

HJR 47

2011

House Joint Resolution

A joint resolution proposing an amendment to Section 8 of Article V of the State Constitution to increase the period of time that a person must be a member of The Florida Bar before becoming eligible for the office of circuit court or county court judge.

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

That the following amendment to Section 8 of Article V of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE V

JUDICIARY

SECTION 8. Eligibility.—No person shall be eligible for office of justice or judge of any court unless the person is an elector of the state and resides in the territorial jurisdiction of the court. No justice or judge shall serve after attaining the age of seventy years except upon temporary assignment or to complete a term, one-half of which has been served. No person is eligible for the office of justice of the supreme court, ~~or~~ judge of a district court of appeal, circuit court judge, or county court judge unless the person is, and has been for the preceding ten years, a member of the bar of Florida. ~~No person is eligible for the office of circuit judge unless the person is, and has been for the preceding five years, a member of the~~

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~~bar of Florida. Unless otherwise provided by general law, no person is eligible for the office of county court judge unless the person is, and has been for the preceding five years, a member of the bar of Florida. Unless otherwise provided by general law, a person shall be eligible for election or appointment to the office of county court judge in a county having a population of 40,000 or less if the person is a member in good standing of the bar of Florida.~~

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTION 8

INCREASING THE QUALIFICATIONS FOR THE OFFICES OF CIRCUIT COURT AND COUNTY COURT JUDGES.—The State Constitution currently prohibits a person from serving as a circuit court judge unless the person is, and has been for the proceeding 5 years, a member of The Florida Bar. This same prohibition applies to county court judges, except in counties having a population of 40,000 or fewer, where a person need only be a member in good standing of The Florida Bar. This proposed amendment increases to 10 years the period of time that a person must be a member of The Florida Bar before serving as a circuit court judge or a county court judge in any county.