

By Senator Steube

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1 A bill to be entitled
2 An act relating to regional counsels; amending s.
3 27.511, F.S.; clarifying the procedure for the
4 nomination and appointment of regional counsels;
5 specifying the number of candidates that must be
6 nominated when a current regional counsel does not
7 apply for reappointment; providing an effective date.

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

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11 Section 1. Subsection (3) of section 27.511, Florida
12 Statutes, is amended to read:

13 27.511 Offices of criminal conflict and civil regional
14 counsel; legislative intent; qualifications; appointment;
15 duties.—

16 (3) (a) For purposes of this subsection, the term
17 "nominating commission" means the Florida Supreme Court Judicial
18 Nominating Commission.

19 (b) The Governor shall appoint each regional counsel to a
20 4-year term, subject to confirmation by the Senate. In order to
21 be eligible for appointment, a candidate must be, and must have
22 been for the preceding 5 years, a member in good standing of The
23 Florida Bar. The Governor shall select the initial appointees,
24 who shall begin their 4-year terms on October 1, 2015, from a
25 list of candidates recommended by the nominating commission. In
26 making subsequent appointments as the terms of the members
27 expire, the Governor shall select appointees from a list of
28 candidates for each region submitted by the nominating
29 commission must be, and must have been for the preceding 5
30 years, a member in good standing of The Florida Bar. Each
31 regional counsel shall be appointed by the Governor and is
32 subject to confirmation by the Senate. If a current regional

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33 counsel submits an application for reappointment, the Supreme
34 Court Judicial nominating commission shall recommend to the
35 Governor, in addition to the current regional counsel, shall
36 recommend to the Governor not fewer than two or more than five
37 additional qualified candidates for appointment for that region
38 to each of the five regional counsel positions. If a current
39 regional counsel does not seek reappointment, the nominating
40 commission shall recommend to the Governor not fewer than three
41 or more than six qualified candidates for appointment for that
42 region.

43 (c) Notwithstanding paragraph (b), if the Governor finds
44 that shall appoint the regional counsel for the five regions
45 from among the recommendations, or, if it is in the best
46 interest of the fair administration of justice, the Governor may
47 reject the initial nominations made by the nominating commission
48 for a region and request that the Supreme Court Judicial
49 Nominating commission submit three new nominees for that region.
50 The regional counsel shall be appointed to a term of 4 years,
51 the term beginning on October 1, 2015. Vacancies shall be filled
52 in the manner provided in paragraph (b).

53 (d) (b) If for any reason a regional counsel is unable to
54 complete a full term in office, the Governor may immediately
55 appoint an interim regional counsel who meets the qualifications
56 to be a regional counsel to serve as regional counsel for that
57 district until a new regional counsel is appointed in the manner
58 provided in paragraph (b) ~~(a)~~. The Florida Supreme Court
59 ~~Judicial~~ nominating commission shall provide the Governor with a
60 list of nominees for appointment within 6 months after the date
61 of the vacancy. A temporary vacancy in office does not affect

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62 the validity of any matters or activities of the office of
63 regional counsel.

64 Section 2. This act shall take effect July 1, 2017.