTION 17. State attorneys.—

648 (a) In each judicial circuit a state attorney shall be
649 elected for a term of four years. Except as otherwise provided
650 in this constitution, the state attorney shall be the
651 prosecuting officer of all trial courts in that circuit and
652 shall perform other duties prescribed by general law; provided,
653 however, when authorized by general law, the violations of all
654 municipal ordinances may be prosecuted by municipal prosecutors.
655 A state attorney shall be an elector of the state and reside in
656 the territorial jurisdiction of the circuit; shall be and have
657 been a member of the bar of Florida for the preceding five
658 years; shall devote full time to the duties of the office; and
659 shall not engage in the private practice of law. State attorneys
660 shall appoint such assistant state attorneys as may be
661 authorized by law.

662 (b) An Electors' Tribunal on Security is created and
663 established in each judicial circuit to conduct investigations
664 and criminal prosecutions of all persons defined as officers of
665 the court in this state as prescribed by general law. The
666 tribunal shall ensure public trust and confidence in the
667 judicial branch of this state and shall be funded under the

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668 state courts system. Officers of the tribunal are constitutional
669 state officers.

670 ~~SECTION 20. Schedule to Article V.—~~

671 ~~(a) This article shall replace all of Article V of the~~
672 ~~Constitution of 1885, as amended, which shall then stand~~
673 ~~repealed.~~

674 ~~(b) Except to the extent inconsistent with the provisions~~
675 ~~of this article, all provisions of law and rules of court in~~
676 ~~force on the effective date of this article shall continue in~~
677 ~~effect until superseded in the manner authorized by the~~
678 ~~constitution.~~

679 ~~(c) After this article becomes effective, and until changed~~
680 ~~by general law consistent with sections 1 through 19 of this~~
681 ~~article:~~

682 ~~(1) The supreme court shall have the jurisdiction~~
683 ~~immediately theretofore exercised by it, and it shall determine~~
684 ~~all proceedings pending before it on the effective date of this~~
685 ~~article.~~

686 ~~(2) The appellate districts shall be those in existence on~~
687 ~~the date of adoption of this article. There shall be a district~~
688 ~~court of appeal in each district. The district courts of appeal~~
689 ~~shall have the jurisdiction immediately theretofore exercised by~~
690 ~~the district courts of appeal and shall determine all~~
691 ~~proceedings pending before them on the effective date of this~~
692 ~~article.~~

693 ~~(3) Circuit courts shall have jurisdiction of appeals from~~
694 ~~county courts and municipal courts, except those appeals which~~
695 ~~may be taken directly to the supreme court; and they shall have~~
696 ~~exclusive original jurisdiction in all actions at law not~~

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697 ~~cognizable by the county courts; of proceedings relating to the~~
698 ~~settlement of the estate of decedents and minors, the granting~~
699 ~~of letters testamentary, guardianship, involuntary~~
700 ~~hospitalization, the determination of incompetency, and other~~
701 ~~jurisdiction usually pertaining to courts of probate; in all~~
702 ~~cases in equity including all cases relating to juveniles; of~~
703 ~~all felonies and of all misdemeanors arising out of the same~~
704 ~~circumstances as a felony which is also charged; in all cases~~
705 ~~involving legality of any tax assessment or toll; in the action~~
706 ~~of ejectment; and in all actions involving the titles or~~
707 ~~boundaries or right of possession of real property. The circuit~~
708 ~~court may issue injunctions. There shall be judicial circuits~~
709 ~~which shall be the judicial circuits in existence on the date of~~
710 ~~adoption of this article. The chief judge of a circuit may~~
711 ~~authorize a county court judge to order emergency~~
712 ~~hospitalizations pursuant to Chapter 71-131, Laws of Florida, in~~
713 ~~the absence from the county of the circuit judge and the county~~
714 ~~court judge shall have the power to issue all temporary orders~~
715 ~~and temporary injunctions necessary or proper to the complete~~
716 ~~exercise of such jurisdiction.~~

717 ~~(4) County courts shall have original jurisdiction in all~~
718 ~~criminal misdemeanor cases not cognizable by the circuit courts,~~
719 ~~of all violations of municipal and county ordinances, and of all~~
720 ~~actions at law in which the matter in controversy does not~~
721 ~~exceed the sum of two thousand five hundred dollars (\$2,500.00)~~
722 ~~exclusive of interest and costs, except those within the~~
723 ~~exclusive jurisdiction of the circuit courts. Judges of county~~
724 ~~courts shall be committing magistrates. The county courts shall~~
725 ~~have jurisdiction now exercised by the county judge's courts~~

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726 ~~other than that vested in the circuit court by subsection (c) (3)~~
727 ~~hereof, the jurisdiction now exercised by the county courts, the~~
728 ~~claims court, the small claims courts, the small claims~~
729 ~~magistrates courts, magistrates courts, justice of the peace~~
730 ~~courts, municipal courts and courts of chartered counties,~~
731 ~~including but not limited to the counties referred to in Article~~
732 ~~VIII, sections 9, 10, 11 and 24 of the Constitution of 1885.~~

733 ~~(5) Each judicial nominating commission shall be composed~~
734 ~~of the following:~~

735 ~~a. Three members appointed by the Board of Governors of The~~
736 ~~Florida Bar from among The Florida Bar members who are actively~~
737 ~~engaged in the practice of law with offices within the~~
738 ~~territorial jurisdiction of the affected court, district or~~
739 ~~circuit;~~

740 ~~b. Three electors who reside in the territorial~~
741 ~~jurisdiction of the court or circuit appointed by the governor;~~
742 ~~and~~

743 ~~c. Three electors who reside in the territorial~~
744 ~~jurisdiction of the court or circuit and who are not members of~~
745 ~~the bar of Florida, selected and appointed by a majority vote of~~
746 ~~the other six members of the commission.~~

747 ~~(6) No justice or judge shall be a member of a judicial~~
748 ~~nominating commission. A member of a judicial nominating~~
749 ~~commission may hold public office other than judicial office. No~~
750 ~~member shall be eligible for appointment to state judicial~~
751 ~~office so long as that person is a member of a judicial~~
752 ~~nominating commission and for a period of two years thereafter.~~
753 ~~All acts of a judicial nominating commission shall be made with~~
754 ~~a concurrence of a majority of its members.~~

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755 ~~(7) The members of a judicial nominating commission shall~~
756 ~~serve for a term of four years except the terms of the initial~~
757 ~~members of the judicial nominating commissions shall expire as~~
758 ~~follows:~~

759 ~~a. The terms of one member of category a. b. and c. in~~
760 ~~subsection (c) (5) hereof shall expire on July 1, 1974;~~

761 ~~b. The terms of one member of category a. b. and c. in~~
762 ~~subsection (c) (5) hereof shall expire on July 1, 1975;~~

763 ~~c. The terms of one member of category a. b. and c. in~~
764 ~~subsection (c) (5) hereof shall expire on July 1, 1976;~~

765 ~~(8) All fines and forfeitures arising from offenses tried~~
766 ~~in the county court shall be collected, and accounted for by~~
767 ~~clerk of the court, and deposited in a special trust account.~~
768 ~~All fines and forfeitures received from violations of ordinances~~
769 ~~or misdemeanors committed within a county or municipal~~
770 ~~ordinances committed within a municipality within the~~
771 ~~territorial jurisdiction of the county court shall be paid~~
772 ~~monthly to the county or municipality respectively. If any costs~~
773 ~~are assessed and collected in connection with offenses tried in~~
774 ~~county court, all court costs shall be paid into the general~~
775 ~~revenue fund of the state of Florida and such other funds as~~
776 ~~prescribed by general law.~~

777 ~~(9) Any municipality or county may apply to the chief judge~~
778 ~~of the circuit in which that municipality or county is situated~~
779 ~~for the county court to sit in a location suitable to the~~
780 ~~municipality or county and convenient in time and place to its~~
781 ~~citizens and police officers and upon such application said~~
782 ~~chief judge shall direct the court to sit in the location unless~~
783 ~~the chief judge shall determine the request is not justified. If~~

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784 ~~the chief judge does not authorize the county court to sit in~~
785 ~~the location requested, the county or municipality may apply to~~
786 ~~the supreme court for an order directing the county court to sit~~
787 ~~in the location. Any municipality or county which so applies~~
788 ~~shall be required to provide the appropriate physical facilities~~
789 ~~in which the county court may hold court.~~

790 ~~(10) All courts except the supreme court may sit in~~
791 ~~divisions as may be established by local rule approved by the~~
792 ~~supreme court.~~

793 ~~(11) A county court judge in any county having a population~~
794 ~~of 40,000 or less according to the last decennial census, shall~~
795 ~~not be required to be a member of the bar of Florida.~~

796 ~~(12) Municipal prosecutors may prosecute violations of~~
797 ~~municipal ordinances.~~

798 ~~(13) Justice shall mean a justice elected or appointed to~~
799 ~~the supreme court and shall not include any judge assigned from~~
800 ~~any court.~~

801 ~~(d) When this article becomes effective:~~

802 ~~(1) All courts not herein authorized, except as provided by~~
803 ~~subsection (d) (4) of this section shall cease to exist and~~
804 ~~jurisdiction to conclude all pending cases and enforce all prior~~
805 ~~orders and judgments shall vest in the court that would have~~
806 ~~jurisdiction of the cause if thereafter instituted. All records~~
807 ~~of and property held by courts abolished hereby shall be~~
808 ~~transferred to the proper office of the appropriate court under~~
809 ~~this article.~~

810 ~~(2) Judges of the following courts, if their terms do not~~
811 ~~expire in 1973 and if they are eligible under subsection (d) (8)~~
812 ~~hereof, shall become additional judges of the circuit court for~~

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813 ~~each of the counties of their respective circuits, and shall~~
814 ~~serve as such circuit judges for the remainder of the terms to~~
815 ~~which they were elected and shall be eligible for election as~~
816 ~~circuit judges thereafter. These courts are: civil court of~~
817 ~~record of Dade county, all criminal courts of record, the felony~~
818 ~~courts of record of Alachua, Leon and Volusia Counties, the~~
819 ~~courts of record of Broward, Brevard, Escambia, Hillsborough,~~
820 ~~Lee, Manatee and Sarasota Counties, the civil and criminal court~~
821 ~~of record of Pinellas County, and county judge's courts and~~
822 ~~separate juvenile courts in counties having a population in~~
823 ~~excess of 100,000 according to the 1970 federal census. On the~~
824 ~~effective date of this article, there shall be an additional~~
825 ~~number of positions of circuit judges equal to the number of~~
826 ~~existing circuit judges and the number of judges of the above~~
827 ~~named courts whose term expires in 1973. Elections to such~~
828 ~~offices shall take place at the same time and manner as~~
829 ~~elections to other state judicial offices in 1972 and the terms~~
830 ~~of such offices shall be for a term of six years. Unless changed~~
831 ~~pursuant to section nine of this article, the number of circuit~~
832 ~~judges presently existing and created by this subsection shall~~
833 ~~not be changed.~~

834 ~~(3) In all counties having a population of less than~~
835 ~~100,000 according to the 1970 federal census and having more~~
836 ~~than one county judge on the date of the adoption of this~~
837 ~~article, there shall be the same number of judges of the county~~
838 ~~court as there are county judges existing on that date unless~~
839 ~~changed pursuant to section 9 of this article.~~

840 ~~(4) Municipal courts shall continue with their same~~
841 ~~jurisdiction until amended or terminated in a manner prescribed~~

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842 ~~by special or general law or ordinances, or until January 3,~~
843 ~~1977, whichever occurs first. On that date all municipal courts~~
844 ~~not previously abolished shall cease to exist. Judges of~~
845 ~~municipal courts shall remain in office and be subject to~~
846 ~~reappointment or reelection in the manner prescribed by law~~
847 ~~until said courts are terminated pursuant to the provisions of~~
848 ~~this subsection. Upon municipal courts being terminated or~~
849 ~~abolished in accordance with the provisions of this subsection,~~
850 ~~the judges thereof who are not members of the bar of Florida,~~
851 ~~shall be eligible to seek election as judges of county courts of~~
852 ~~their respective counties.~~

853 ~~(5) Judges, holding elective office in all other courts~~
854 ~~abolished by this article, whose terms do not expire in 1973~~
855 ~~including judges established pursuant to Article VIII, sections~~
856 ~~9 and 11 of the Constitution of 1885 shall serve as judges of~~
857 ~~the county court for the remainder of the term to which they~~
858 ~~were elected. Unless created pursuant to section 9, of this~~
859 ~~Article V such judicial office shall not continue to exist~~
860 ~~thereafter.~~

861 ~~(6) By March 21, 1972, the supreme court shall certify the~~
862 ~~need for additional circuit and county judges. The legislature~~
863 ~~in the 1972 regular session may by general law create additional~~
864 ~~offices of judge, the terms of which shall begin on the~~
865 ~~effective date of this article. Elections to such offices shall~~
866 ~~take place at the same time and manner as election to other~~
867 ~~state judicial offices in 1972.~~

868 ~~(7) County judges of existing county judge's courts and~~
869 ~~justices of the peace and magistrates' court who are not members~~
870 ~~of bar of Florida shall be eligible to seek election as county~~

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871 ~~court judges of their respective counties.~~

872 ~~(8) No judge of a court abolished by this article shall~~
873 ~~become or be eligible to become a judge of the circuit court~~
874 ~~unless the judge has been a member of bar of Florida for the~~
875 ~~preceding five years.~~

876 ~~(9) The office of judges of all other courts abolished by~~
877 ~~this article shall be abolished as of the effective date of this~~
878 ~~article.~~

879 ~~(10) The offices of county solicitor and prosecuting~~
880 ~~attorney shall stand abolished, and all county solicitors and~~
881 ~~prosecuting attorneys holding such offices upon the effective~~
882 ~~date of this article shall become and serve as assistant state~~
883 ~~attorneys for the circuits in which their counties are situate~~
884 ~~for the remainder of their terms, with compensation not less~~
885 ~~than that received immediately before the effective date of this~~
886 ~~article.~~

887 ~~(c) LIMITED OPERATION OF SOME PROVISIONS.—~~

888 ~~(1) All justices of the supreme court, judges of the~~
889 ~~district courts of appeal and circuit judges in office upon the~~
890 ~~effective date of this article shall retain their offices for~~
891 ~~the remainder of their respective terms. All members of the~~
892 ~~judicial qualifications commission in office upon the effective~~
893 ~~date of this article shall retain their offices for the~~
894 ~~remainder of their respective terms. Each state attorney in~~
895 ~~office on the effective date of this article shall retain the~~
896 ~~office for the remainder of the term.~~

897 ~~(2) No justice or judge holding office immediately after~~
898 ~~this article becomes effective who held judicial office on July~~
899 ~~1, 1957, shall be subject to retirement from judicial office~~

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900 ~~because of age pursuant to section 8 of this article.~~

901 ~~(f) Until otherwise provided by law, the nonjudicial duties~~
902 ~~required of county judges shall be performed by the judges of~~
903 ~~the county court.~~

904 ~~(g) All provisions of Article V of the Constitution of~~
905 ~~1885, as amended, not embraced herein which are not inconsistent~~
906 ~~with this revision shall become statutes subject to modification~~
907 ~~or repeal as are other statutes.~~

908 ~~(h) The requirements of section 14 relative to all county~~
909 ~~court judges or any judge of a municipal court who continues to~~
910 ~~hold office pursuant to subsection (d)(4) hereof being~~
911 ~~compensated by state salaries shall not apply prior to January~~
912 ~~3, 1977, unless otherwise provided by general law.~~

913 ~~(i) DELETION OF OBSOLETE SCHEDULE ITEMS. The legislature~~
914 ~~shall have power, by concurrent resolution, to delete from this~~
915 ~~article any subsection of this section 20 including this~~
916 ~~subsection, when all events to which the subsection to be~~
917 ~~deleted is or could become applicable have occurred. A~~
918 ~~legislative determination of fact made as a basis for~~
919 ~~application of this subsection shall be subject to judicial~~
920 ~~review.~~

921 ~~(j) EFFECTIVE DATE. Unless otherwise provided herein, this~~
922 ~~article shall become effective at 11:59 o'clock P.M., Eastern~~
923 ~~Standard Time, January 1, 1973.~~

924 BE IT FURTHER RESOLVED that the following statement be
925 placed on the ballot:

926 CONSTITUTIONAL AMENDMENT

927 ARTICLE V

928 SECTIONS 1, 2, 3, 4, 5, 8, 12, 14, 15, 17, and 20

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929 JUDICIARY.—Proposing an amendment to the State Constitution
930 to provide for statewide jurisdiction of a district court of
931 appeal as provided by general law; to provide for review by an
932 Electors' Tribunal on Justice of final judgments or orders of
933 courts, commissions, or administrative officers or bodies; to
934 establish a judicial conference to propose rules of practice and
935 procedure in all courts and to provide for their adoption,
936 rejection, or amendment by general law; to provide requirements
937 that matters disposed of by the Supreme Court, district courts
938 of appeal, and circuit courts be supported by binding authority;
939 to revise eligibility requirements for justices and judges to
940 allow for such requirements by general law; to revise the
941 membership and eligibility requirements of the Judicial
942 Qualifications Commission, require copies of complaints to be
943 provided to the Governor and Legislature, and require governance
944 by general law of matters relating to the commission which are
945 not specified in the State Constitution; to establish the Fiscal
946 Stability Trust Fund in the state courts system to make funds
947 available to courts to conduct their duties and to make
948 provision for judicial branch surplus and reserves, to require
949 the deposit into the trust fund each year of 1 percent of the
950 state fiscal budget from the General Revenue Fund and require
951 the Supreme Court to administer the trust fund consistent with
952 general law and subject to oversight by the Legislature, and to
953 provide for additional funding of the trust fund; to provide for
954 concurrent jurisdiction by the Supreme Court and the Legislature
955 with respect to regulating the admission to practice and the
956 discipline of attorneys and provide for funding such regulation
957 and discipline; to establish an Electors' Tribunal on Security

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958 in each judicial district to conduct investigations and criminal
959 prosecutions of officers of the court as prescribed by general
960 law and provide for its funding; and to delete obsolete
961 scheduling provisions relating to the Judicial Qualifications
962 Commission and the judiciary.