

FOR CONSIDERATION By the Committee on Judiciary

590-02283-11

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1 A bill to be entitled

2 An act relating to judicial nominating commissions;  
3 amending s. 43.291, F.S.; providing for the Attorney  
4 General, rather than the Board of Governors of The  
5 Florida Bar, to submit nominees for certain positions  
6 on judicial nominating commissions; providing for the  
7 termination of terms of all current members of  
8 judicial nominating commissions; providing for  
9 staggered terms of newly appointed members; providing  
10 an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Subsections (1) and (3) of section 43.291,  
15 Florida Statutes, are amended to read:

16 43.291 Judicial nominating commissions.—

17 (1) Each judicial nominating commission shall be composed  
18 of the following members:

19 (a) Four members of The Florida Bar, appointed by the  
20 Governor, who are engaged in the practice of law, each of whom  
21 is a resident of the territorial jurisdiction served by the  
22 commission to which the member is appointed. The Attorney  
23 General ~~Board of Governors of The Florida Bar~~ shall submit to  
24 the Governor three recommended nominees for each position. The  
25 Governor shall select the appointee from the list of nominees  
26 recommended for that position, but the Governor may reject all  
27 of the nominees recommended for a position and request that the  
28 Attorney General ~~Board of Governors~~ submit a new list of three  
29 different recommended nominees for that position who have not

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30 been previously recommended by the Attorney General ~~Board of~~  
31 ~~Governors~~.

32 (b) Five members appointed by the Governor, each of whom is  
33 a resident of the territorial jurisdiction served by the  
34 commission to which the member is appointed, of which at least  
35 two are members of The Florida Bar engaged in the practice of  
36 law.

37 ~~(3) Notwithstanding any other provision of this section,~~  
38 ~~each current member of a judicial nominating commission~~  
39 ~~appointed directly by the Board of Governors of The Florida Bar~~  
40 ~~shall serve the remainder of his or her term, unless removed for~~  
41 ~~cause.~~ The terms of all current ~~other~~ members of a judicial  
42 nominating commission are hereby terminated, and the Governor  
43 shall appoint new members to each judicial nominating commission  
44 in the following manner:

45 (a) Two appointments for terms ending July 1, 2012 ~~2002~~,  
46 one of which shall be an appointment selected from nominations  
47 submitted by the Attorney General ~~Board of Governors of The~~  
48 ~~Florida Bar~~ pursuant to paragraph (1) (a);

49 (b) Two appointments for terms ending July 1, 2013 ~~2003~~;  
50 and

51 (c) Two appointments for terms ending July 1, 2014 ~~2004~~.

52  
53 Every subsequent appointment, except an appointment to fill a  
54 vacant, unexpired term, shall be for 4 years. Each expired term  
55 or vacancy shall be filled by appointment in the same manner as  
56 the member whose position is being filled.

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