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Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to the jurisdiction of courts;  
amending s. 26.012, F.S.; limiting the appellate  
jurisdiction of the circuit courts to appeals from  
final administrative orders of local code enforcement  
boards and other reviews and appeals expressly  
provided by law; amending ss. 27.51 and 27.511, F.S.;  
revising the duties of the public defender and office  
of criminal conflict and civil regional counsel,  
respectively, regarding the handling of appeals to  
conform to changes made by the act; amending s.  
34.017, F.S.; authorizing a county court to certify a  
question to a district court of appeal in a final  
judgment that is appealable to a circuit court;  
amending s. 35.065, F.S.; authorizing a district court  
of appeal to review certain questions certified by a  
county court; repealing s. 924.08, F.S., relating to  
the jurisdiction of the circuit court to hear appeals  
from final judgments in misdemeanor cases; providing  
an effective date.

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

Section 1. Section 26.012, Florida Statutes, is amended to  
read:

26.012 Jurisdiction of circuit court.—

(1) ~~Circuit courts shall have jurisdiction of appeals from~~



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28 ~~county courts except:~~

29 ~~(a) Appeals of county court orders or judgments where the~~  
30 ~~amount in controversy is greater than \$15,000. This paragraph is~~  
31 ~~repealed on January 1, 2023.~~

32 ~~(b) Appeals of county court orders or judgments declaring~~  
33 ~~invalid a state statute or a provision of the State~~  
34 ~~Constitution.~~

35 ~~(c) Orders or judgments of a county court which are~~  
36 ~~certified by the county court to the district court of appeal to~~  
37 ~~be of great public importance and which are accepted by the~~  
38 ~~district court of appeal for review. Circuit courts shall have~~  
39 ~~jurisdiction of appeals from final administrative orders of~~  
40 ~~local government code enforcement boards and of reviews and~~  
41 ~~appeals as otherwise expressly provided by law.~~

42 (2) Circuit courts They shall have exclusive original  
43 jurisdiction:

44 (a) In all actions at law not cognizable by the county  
45 courts;

46 (b) Of proceedings relating to the settlement of the  
47 estates of decedents and minors, the granting of letters  
48 testamentary, guardianship, involuntary hospitalization, the  
49 determination of incompetency, and other jurisdiction usually  
50 pertaining to courts of probate;

51 (c) In all cases in equity including all cases relating to  
52 juveniles except traffic offenses as provided in chapters 316  
53 and 985;

54 (d) Of all felonies and of all misdemeanors arising out of  
55 the same circumstances as a felony which is also charged;

56 (e) In all cases involving legality of any tax assessment



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57 or toll or denial of refund, except as provided in s. 72.011;

58 (f) In actions of ejectment; and

59 (g) In all actions involving the title and boundaries of  
60 real property.

61 (3) The circuit court may issue injunctions.

62 (4) The chief judge of a circuit may authorize a county  
63 court judge to order emergency hospitalizations pursuant to part  
64 I of chapter 394 in the absence from the county of the circuit  
65 judge; and the county court judge shall have the power to issue  
66 all temporary orders and temporary injunctions necessary or  
67 proper to the complete exercise of such jurisdiction.

68 (5) A circuit court is a trial court.

69 Section 2. Subsection (4) of section 27.51, Florida  
70 Statutes, is amended to read:

71 27.51 Duties of public defender.—

72 (4) The public defender for the judicial circuit specified  
73 in this subsection shall, after the record on appeal is  
74 transmitted to the appellate court by the office of the public  
75 defender which handled the trial and if requested by any public  
76 defender within the indicated appellate district, handle all  
77 circuit court and county court appeals within the state courts  
78 system and any authorized appeals to the federal courts required  
79 of the official making such request:

80 (a) Public defender of the second judicial circuit, on  
81 behalf of any public defender within the district comprising the  
82 First District Court of Appeal.

83 (b) Public defender of the tenth judicial circuit, on  
84 behalf of any public defender within the district comprising the  
85 Second District Court of Appeal.



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86 (c) Public defender of the eleventh judicial circuit, on  
87 behalf of any public defender within the district comprising the  
88 Third District Court of Appeal.

89 (d) Public defender of the fifteenth judicial circuit, on  
90 behalf of any public defender within the district comprising the  
91 Fourth District Court of Appeal.

92 (e) Public defender of the seventh judicial circuit, on  
93 behalf of any public defender within the district comprising the  
94 Fifth District Court of Appeal.

95 Section 3. Subsection (8) of section 27.511, Florida  
96 Statutes, is amended to read:

97 27.511 Offices of criminal conflict and civil regional  
98 counsel; legislative intent; qualifications; appointment;  
99 duties.—

100 (8) The public defender for the judicial circuit specified  
101 in s. 27.51(4) shall, after the record on appeal is transmitted  
102 to the appellate court by the office of criminal conflict and  
103 civil regional counsel which handled the trial and if requested  
104 by the regional counsel for the indicated appellate district,  
105 handle all circuit court and county court appeals authorized  
106 pursuant to paragraph (5) (f) within the state courts system and  
107 any authorized appeals to the federal courts required of the  
108 official making the request. If the public defender certifies to  
109 the court that the public defender has a conflict consistent  
110 with the criteria prescribed in s. 27.5303 and moves to  
111 withdraw, the regional counsel shall handle the appeal, unless  
112 the regional counsel has a conflict, in which case the court  
113 shall appoint private counsel pursuant to s. 27.40.

114 Section 4. Section 34.017, Florida Statutes, is amended to



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115 read:

116 34.017 Certification of questions to district court of  
117 appeal.—

118 (1) A county court may ~~is permitted to~~ certify a question  
119 to the district court of appeal in a final judgment that is  
120 appealable to the circuit court if the question may have  
121 statewide application, and:

122 (a) Is of great public importance; or

123 (b) Will affect the uniform administration of justice.

124 (2) In the final judgment, the trial court shall:

125 (a) Make findings of fact and conclusions of law; and

126 (b) State concisely the question to be certified.

127 (3) The decision to certify the question to the district  
128 court of appeal is within the sole discretion of the county  
129 court.

130 (4) The district court of appeal has absolute discretion as  
131 to whether to answer a question certified by the county court.

132 (a) If the district court agrees to answer the certified  
133 question, it shall decide all appealable issues that have been  
134 raised from the final judgment.

135 (b) If the district court declines to answer the certified  
136 question, the case shall be transferred to the circuit court  
137 which has appellate jurisdiction.

138 Section 5. Section 35.065, Florida Statutes, is amended to  
139 read:

140 35.065 Review of judgment or order certified by county  
141 court to be of great public importance.—Pursuant to s. 34.017, a  
142 district court of appeal may review any order or judgment of a  
143 county court which is certified by the county court to be of



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144 great public importance.

145 Section 6. Section 924.08, Florida Statutes, is repealed.

146 Section 7. This act shall take effect January 1, 2021.