

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Metz offered the following:

3
 4 **Amendment (with title amendment)**

5 Remove lines 70-187 and insert:

6 (2) The second circuit is composed of Franklin ~~Leon~~,
 7 Gadsden, Jefferson, Leon, Liberty, and Wakulla, ~~Liberty, and~~
 8 ~~Franklin~~ Counties.

9 (3) The third circuit is composed of Columbia, Dixie,
 10 Hamilton, Lafayette, Madison, Suwannee, and Taylor Counties.

11 (4) The fourth circuit is composed of Clay, Duval, and
 12 Nassau Counties.

13 (5) The fifth circuit is composed of Citrus, Hernando,
 14 Lake, Marion, and Sumter Counties. ~~Two of the circuit judges~~
 15 ~~authorized for the fifth circuit shall reside in either Citrus,~~
 16 ~~Hernando, or Sumter County, and neither of such two judges shall~~
 17 ~~reside in the same county.~~

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18 (6) The sixth circuit is composed of Pasco and Pinellas
19 Counties.

20 (7) The seventh circuit is composed of Flagler, Putnam,
21 St. Johns, and Volusia Counties. ~~One judge shall reside in~~
22 ~~Flagler County; two judges shall reside in Putnam County; two~~
23 ~~judges shall reside in St. Johns County; and three judges shall~~
24 ~~reside in Volusia County. There shall be no residency~~
25 ~~requirement for any other judges in the circuit.~~

26 (8) The eighth circuit is composed of Alachua, Baker,
27 Bradford, Gilchrist, Levy, and Union Counties.

28 (9) The ninth circuit is composed of Orange and Osceola
29 Counties.

30 (10) The tenth circuit is composed of Hardee, Highlands,
31 and Polk Counties.

32 (11) The eleventh circuit is composed of Miami-Dade
33 County.

34 (12) The twelfth circuit is composed of Desoto, Manatee,
35 and Sarasota, ~~and DeSoto~~ Counties.

36 (13) The thirteenth circuit is composed of Hillsborough
37 County.

38 (14) The fourteenth circuit is composed of Bay, Calhoun,
39 Gulf, Holmes, Jackson, and Washington Counties.

40 (15) The fifteenth circuit is composed of Palm Beach
41 County.

42 (16) The sixteenth circuit is composed of Monroe County.
43 ~~One judge in the circuit shall reside in the middle or upper~~

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44 ~~Keys. There shall be no residency requirement for any other~~
45 ~~judge in the circuit.~~

46 (17) The seventeenth circuit is composed of Broward
47 County.

48 (18) The eighteenth circuit is composed of Brevard and
49 Seminole Counties.

50 (19) The nineteenth circuit is composed of Indian River,
51 Martin, Okeechobee, and St. Lucie Counties.

52 (20) The twentieth circuit is composed of Charlotte,
53 Collier, Glades, Hendry, and Lee Counties.

54 (21) Notwithstanding subsections (1)-(20), the territorial
55 jurisdiction of a circuit court may be expanded as provided for
56 in s. 910.03(3).

57

58 The judicial nominating commission of each circuit, in
59 submitting nominations for any vacancy in a judgeship, and the
60 Governor, in filling any vacancy for a judgeship, shall consider
61 whether the existing judges within the circuit, together with
62 potential nominees or appointees, reflect the geographic
63 distribution of the population within the circuit, the
64 geographic distribution of the caseload within the circuit, the
65 racial and ethnic diversity of the population within the
66 circuit, and the geographic distribution of the racial and
67 ethnic minority population within the circuit.

68 Section 8. Section 26.51, Florida Statutes, is repealed.

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69 Section 9. Section 26.55, Florida Statutes, is amended to
70 read:

71 26.55 Conference of Circuit Judges of Florida; duties and
72 reports.—

73 (1) There is created and established the Conference of
74 Circuit Judges of Florida. The conference consists ~~shall consist~~
75 of the active and retired circuit judges of the several judicial
76 circuits of the state, excluding retired judges practicing law.

77 (2) The conference shall annually elect a chair. The
78 chair, ~~whose duty it shall be to~~ call all meetings and ~~to~~
79 appoint committees to effectuate the purposes of the conference.
80 ~~It is declared to be an official function of each circuit judge~~
81 ~~to attend the meetings of the conference. It is also an official~~
82 ~~function of each circuit judge to participate in the activity of~~
83 ~~each committee to the membership of which such judge is~~
84 ~~appointed.~~

85 (3) ~~(a) It is declared to be the responsibility of The~~
86 ~~conference~~ shall operate according to the Rules of Judicial
87 Administration adopted by the Supreme Court. The
88 responsibilities of the conference include ~~to~~:

89 (a)1. Considering and making ~~Consider and make~~
90 recommendations concerning the betterment of the judicial system
91 of the state and its various parts;

92 (b)2. Considering and making ~~Consider and make~~
93 recommendations concerning the improvement of rules and methods
94 of procedure and practice in the several courts; ~~and~~

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95 (c)3- Reporting Report to the Supreme Court its such
96 findings and recommendations under this subsection; and as the
97 conference may have with reference thereto.

98 (d)(b) Providing Not less than 60 days before the
99 convening of the regular session of the Legislature with, the
100 chair of the conference shall report to the President of the
101 Senate and the Speaker of the House such recommendations as the
102 conference may have concerning defects in the laws of this state
103 and such amendments or additional legislation as the conference
104 may deem necessary regarding the administration of justice.

105 Section 10. Section 27.55, Florida Statutes, is repealed.

106 Section 11. Section 29.23, Florida Statutes, is created to
107 read:

108 29.23 Salaries of certain positions in the judicial
109 branch.-

110 (1) The salaries of justices, judges of the district
111 courts of appeal, circuit judges, and county judges shall be
112 fixed annually in the General Appropriations Act.

113 (2) The clerk and the marshal of the Supreme Court, and
114 the clerk and the marshal of a district court of appeal, shall
115 be paid an annual salary to be determined in accordance with s.
116 25.382(3).

117 Section 12. Sections 35.12, 35.13, 35.19, and 35.21,
118 Florida Statutes, are repealed.

119 Section 13. Subsection (1) of section 35.22, Florida
120 Statutes, is amended to read:

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121 35.22 Clerk of district court; ~~appointment;~~ compensation;
122 assistants; filing fees; teleconferencing.-

123 ~~(1) Each district court of appeal shall appoint a clerk~~
124 ~~who shall be paid an annual salary to be determined in~~
125 ~~accordance with s. 25.382.~~

126 ~~(1)(2)~~ The clerk may ~~is authorized to~~ employ such deputies
127 and clerical assistants as may be necessary. Their number and
128 compensation shall be approved by the court, and paid from the
129 annual appropriation for the district courts of appeal.

130 ~~(2)(3)~~(a) The clerk, upon the filing of a certified copy
131 of a notice of appeal or petition, shall charge and collect a
132 filing fee of \$300 for each case docketed, and service charges
133 as provided in s. 28.24 for copying, certifying or furnishing
134 opinions, records, papers or other instruments and for other
135 services. The state ~~of Florida~~ or its agencies, when appearing
136 as appellant or petitioner, is exempt from the filing fee
137 required in this subsection. ~~From each attorney appearance pro~~
138 ~~hac vice,~~ The clerk shall collect from each attorney appearance
139 pro hac vice a fee of \$100 for deposit as provided in this
140 section.

141 (b) Upon the filing of a notice of cross-appeal, or a
142 notice of joinder or motion to intervene as an appellant, cross-
143 appellant, or petitioner, the clerk shall charge and collect a
144 filing fee of \$295. The clerk shall remit the fee to the
145 Department of Revenue for deposit into the General Revenue Fund.

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146 The state and its agencies are exempt from the filing fee
147 required by this paragraph.

148 ~~(3)~~~~(4)~~ The opinions of the district court of appeal may
149 ~~shall~~ not be recorded, but the original as filed shall be
150 preserved with the record in each case.

151 ~~(4)~~~~(5)~~ The clerk may ~~is authorized~~ immediately, after a
152 case is disposed of, ~~to~~ supply the judge who tried the case and
153 from whose order, judgment, or decree, appeal or other review is
154 taken, a copy of all opinions, orders, or judgments filed in
155 such case. Copies of opinions, orders, and decrees shall be
156 furnished in all cases to each attorney of record and for
157 publication in Florida reports to the authorized publisher
158 without charge, and copies furnished to other law book
159 publishers at one-half the regular statutory fee.

160 ~~(5)~~~~(6)~~ The clerk of each district court of appeal shall ~~is~~
161 ~~required to~~ deposit all fees collected in the State Treasury to
162 the credit of the General Revenue Fund, except that \$50 of each
163 \$300 filing fee collected shall be deposited into the State
164 Courts Revenue Trust Fund to fund court operations as authorized
165 in the General Appropriations Act. The clerk shall retain an
166 accounting of each such remittance.

167 ~~(6)~~~~(7)~~ The clerk of the district court of appeal may ~~is~~
168 ~~authorized to~~ collect a fee from the parties to an appeal
169 reflecting the actual cost of conducting the proceeding through
170 teleconferencing if ~~where~~ the parties have requested that an
171 oral argument or mediation be conducted through

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172 teleconferencing. The fee collected for this purpose shall be
173 used to offset the expenses associated with scheduling the
174 teleconference and shall be deposited in the State Courts
175 Revenue Trust Fund.

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T I T L E A M E N D M E N T

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Remove lines 25-26 and insert:

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s. 27.55, F.S., relating to certain

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