

By the Committee on Executive; and Commissioners Schifino and
Coxe

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1 A proposal to amend
2 Section 8 of Article V and to create a new section in
3 Article XII of the State Constitution to require a
4 person to have at least ten years membership in a bar
5 in the United States of America, the preceding five of
6 which must be in The Florida Bar, in order to be
7 eligible to serve in the office of circuit or county
8 judge.

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11 Be It Proposed by the Constitution Revision Commission of
12 Florida:

13
14 Section 8 of Article V of the State Constitution is amended
15 to read:

16 ARTICLE V

17 JUDICIARY

18 SECTION 8. Eligibility.—No person shall be eligible for
19 office of justice or judge of any court unless the person is an
20 elector of the state and resides in the territorial jurisdiction
21 of the court. No justice or judge shall serve after attaining
22 the age of seventy years except upon temporary assignment or to
23 complete a term, one-half of which has been served. No person is
24 eligible for the office of justice of the supreme court or judge
25 of a district court of appeal unless the person is, and has been
26 for the preceding ten years, a member of the bar of Florida. No
27 person is eligible for the office of circuit judge unless the
28 person is, and has been for the preceding five years, a member
29 of the bar of Florida. No person is eligible for the office of
30 circuit judge unless the person is, and has been for the
31 preceding ten years, a member of a bar of one of the states or

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32 territories of the United States of America. ~~Unless otherwise~~
33 ~~provided by general law,~~ No person is eligible for the office of
34 county court judge unless the person is, and has been for the
35 preceding five years, a member of the bar of Florida. No person
36 is eligible for the office of county court judge unless the
37 person is, and has been for the preceding ten years, a member of
38 a bar of one of the states or territories of the United States
39 of America. Notwithstanding the foregoing, unless otherwise
40 provided by general law, a person shall be eligible for election
41 or appointment to the office of county court judge in a county
42 having a population of 40,000 or less if the person is a member
43 in good standing of the bar of Florida.

44
45 A new section is added to Article XII of the State
46 Constitution to read:

ARTICLE XII

SCHEDULE

49 Qualifications of circuit judges and county court judges.-
50 The amendment to Section 8 of Article V, which revises the
51 qualifications for a person to be eligible for the office of
52 circuit judge and county court judge, shall only apply
53 prospectively from January 8, 2019. The amendment may not be
54 construed to affect a person who has assumed the office of
55 circuit judge or county court judge on or before January 8,
56 2019, or any person who has been nominated for a vacancy in the
57 office of circuit judge or county court judge by a judicial
58 nominating commission, but has not yet assumed office, as of
59 January 8, 2019.