

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [HB 5401](#) [PCB JUB 25-01](#)

TITLE: Judges

SPONSOR(S): Maney

COMPANION BILL: None

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Orig. Comm.: Justice Budget](#)

14 Y, 0 N



[Budget](#)

27 Y, 0 N

SUMMARY

Effect of the Bill:

The bill establishes 17 new circuit court judgeships and 12 new county court judgeships in specified circuits and counties.

Fiscal or Economic Impact:

The bill conforms current law to the proposed Fiscal Year 2025-2026 House of Representatives' General Appropriations Act, which authorizes 72 full-time equivalent positions and provides \$13,609,701 in recurring funds and \$241,200 in nonrecurring funds from the General Revenue Fund for the newly established judgeships and associated judicial staffing. The bill may have an indeterminate negative fiscal impact on local government expenditures by increasing court costs shared by counties.

Extraordinary Vote Required for Passage:

The bill requires a two-thirds vote of the membership of both houses of the Legislature for final passage.

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ANALYSIS

EFFECT OF THE BILL:

The bill amends [s. 26.031, F.S.](#), to establish 17 new circuit court judgeships in the following judicial circuits: (Section [1](#))

- One judgeship in the Second Circuit.
- Two judgeships in the Fourth Circuit.
- Three judgeships in the Fifth Circuit.
- Two judgeships in the Seventh Circuit.
- One judgeship in the Eighth Circuit.
- Two judgeships in the Ninth Circuit.
- Two judgeships in the Twelfth Circuit.
- One judgeship in the Fourteenth Circuit.
- Two judgeships in the Fifteenth Circuit.
- One judgeship in the Nineteenth Circuit.

The bill amends [s. 34.022, F.S.](#), to establish 12 new county court judgeships in the following counties: (Section [2](#))

- One judgeship in Bay County.
- One judgeship in Clay County.
- One judgeship in Hernando County.
- One judgeship in Lake County.
- One judgeship in Manatee County.
- One judgeship in Marion County.

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- Two judgeships in Miami-Dade County.
- One judgeship in Nassau County.
- One judgeship in Osceola County.
- One judgeship in Palm Beach County.
- One judgeship in Sumter County.

The effective date of the bill is July 1, 2025. (Section [4](#))

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill conforms current law to the proposed Fiscal Year 2025-2026 House of Representatives’ General Appropriations Act, which authorizes 72 full-time equivalent positions, with associated salary rate of 8,221,925, and provides \$13,609,701 in recurring funds and \$241,200 in nonrecurring funds from the General Revenue Fund for the newly established judgeships and associated judicial staffing. The costs of judges, as well as associated support staffing and resources are required to be provided from state revenues.¹

LOCAL GOVERNMENT:

Counties are responsible for the cost of county court facilities, security, communications, and information technology.² To the extent those services will be necessary for additional judges and associated staff, county court costs may increase. Any such increases can likely be absorbed within existing resources.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

The Florida Constitution establishes procedures to determine the number and jurisdiction of judgeships, appellate districts, and judicial circuits.³ If the Florida Supreme Court (FSC) finds a need for changes, it must certify its findings and recommendations to the Legislature. The Legislature must consider the FSC’s findings at the next regular session, and may wholly or partially reject or adopt its recommendations, or increase or decrease judgeships by more than the FSC’s findings upon a two-thirds vote of the membership of both chambers.⁴

The FSC must use uniform criteria to determine if changes are necessary.⁵ In 1999, the Office of the State Courts Administrator (OSCA) collaborated with the National Center for State Courts (NCSC) to develop a weighted caseload system. The system assigns a time value, or “case weight,” to cases based on type and complexity. The case weight is used to project an approximate workload value per case filing and type. Each court’s workload value is divided by working days to determine the necessary number of judges. The system is periodically revised by NCSC and OSCA to account for changes in procedure and case complexity. It was most recently revised in June 2024.⁶

On December 12, 2024, the FSC issued Order No. SC2024-1721 certifying the need for 23 circuit judgeships, 25 county judgeships, and two appellate judgeships.⁷ The order specifies that the additional need is due to increasing

¹ [S. 29.004, F.S.](#)

² [S. 29.008, F.S.](#)

³ [Art. V, s. 9, Fla. Const.](#)

⁴ *Id.*

⁵ *Id.*

⁶ National Center for State Courts, *Florida Judicial Workload Assessment Final Report June 2024*, Office of the State Courts Administrator, https://www.flcourts.gov/content/download/2438568/file/Judicial_Workload_Report_Final.pdf (last visited Mar. 18, 2025).

⁷ *In Re: Certif. of Need for Add'l Judges*, No. SC2024-1721 (Fla. 2024), https://supremecourt.flcourts.gov/content/download/2444685/opinion/Opinion_SC2024-1721.pdf (last visited Mar. 18, 2025).

case complexity, not an increase in the number of filed cases. To arrive at the certification, the FSC accounted for the relative needs of each circuit and county, but did not certify the need for the full complement of judges indicated by the weighted caseload methodology. Instead, the FSC chose to adopt an incremental approach that allows for further assessment of future needs.

The Governor is required to fill judicial office vacancies by appointment from a list of candidates nominated by a judicial nominating commission.⁸ The appointment term ends on the first Tuesday after the first Monday in January of the year following the next general election occurring at least one year after the appointment, after which judges are retained by election. Each judicial circuit has a separate judicial nominating commission composed of nine members appointed by the Governor.⁹

RECENT LEGISLATION:

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2024	HB 5401	Brannan		Became law on May 17, 2024 and went into effect on July 1, 2024.
2022	CS/HB 7027	Gregory		Became law on June 2, 2022 and went into effect on that date.
2021	HB 5301	Plakon		Became law on June 2, 2021 and went into effect on July 1, 2021.

OTHER RESOURCES:

[Florida Supreme Court Webpage – Certification of Need for New Judges](#)

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Orig. Comm.: Justice Budget Subcommittee	14 Y, 0 N		Keith	Saag
Budget Committee	27 Y, 0 N	4/2/2025	Pridgeon	Saag

⁸ [Art. V, s. 11, Fla. Const.](#)

⁹ [S. 43.291, F.S.](#)