

HJR 47

2011

House Joint Resolution

A joint resolution proposing an amendment to Section 8 of Article V of the State Constitution to increase the period of time that a person must be a member of The Florida Bar before becoming eligible for the office of circuit court or county court judge.

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

That the following amendment to Section 8 of Article V of the State Constitution 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 8. Eligibility.—No person shall be eligible for office of justice or judge of any court unless the person is an elector of the state and resides in the territorial jurisdiction of the court. No justice or judge shall serve after attaining the age of seventy years except upon temporary assignment or to complete a term, one-half of which has been served. No person is eligible for the office of justice of the supreme court, or judge of a district court of appeal, circuit court judge, or county court judge unless the person is, and has been for the preceding ten years, a member of the bar of Florida. ~~No person is eligible for the office of circuit judge unless the person is, and has been for the preceding five years, a member of the~~

HJR 47

2011

29 ~~bar of Florida. Unless otherwise provided by general law, no~~
 30 ~~person is eligible for the office of county court judge unless~~
 31 ~~the person is, and has been for the preceding five years, a~~
 32 ~~member of the bar of Florida. Unless otherwise provided by~~
 33 ~~general law, a person shall be eligible for election or~~
 34 ~~appointment to the office of county court judge in a county~~
 35 ~~having a population of 40,000 or less if the person is a member~~
 36 ~~in good standing of the bar of Florida.~~

37 BE IT FURTHER RESOLVED that the following statement be
 38 placed on the ballot:

39 CONSTITUTIONAL AMENDMENT

40 ARTICLE V, SECTION 8

41 INCREASING THE QUALIFICATIONS FOR THE OFFICES OF CIRCUIT
 42 COURT AND COUNTY COURT JUDGES.—The State Constitution currently
 43 prohibits a person from serving as a circuit court judge unless
 44 the person is, and has been for the proceeding 5 years, a member
 45 of The Florida Bar. This same prohibition applies to county
 46 court judges, except in counties having a population of 40,000
 47 or fewer, where a person need only be a member in good standing
 48 of The Florida Bar. This proposed amendment increases to 10
 49 years the period of time that a person must be a member of The
 50 Florida Bar before serving as a circuit court judge or a county
 51 court judge in any county.