

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

JUDICIARY
Senator Lee, Chair
Senator Soto, Vice Chair

MEETING DATE: Tuesday, December 4, 2012

TIME: 2:00 —4:00 p.m.

PLACE: *Toni Jennings Committee Room*, 110 Senate Office Building

MEMBERS: Senator Lee, Chair; Senator Soto, Vice Chair; Senators Bradley, Gardiner, Joyner, Latvala, Richter, Ring, and Thrasher

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	Introduction of committee members and staff by the Committee Chair		Presented
	Overview of the committee's jurisdiction by the committee staff		Presented
	Introduction of Agency Heads and brief discussion of top priorities		Presented
	Other Related Meeting Documents		

2013 Issues for State Courts System

Legislative Agenda

Fiscal Year 2013-14 Legislative Budget Request: The emphasis of the LBR is on investing in the existing resources of the state courts system – personnel and property – rather than requesting substantial new resources. See accompanying summary of key LBR issues.

Judicial Branch 2013 Legislative Substantive Issues:

Protecting confidentiality of behavioral and health information in court records:

- Specify that any behavioral health evaluation filed with the court under chapter 916, F.S. (proceedings relating to mentally deficient and mentally ill defendants), is confidential and exempt from disclosure under the public-records law.
- Specify that the initial treatment-based drug program evaluation and substance abuse screenings, and any behavioral health evaluations, and subsequent treatment status reports relating to a participant in a treatment-based drug court program are confidential and exempt from disclosure under the public-records law.

Supporting community-based substance abuse and mental health treatment for offenders: Support efforts to create and implement a reentry program, under which an eligible, nonviolent, low-risk participant would receive in-prison substance abuse or mental health treatment followed by treatment to be completed while he or she is on substance abuse or mental health probation in the community.

Taking judicial notice in family cases when there is imminent danger: Permit judges in family cases to take judicial notice of court records when there is imminent danger to persons or property and prior notice to a party is impractical, and authorize the court to defer the opportunity for a party to present evidence on the propriety of taking that judicial notice until after the notice has been taken.

Ensuring court access to driver license photographs: Provide specific statutory authority for justices, judges, and individuals who support the functions of the courts to access driver license photographs maintained by the Department of Highway Safety and Motor Vehicles.

Facilitating use of electronic search and arrest warrants: Promote the use of technology to secure and issue search and arrest warrants in an electronic rather than paper-based manner, in coordination with the Florida Courts Technology Commission and law enforcement entities to ensure that statewide considerations are included in the approach to use of electronic warrants.

Recommendations of the Florida Innocence Commission: Members of the Florida Innocence Commission may pursue the commission's recommendations, and staff of the Office of the State Courts Administrator will provide background information to the Legislature.

Other Key Issue: Automating the Court Record

The Judicial Branch will continue its efforts to integrate the clerks' and the courts' computer systems and to provide technology necessary for judges to use electronic documents effectively in the performance of their adjudicatory functions.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/12
Meeting Date

Topic State Courts System Legislative Issues Bill Number _____
(if applicable)

Name Lisa Goodner Amendment Barcode _____
(if applicable)

Job Title State Cts Administrator

Address 500 S Duval St Phone 850-922-5081
Street
Tallahassee FL 32399
City State Zip

E-mail goodnerl@flcourts.org

Speaking: ☐ For ☐ Against ☐ Information

Representing State Courts

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/4/12
Meeting Date

Topic _____

Bill Number _____
(if applicable)

Name Fred Baggett

Amendment Barcode _____
(if applicable)

Job Title _____

Address 101 E. College Ave.
Street
Tall. Fl.
City State Zip

Phone 425 8512

E-mail _____

Speaking: ☐ For ☐ Against ☒ Information

Representing Fl. Assoc. of Court Clerks

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

CourtSmart Tag Report

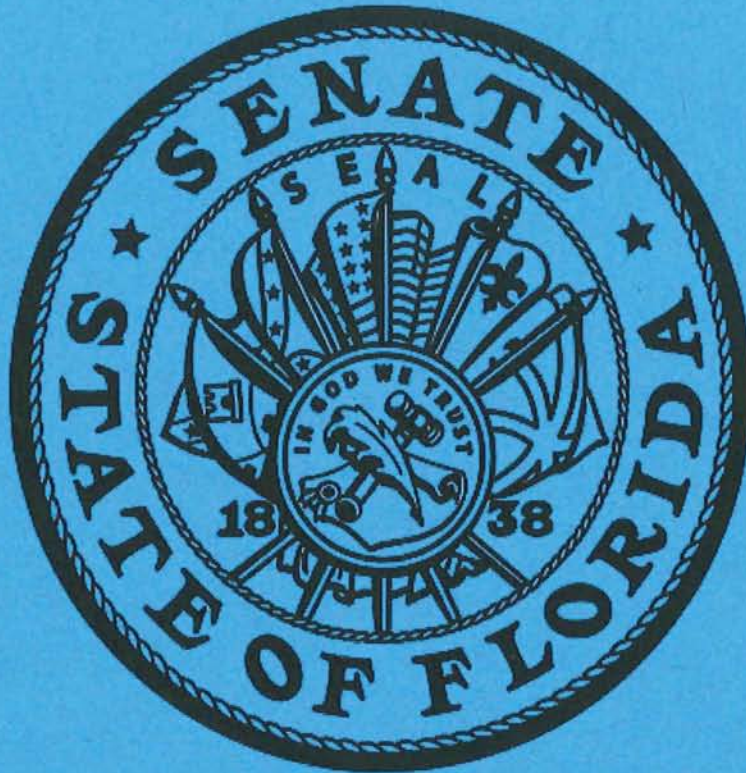
Room: EL 110
Caption: Senate Judiciary

Case:
Judge:

Type:

Started: 12/4/2012 14:05:21
Ends: 12/4/2012 14:25:42 **Length:** 00:20:22

14:05:22	Meeting Call to Order by Chairman Lee
14:05:26	Roll Call by CAA
14:06:05	Introduction of Committee Members
14:07:35	Introduction of committee staff by Tom Cibula, Staff Director
14:09:10	Overview of Committee's Jurisdiction by staff
14:11:53	Introduction of Agency Heads and brief discussion of top priorities
14:12:53	Lisa Goodner with Florida State Courts
14:19:19	Fred Baggett with Florida Association of Court Clerks
14:25:32	Senator Soto moves to adjourn



**SENATE COMMITTEE
ON JUDICIARY**

COMMITTEE RESOURCE PACKET

DECEMBER 2012

**SENATOR TOM LEE, CHAIR
SENATOR DARREN SOTO, VICE CHAIR**

Resource Packet Contents

Committee and Staff Profiles	Tab 1
Overview of the State Courts System	Tab 2
Profiles of Some Entities Interacting with the Committee	Tab 3
<ul style="list-style-type: none">• Office of the State Courts Administrator• Clerks of Circuit Courts• Justice Administrative Commission• Office of the Attorney General	
Florida Trial Court Statistics (FY 2010-2011)	Tab 4
Certification/Funding of Judges	Tab 5
The Florida Bar	Tab 6
Summaries of 2012 Legislation Passed	Tab 7

The Florida Senate Committee on Judiciary

Location

515 Knott Building

Mailing Address

404 South Monroe Street

Tallahassee, Florida 32399-1100

Telephone/Fax

(850) 487-5198

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Committee Members

Senator Tom Lee, Chair

Senator Darren Soto, Vice Chair

Senator Rob Bradley

Senator Andy Gardiner

Senator Arthenia Joyner

Senator Jack Latvala

Senator Garrett Richter

Senator Jeremy Ring

Senator John Thrasher

Professional Staff

Thomas Cibula, Staff Director

Cindy Brown, Senior Attorney

Barry Munroe, Chief Attorney

Ben Shankle, Attorney

Shirley Proctor, Senior Administrative Assistant

Committee on Judiciary: Staff Profiles

Tom Cibula, Staff Director: Tom has served as the staff director of the Committee on Judiciary since January 2012. He had previously served in the legislative process as a senior attorney in the Florida Senate Office of Bill Drafting Services, General Counsel/Senior Policy Analyst for the Florida Taxation and Budget Reform Commission, senior attorney for the Committee on Judiciary, and an attorney for the Committee on Commerce and Economic Opportunities. Tom earned his law degree from Florida State University.

Cindy Brown, Senior Attorney: Cindy originally started with the committee in 2004. Later, she transferred to the Education Committee, where she served for more than 5 years. She comes to us with a myriad of state government experience, from the Department of Revenue, Executive Support; the Office of State Courts Administrator, Judicial Education; the Governor's Office, Public Safety Unit; and the House Community Affairs Committee. She has practice experience in both criminal and employment law. Cindy earned her law degree from the University of Florida.

Barry Munroe, Chief Attorney: Barry started with the committee in the summer of 2010 after serving for 13 years as an attorney with the Committee on Health Regulation. He has staffed numerous committees since his start in the Senate in 1989. Barry earned his law degree from the University of Miami School of Law.

Ben Shankle, Attorney: Ben started working with the committee during the summer of 2012 after serving as an attorney for the Committee on Reapportionment. Ben earned his law degree from the University of Wake Forest Law School.

Shirley Proctor, Senior Administrative Assistant: Shirley started with the Committee on Judiciary in March 2004. Before joining the Senate, she served with the House of Representatives since 1991, principally assisting with the operation of the Criminal Justice/Crime Prevention Committee. Shirley's experience with the House of Representatives included a two-year period working in the Speaker's Office.

Committee on Judiciary: Overview of Jurisdiction

The Committee on Judiciary has one of the broadest subject-matter jurisdictions among the substantive committees in the Florida Senate. The committee's principal focus is civil legal matters and issues affecting the operation of the state courts system. In addition to the bills received on first reference, the committee frequently receives bills on subsequent reference from committees including, but not limited to the Committee on Criminal Justice (CJ); the Committee on Children, Families, and Elder Affairs (CF); and the Committee on Commerce and Tourism (CM).

Principle Subject Areas:

- Operation of the state court system, including issues relating to:
 - Judges
 - Clerks of court
 - Legal profession
 - Revision 7 to Article V of the State Constitution
- Civil legal matters, including, for example:
 - Wrongful death
 - Medical malpractice (with the Committee on Health Policy and the Committee on Banking and Insurance)
 - Sovereign immunity
 - Litigation reform
 - Real property
 - Landlord-tenant relations
 - Condominium and community associations (with the Committee on Regulated Industries and the Committee on Community Affairs)
 - Business associations (with CM)
 - Probate and Trust Law
 - Family law, such as marriage, alimony, and visitation (and some issues, such as child support enforcement and adoption, with CF)
 - Evidence
 - Alternative dispute resolution
 - Liens and judgments
 - Compensation for wrongful incarceration (with CJ)

- Some criminal law matters (on subsequent reference to CJ)
- Often legislation proposing revisions to the State Constitution or implicating state or federal constitutional issues

Key Entities Interacting with the Committee:

- The State Courts System, including:
 - The Florida Supreme Court
 - District courts of appeal
 - Circuit courts
 - County courts
 - Office of the State Courts Administrator
 - Judicial nominating commissions
 - The Judicial Qualifications Commission
- Clerks of court, including:
 - Florida Clerks of Court Operations Corporation
- Justice Administrative Commission (with CJ and Budget Subcommittee on Criminal and Civil Justice Appropriations), including:
 - State attorneys
 - Public defenders
 - Criminal conflict and civil regional counsel and private conflict counsel
- Other entities/organizations, including:
 - Statewide Guardian ad Litem Office/Florida Guardian ad Litem Program (with CF)
 - Office of Attorney General (civil)
 - The Florida Bar and its organizational units (e.g., Family Law Section; Real Property, Probate, and Trust Law Section; Business Law Section; Trial Lawyers Section; etc.)

State Courts System

What is the purpose of the state courts system?	Florida courts protect rights and liberties, uphold and interpret the law, and provide a forum for dispute resolution.
How is the state courts system organized?	<p>The State Courts System consists of all officers, employees, and divisions of the entities listed below.</p> <ul style="list-style-type: none">• The Supreme Court, the highest state appellate court, has seven justices and statewide jurisdiction. The Chief Justice is the administrator of the state courts system. The court also regulates admission of lawyers to The Florida Bar and the discipline of judges and lawyers.• The District Courts of Appeal, the state appellate courts, have jurisdiction within the limits of their five geographic districts and are served by 61 judges.• The Circuit Courts, the highest level trial court in each of the 20 judicial circuits, are served by 599 judges. The circuit courts hear, for example, felony cases, family law matters, and civil cases over \$15,000.• The County Courts, the lowest level trial courts, with at least one judge in each county, are served by 322 judges. The county courts hear, for example, misdemeanor cases, small claims cases, and civil cases under \$15,000. <p>Other entities that also have a role in the judicial system include the following:</p> <ul style="list-style-type: none">• Attorney General, who represents the state in criminal appeals and other issues related to state agency legal actions;• Capitol Collateral Regional Counsels, who represent indigent persons in death row appeals;• clerks of court, who have multiple responsibilities, including keeping a docket for court cases, reporting case filings and dispositions, and collecting court costs and fees;• Judicial Nominating Commissions, which recommend persons to fill judicial vacancies;• Judicial Qualifications Commission, which investigates and recommends discipline of judges;• Office of the State Courts Administrator (OSCA), created by the Supreme Court to assist in administering the state courts system;

	<ul style="list-style-type: none"> • public defenders, who represent indigent persons charged with a felony or certain misdemeanors, alleged delinquents and other persons, such as alleged mentally ill persons, who are being involuntarily placed (usually for health care reasons); • sheriffs, who are responsible for executing all processes of the courts and for the provision of bailiffs; • state attorneys, who prosecute or defend on behalf of the state, all suits, applications, or motions, civil or criminal, in which the state is a party; and • Statewide Prosecutor, who prosecutes on behalf of the state for crimes that include multiple jurisdictions.
How many cases are filed?	According to the most recent available data, in Fiscal Year 2010-11, 3,967,613 cases were filed in trial courts and 26,187 cases were filed in appellate courts. For the 2011 calendar year, 2,595 cases were added to the Florida Supreme Court docket. Additional statistics are available in the Trial Court Statistical Reference Guide.
How are judicial vacancies filled?	Judicial vacancies are filled by the Governor from a list of three candidates nominated by the appropriate Judicial Nominating Commission. There are separate nominating commissions for the Supreme Court, district courts of appeal, and each judicial circuit. The circuit court commissions make nominations for both circuit and county judges. Judicial Nominating Commissions are made up of nine members. The Governor has the sole authority to appoint commission members. Four of the six Florida Bar members must be selected from nominees from the Board of Governors of The Florida Bar. The Board of Governors must submit a list of three recommended nominees for each of the positions, from which the Governor may select his appointment. The Governor may reject all nominees and request a new list of persons who have not been previously nominated. For the remaining five commission positions, the Governor directly appoints the member, of whom at least two must be Florida Bar members. In making appointments, consideration should be given to ethnic, racial, and gender composition, along with the geographic distribution of the population within the commission and the adequacy of the representation of each county. The term of office for commission members is four years, appointed to staggered terms. Judicial Nominating Commission members are also required to comply with financial reporting standards under the definition of state officers as specified in s. 112.3145, <i>Florida Statutes</i> .
Who investigates judicial misconduct?	The Judicial Qualifications Commission is vested with jurisdiction to investigate and recommend to the Supreme Court of Florida the removal from office of any judge whose conduct demonstrates a present unfitness to hold office and to investigate and recommend the reprimand of a judge whose conduct warrants such a reprimand.

Who is responsible for court ordered fines and fees?

Judges are responsible for assessing and enforcing court-ordered fines, fees, service charges, and court costs; and clerks of court are responsible for collecting them. The clerk of the circuit court is an elected constitutional officer who serves many county and court functions. In addition to serving as clerk of the circuit court, these officers may also serve as clerk and accountant to the board of county commissioners, county auditor, clerk of the county court, and as an agent of the Florida Department of Revenue. As clerk of the circuit court, some of their duties include having custody of court records; keeping a progress docket for court cases; keeping minutes of court proceedings; and receiving and accounting for all moneys received in connection with court proceedings, including fines, costs, and civil penalties. Clerks collect money for certain services, such as filing fees and collection of fines and child support payments.

The revenues from these collections are used to fund the state courts and the county clerks of court offices. As a result of the implementation of the 1998 amendment to Article V, *Constitution of the State of Florida*, in 2004, many changes were made that affect the duties of clerks of court and the fees charged for funding court related clerks activities. For example, clerks of court were required to fund their offices using revenues derived from service charges, court costs, filing fees, and fines assessed in civil and criminal proceedings. In regard to budgeting, the Legislature created the Florida Clerks of Court Operations Corporation (CCOC). It supports the clerks of court in the 67 counties in the State of Florida by reviewing and certifying court related proposed budgets under the oversight of the Florida Legislature, the Florida Supreme Court, and the Chief Financial Officer. These activities are consistent with the Revision 7 of Article V, *Constitution of the State of Florida* Sections 28.35 and 28.36, *Florida Statutes*, describe the duties of the corporation.

What is the state courts system's budget?

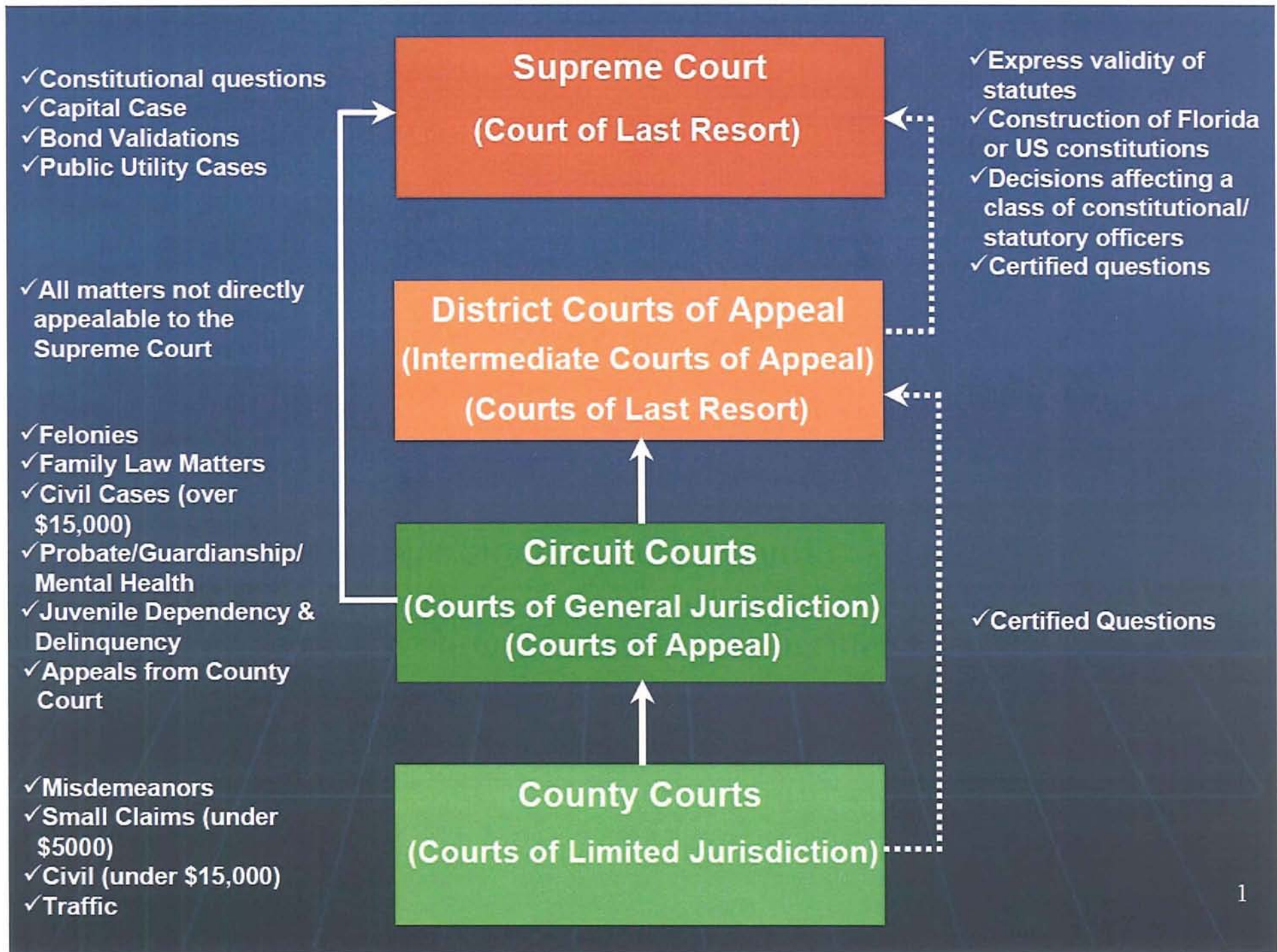
		FISCAL YEAR BUDGET 2012-13	
		DOLLARS	POSITIONS
STATE COURT SYSTEM			
COURT OPERATIONS - ADMINISTERED FUNDS		0	19.00
PROGRAM: DISTRICT COURTS OF APPEAL			
COURT OPERATIONS - APPELLATE COURTS		39,738,208	433.00
PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION			
JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS		904,532	5.00
PROGRAM: SUPREME COURT			
COURT OPERATIONS - SUPREME COURT		9,969,773	97.00
EXECUTIVE DIRECTION AND SUPPORT SERVICES		21,390,126	174.50
PROGRAM: TRIAL COURTS			
COURT OPERATIONS - CIRCUIT COURTS		298,799,684	2,950.00
COURT OPERATIONS - COUNTY COURTS		74,155,774	644.00
TOTAL		444,958,097	4,322.50

Source: www.transparencyflorida.gov

<p>Current issues</p>	<p>New Court Rules. In February 2012, the Supreme Court established new rules, which created term limits for district court of appeal and circuit chief judges. The Rules of Judicial Administration adopted by the court in response to a report from the Judicial Branch Governance Study Group placed eight-year term limits on chief judges. Additional rule changes specified that the Supreme Court speaks for the judicial branch and prohibits other judges from addressing executive or legislative officials on budget matters. Following the rule changes, the court gave 60 days to submit comments and has scheduled oral arguments for June 6, 2012. The opinion is <i>In re: Implementation of Judicial Branch Governance Study Group Recommendations—Amendments to the Florida Rules of Judicial Administration</i>, No. SC11-1374.</p>
<p>Where can I get more information?</p>	<p>OPPAGA Reports</p> <p><i>Pretrial Release Programs Generally Comply with Statutory Data Collection Requirements</i>, Report No. 11-27, December 2011.</p> <p><i>Expansion Drug Courts Serving More Prison-Bound Offenders, but Will Not Fully Expend Federal Funds</i>, Report No. 11-21, November 2011.</p> <p><i>Pretrial Release Programs' Data Collection Methods and Requirements Could Improve</i>, Report No. 10-66, December 2010.</p> <p><i>Without Changes, Expansion Drug Courts Unlikely to Realize Expected Cost Savings</i>, Report No. 10-54, October 2010.</p> <p><i>Little Duplication in Court-Related Services; Clerk/Court Cooperation Should Be Improved</i>, Report No. 10-11, January 2010.</p> <p><i>Clerk and Court State Funded Court-Related 2009-10 Fiscal Year Budget Information</i>, Report No. 10-11A, January 2010.</p> <p><i>Pretrial Release Programs' Compliance With New Reporting Requirements Is Mixed</i>, Report No. 10-08, January 2010.</p> <p><i>State's Drug Courts Could Expand to Target Prison-Bound Adult Offenders</i>, Report No. 09-13, March 2009.</p> <p><i>Judicial Case Management Practices Vary Throughout State; Better Case Data Needed</i>, Report No. 09-06, January 2009.</p> <p><i>Pretrial Release Programs Vary Across the State; New Reporting Requirements Pose Challenges</i>, Report No. 08-75, December 2008.</p> <p><i>Incompetent to Proceed Adjudications Increasing</i>, Report No. 08-17, March</p>

	<p>2008.</p> <p>A complete list of OPPAGA reports pertaining to the judiciary is available at http://www.oppaga.state.fl.us/Default.aspx .</p> <p>Other Reports</p> <p><i>Assessment, Collection, and Remittance of Court-Related Fines, Fees, and Other Charges, and Selected Reporting of Court-Related Activities By Clerks of the Circuit Courts</i>, Auditor General, Report No. 2012-081, January 2012.</p> <p><i>Florida Clerks of Court Operations Corporation Operational Audit</i>, Auditor General, Report No. 2011-031, November 2010.</p> <p>The Auditor General reports on the state courts system are available at http://www.myflorida.com/audgen/ .</p> <p>Websites of Interest</p> <p>Florida Association of Court Clerks and Comptrollers, http://www.flclerks.com/</p> <p>Florida Clerks of Court Operations Corporation, http://www.flccoc.org/index.php</p> <p>National Center for State Courts, http://www.ncsc.org/</p> <p>Performance</p> <p>Performance measures and standards for the State Courts System may be found in its Long Range Program Plan, which is available at http://floridafiscalportal.state.fl.us/PDFDoc.aspx?ID=6171 .</p>
What are the applicable statutes?	Article V, <i>Constitution of the State of Florida</i> , and Chs. 25, 26, 27, 28, 30, 34, and 35, <i>Florida Statutes</i> .
Whom do I contact for help?	<p>Elisabeth H. Goodner, State Courts Administrator, Supreme Court of Florida, 850-922-5081</p> <p>http://www.flcourts.org/courts/crtadmin/crtadmin.shtml</p>

Source: Florida Legislature, Office of Program Policy Analysis and Government Accountability, Government Program Summaries (last updated 5/3/12) <http://www.oppaga.state.fl.us/profiles/1072/> (with revisions by staff of the Committee on Judiciary)



Florida State's Courts System¹

The Supreme Court of Florida

The highest Court in Florida is the Supreme Court, which is composed of seven Justices. At least five Justices must participate in every case and at least four must agree for a decision to be reached. The Court's official headquarters is the Supreme Court Building in Tallahassee.

To be eligible for the office of Justice, a person must be a registered voter who resides in Florida and must have been admitted to the practice of law in Florida for the preceding 10 years.

For most of Florida's history, all judges were chosen by direct election of the people. The only exception was when a vacancy occurred on a court between elections. In that case, the Governor appointed a replacement to serve until the next election was held.

This election of appellate judges led to many problems. They had to raise campaign money, which often was donated by the same attorneys who practiced before the Court. By the mid-1970s, the problem became even more serious after several Florida appellate judges were charged with violations of ethics.

In 1971, Governor Reubin Askew took the first step toward reforming the system. That year he instituted a system called "merit selection." Under this system, the Governor referred a Court vacancy to an impartial panel, which suggested names of possible appointees. The Governor then selected a name from the list. In 1974, Justice Ben F. Overton became the first Supreme Court Justice chosen by this method.

Leaders knew, however, that a more complete change still was needed, because judges still faced periodic elections after appointment. The effort to do this was spearheaded by Governor Reubin Askew, Chief Justice Overton, and State Rep. Talbot "Sandy" D'Alemberte, among others.

As a result, Florida voters amended the Constitution in 1976 to create a "merit retention" system for Florida's appellate judges. This system was meant to eliminate the many problems caused by judges running for office in an election.

When there is a vacancy on the Court today, this system means that the Governor chooses the next Justice from a list of between three and six qualified persons recommended by the Judicial Nominating Commission. When Justices' terms expire, their names will appear on the general election ballot for a merit retention vote, if they wish to remain in office.

Under this system, the voters have eliminated contested elections in which appellate Justices and judges campaign against other candidates. Instead, the question on the ballot is: "Shall Justice _____ be retained in office?"

¹ This information is republished from the website of the Florida Supreme Court. See Florida Supreme Court, Public Information, *About the Court: State Courts System*, http://www.floridasupremecourt.org/pub_info/system2.shtml (last visited, Nov. 28, 2012).

If a majority of the votes cast are not in favor of retaining the incumbent Justice, the Governor appoints another person to fill the vacancy. This person is chosen from a list of individuals whose applications have been reviewed and who have been found qualified by the Judicial Nominating Commission.

The Chief Justice

By a majority vote of the Justices, one of the Justices is elected to serve as Chief Justice, an office that is rotated every two years. The Chief Justice presides at all proceedings of the Court. If the Chief Justice is absent from Court, the most senior Justice present becomes acting Chief Justice. By longstanding tradition, the most senior Justice who has not yet served as Chief Justice is elected to the top post in every even-numbered year.

As chief administrative officer of the judicial branch of government, the Chief Justice assigns Justices and judges, including retired Justices and judges who consent and are approved by the Court to serve, to duty in courts that require temporary assistance. The Chief Justice also supervises the compilation and presentation of the judicial budget to the Legislature.

Among other constitutional duties, the Chief Justice presides or designates another Justice to preside over impeachment proceedings in the Senate. The Chief Justice is assisted in the performance of administrative tasks by the State Courts Administrator and an Inspector General.

The Chief Justice also is frequently called upon to swear in state officers. By longstanding custom, the Chief Justice swears in each newly elected Governor. From around 1905 to 1937, a single Bible was used to swear in all Governors. That Bible now is on display in a glass case in the Supreme Court Library.

Jurisdiction

The jurisdiction of the Supreme Court is set out in the Constitution with some degree of flexibility by which the Legislature may add or take away certain categories of cases. The Court must review final orders imposing death sentences, district court decisions declaring a State statute or provision of the State Constitution invalid, bond validations, and certain orders of the Public Service Commission on utility rates and services.

In addition to these forms of mandatory review authority, if discretionary review is sought by a party, the Court at its discretion may review any decision of a district court of appeal that expressly declares valid a state statute, construes a provision of the state or federal constitution, affects a class of constitutional or state officers, or directly conflicts with a decision of another district court or of the Supreme Court on the same question of law.

The Supreme Court may review certain categories of judgments, decisions, and questions of law certified to it by the district courts of appeal and federal appellate courts.

The Supreme Court has the constitutional authority to issue the extraordinary writs of prohibition, mandamus, quo warranto, and habeas corpus and to issue all other writs necessary to the complete exercise of its jurisdiction. These writs, which bear names as ancient as their common-law origins, have been considered indispensable to our legal system, and the Constitution specifically authorizes their issuance in a proper case without the necessity of having to proceed initially to trial.

They are by nature "extraordinary," and for that reason are not available as an alternative to the usual trial and appeal. Both by their historical development and by current judicial decisions, the writs are made available only in a narrow class of exceptional cases.

Probably the best-known writ is habeas corpus, which may be invoked by any person who seeks release from custody or confinement which is asserted to be unlawful. Upon application to any Justice or judge, the persons may test the legality of their detention, not as to guilt or innocence, but solely as to whether the commitment to custody was lawful and the retention in custody is in accordance with the requirements of due process.

Two closely related writs are the writ of prohibition, by which a court may prevent a lower tribunal from acting upon matters that are not within its jurisdiction or from exceeding its lawful powers, and the writ of mandamus, by which a court may compel an official to perform a duty the law requires but that the official has failed or refused to perform.

The writ of quo warranto, although rarely sought, is available to challenge the right of public officials to hold the offices to which they claim entitlement.

The Supreme Court also renders advisory opinions to the Governor, upon request, on questions relating to the Governor's constitutional duties and powers. As the state's highest tribunal, the Supreme Court possesses distinctive powers that are essential to the exercise of the state's judicial power but that are not, strictly speaking, decision-making powers in contested cases.

The Court promulgates rules governing the practice and procedure in all Florida courts, subject to the power of the Legislature to repeal any rule by a two-thirds vote of its membership, and the Court has the authority to repeal (if five Justices concur) any rule adopted by the Judicial Qualifications Commission.

The Court has exclusive authority to regulate the admission and discipline of lawyers in Florida. To assist in the performance of those regulatory powers, the Court has adopted a code of professional conduct, established the Florida Board of Bar Examiners to administer the admissions process, and created The Florida Bar to superintend bar governance.

The Court has been assigned the responsibility to discipline and remove judicial officers. The Court has adopted a Code of Judicial Conduct, and upon the recommendation of the Judicial Qualifications Commission, it may discipline or remove any Justice or judge who is found to have violated code standards.

No single aspect of the Court's jurisdiction receives more public notice than the death penalty cases. Most people are unaware that the Court is strictly required to follow a procedure dictated by the United States Supreme Court. Under this procedure, the Court must look at what are called "aggravating" and "mitigating" factors. Aggravating factors include the fact that a murder was "execution-style" or was very torturous. Mitigating factors can include mental illness, contributions to the community during life, or the fact the murderer was very young. The death sentence can never be imposed if there are no aggravating factors.

If at least one aggravating factor exists, the Court then must see how it weighs against the mitigating factors. If the aggravating factors outweigh the mitigating factors, then death is a legal penalty.

People sometimes ask where death chamber chair is housed. It is not located in Tallahassee, but is kept in a State prison in a rural area between Jacksonville and Gainesville. Florida has no permanent executioner, but allows residents of the State to qualify as a "volunteer" for this role. Each executioner is paid a small amount for the effort. Identities of the executioners are never revealed.

When the day of execution arrives, the Court also plays another role. By longstanding tradition, one Justice will be present at the Court at the time of execution. An open phone line is maintained between the Governor's office and the Court. Another open phone line is maintained between the Governor's office and the state prison.

The Clerk

Article V, section 3(c) of the Florida Constitution authorizes the Supreme Court to appoint a clerk who holds office at the pleasure of the Court. All papers, records, files, and the seal of the Supreme Court are kept in the custody of the clerk. The clerk receives all documents filed in cases, circulates that material to the Justices, and releases orders and opinions of the Court to the public.

The clerk appoints a chief deputy clerk to discharge the duties of the office in the clerk's absence.

The Marshal

Under Article V, section 3(c) of the Florida Constitution, the Supreme Court appoints a marshal to serve at the pleasure of the Court. The marshal has the power to execute the process of the Court throughout the state and to deputize the sheriff or a deputy sheriff of any county to assist in those duties. The marshal also orders and distributes supplies used by the Justices and their staff, serves as custodian of the Supreme Court Building and grounds, and supervises security for the Court.

Supreme Court Library

Early Court records indicate the Supreme Court Library, which is located in the south wing of the Supreme Court Building, has been continuously in existence since 1845. The Library -- the

oldest state-supported library in Florida -- primarily exists for legal research. It was originally designed for the use of the Supreme Court and the attorneys who practice before it.

Until the Constitution of 1885 was amended in 1956, the clerk of the Supreme Court also served as librarian. Since 1956, the Supreme Court has had a librarian whose sole responsibility is administering the library.

Law books may be divided into two general classes: primary and secondary sources. Primary sources are court decisions, acts of legislative assemblies, official statutes, rules and regulations of governmental agencies, and similar pronouncements in published form.

Secondary sources are works that attempt to explain, rationalize or discuss specific aspects of the law, or that are aids in the search for primary sources.

The library has been designated a federal depository library for legal materials published by the Government Printing Office. The collections include practically all of the reported decisions of all American courts. In addition to the 50 states, the library has reports for courts of the Virgin Islands, Puerto Rico, the Panama Canal Zone, England, Canada, Australia, Ireland, and Scotland. The library also has current statute law for all 50 states plus the United Kingdom and Canada. In addition, the Supreme Court Library houses many historical documents related to the development of the Florida Supreme Court and the Florida Constitution. These include a number of rare books that detail the development of Florida law.

The library occupies floor space on five levels of the Supreme Court Building. It is open from 8 a.m. to 5 p.m., Monday through Friday, and it is closed on holidays when the Supreme Court Building is closed.

Public Information Office

In 1996, the Court created its first public information office primarily to handle relations between the Supreme Court and the media. The Court's public information officer currently serves as media liaison, a deputy webmaster helping maintain these Webpages, and communications counsel to the Court.

Florida Supreme Court Historical Society

One of the newest agencies assisting the Court is the Florida Supreme Court Historical Society. The society was reactivated in 1983 through the efforts of Delphine Strickland, with the support of Justice Ben F. Overton, Chesterfield Smith, Reese Smith, Talbot "Sandy" D'Alemberte, Bob Ervin, and Lewis Hall. The Society serves the primary function of collecting and preserving materials relevant to the Court's lengthy history.

The Society has had considerable success. Its members and officers have contacted the families of former Justices, have obtained gifts of historical materials, and have conducted oral histories to further preserve the Court's rich history, among other endeavors.

One example of the Society's work is the Waterbury Clock located on the Library's main level. This instrument was manufactured around 1910-1919, and most likely was purchased by the Court for the previous Supreme Court building constructed in 1912. The clock later was purchased from the Court by Justice T. Frank Hobson, who served from 1948 until his retirement in 1962. In 1986, the Hobson family returned the clock to the Court in memory of Justice Hobson.

Other activities of the Society have included the regular publication of a newsletter, the presentation of oral history programs throughout the state, the compiling and publication of historical materials, and the presentation of exhibits in the Supreme Court rotunda, in the Historic Old Capitol building and at The Florida Bar Conventions. The Society also has published a history of the Court from territorial days until 1917. The Society can be reached by calling (850) 222-3703.

The newest project of the Society is the Supreme Court Docent Program, which will increase public access to the Court by providing tours and other informational services. As part of the project, the Society has developed and published a book entitled *The Supreme Court of Florida*, which is the source of some of the material on these Internet home pages.

The Legal Profession

The Florida Bar

The Florida Bar, with executive offices in Tallahassee, is a state-wide professional organization of lawyers. Since 1949, Florida has an "integrated bar," which means all lawyers admitted to the practice of law in Florida must be members of this official professional association.

The authority for the establishment and maintenance of the Bar as an integrated bar association is a 1949 rule of the Supreme Court based on the Court's constitutional authority to regulate the practice of law in Florida. The rule was adopted in an opinion written by Justice Glenn Terrell in which he made the often-quoted observation that lawyers owe a special duty to our society's democratic ideals.

The Bar assists the Court by recommending disciplinary action in grievance proceedings against lawyers and in cases of complaints of the practice of law by unauthorized persons. Committees of the Bar frequently draft, and propose to the Court, amendments to Court rules of procedure. The Florida Bar, with the cooperation of 63 local bar associations, conducts public information programs, assists in providing legal aid to people who are unable to pay legal fees, and provides educational services to members and the public through seminars and publications.

The governing body of the Bar is the Board of Governors, whose members are elected by members of the Bar.

The Board of Bar Examiners

The Florida Board of Bar Examiners, located in Tallahassee, is an instrument of the Supreme Court designed to assure that only qualified persons will be admitted to the practice of law. Created by a 1955 rule of the Court, it is composed of three non-lawyer members who serve

three-year terms and 12 members of the Bar who serve staggered, five-year terms. Members are usually selected by the Court from slates of nominees submitted by the Board of Governors.

The board's functions are to determine the professional competence of applicants for admission to practice by conducting written examinations in subjects determined by the Court, to investigate the character and other qualifications of applicants, and to submit to the Supreme Court the names of all applicants who are deemed fully qualified for admission to practice. Admission to the Bar is finally accomplished by rule of the Court.

The Office of the State Courts Administrator

On July 1, 1972, the Office of the State Courts Administrator (OSCA) was created with initial emphasis on the development of a uniform case reporting system to provide information on activity in the judiciary in the preparation of its operating budget and in projecting the need for judges and specialized court divisions.

The State Courts Administrator serves as the liaison between the judicial branch and the legislative branch, the executive branch, the auxiliary agencies of the Court, and national court research and planning agencies. The OSCA's legislative and communication functions are handled directly by the State Courts Administrator and his or her executive staff.

The District Courts of Appeal

Organization

The bulk of trial court decisions that are appealed are never heard by the Supreme Court. Rather, they are reviewed by three-judge panels of the district courts of appeal. Florida did not have district courts of appeal until 1957.

Until that time, all appeals were heard solely by the Supreme Court. As Florida grew rapidly in the twentieth century, however, the Supreme Court's docket became badly congested. Justice Elwyn Thomas with help from other members of the Court perceived the problem and successfully lobbied for the creation of the district-court system to provide intermediate appellate courts.

The Constitution now provides that the Legislature shall divide the State into appellate court districts and that there shall be a district court of appeal (DCA) serving each district. There are five such districts that are headquartered in Tallahassee, Lakeland, Miami, West Palm Beach, and Daytona Beach.

DCA judges must meet the same eligibility requirements for appointment to office, and they are subject to the same procedures and conditions for discipline and removal from office, as Justices of the Supreme Court. Like Supreme Court Justices, district court judges also serve terms of six years and will be eligible for successive terms under a merit retention vote of the electors in their districts.

In each district court, a chief judge, who is selected by the district court judges within the district, is responsible for the administrative duties of the court.

Jurisdiction

The district courts of appeal can hear appeals from final judgments and can review certain non-final orders. By general law, the district courts have been granted the power to review final actions taken by state agencies in carrying out the duties of the executive branch of government.

Finally, the district courts have been granted constitutional authority to issue the extraordinary writs of certiorari, prohibition, mandamus, quo warranto, and habeas corpus, as well as all other writs necessary to the complete exercise of their jurisdiction.

As a general rule, decisions of the district courts of appeal represent the final appellate review of litigated cases. A person who is displeased with a district court's express decision may ask for review in the Florida Supreme Court and then in the United States Supreme Court, but neither tribunal is required to accept the case for further review. Most are denied.

The Circuit Courts**Overview**

Until 1973, Florida had more different kinds of trial courts than any state except New York. A movement developed in the late 1960s to reform this confusing system. As a result, Florida now has a simple two-tiered trial court system. A temporary exception was the municipal court, which was not abolished until January 1, 1977. Most of these courts in major population areas were abolished on January 1, 1973.

The majority of jury trials in Florida take place before one judge sitting as judge of the circuit court. The circuit courts are sometimes referred to as courts of general jurisdiction, in recognition of the fact that most criminal and civil cases originate at this level.

Organization

The Constitution provides that a circuit court shall be established to serve each judicial circuit established by the Legislature, of which there are twenty. Within each circuit, there may be any number of judges, depending upon the population and caseload of the particular area.

To be eligible for the office of circuit judge, a person must be a registered voter in a county within the circuit and must have been admitted to the practice of law in the state for the preceding five years.

Circuit court judges are elected by the voters of the circuits in nonpartisan, contested elections against other persons who choose to qualify as candidates for the position. Circuit court judges serve for six-year terms, and they are subject to the same disciplinary standards and procedures as Supreme Court Justices and district court judges.

A chief judge is chosen from among the circuit judges and county judges in each judicial circuit to carry out administrative responsibilities for all trial courts (both circuit and county courts) within the circuit.

Jurisdiction

Circuit courts have general trial jurisdiction over matters not assigned by statute to the county courts and also hear appeals from county court cases. Thus, circuit courts are simultaneously the highest trial courts and the lowest appellate courts in Florida's judicial system.

The trial jurisdiction of circuit courts includes, among other matters, original jurisdiction over civil disputes involving more than \$15,000; controversies involving the estates of decedents, minors, and persons adjudicated as incapacitated; cases relating to juveniles; criminal prosecutions for all felonies; tax disputes; actions to determine the title and boundaries of real property; suits for declaratory judgments that is, to determine the legal rights or responsibilities of parties under the terms of written instruments, laws, or regulations before a dispute arises and leads to litigation; and requests for injunctions to prevent persons or entities from acting in a manner that is asserted to be unlawful.

Lastly, circuit courts are also granted the power to issue the extraordinary writs of certiorari, prohibition, mandamus, quo warranto, and habeas corpus, and all other writs necessary to the complete exercise of their jurisdiction.

The County Courts

Organization

The Constitution establishes a county court in each of Florida's 67 counties. The number of judges in each county court varies with the population and caseload of the county. To be eligible for the office of county judge, a person must be an elector of the county and must have been a member of The Florida Bar for five years; in counties with a population of 40,000 or less, a person must only be a member of The Florida Bar.

County judges are eligible for assignment to circuit court, and they are frequently assigned as such within the judicial circuit that embraces their counties.

County judges serve six-year terms, and they are subject to the same disciplinary standards, and to the jurisdiction of the Judicial Qualifications Commission, as all other judicial officers.

Jurisdiction

The trial jurisdiction of county courts is established by statute. The jurisdiction of county courts extends to civil disputes involving \$15,000 or less.

The majority of non-jury trials in Florida take place before one judge sitting as a judge of the county court. The county courts are sometimes referred to as "the people's courts," probably because a large part of the courts' work involves voluminous citizen disputes, such as traffic offenses, less serious criminal matters (misdemeanors), and relatively small monetary disputes.

Other Officials

The Constitution creates official positions outside the judicial branch essential to the administration of justice and to the operation of the state's judicial system. Clerks of courts are county officers whose duties include the management and preservation of the records of judicial proceedings.

In each of the 20 judicial circuits, a State Attorney is elected for a term of four years to prosecute persons charged with criminal conduct. The 1963 Legislature established the office of Public Defender in each circuit to defend indigent criminal defendants in all but a small number of minor matters. Public Defenders are also elected for a term of four years.

Office of the State Courts Administrator¹

On July 1, 1972, the Office of the State Courts Administrator (OSCA) was created with initial emphasis on the development of a uniform case reporting system to provide information on activity in the judiciary in the preparation of its operating budget and in projecting the need for judges and specialized court divisions.

The State Courts Administrator serves under the direction of the Chief Justice of the Florida Supreme Court and the other six justices and oversees the operation of numerous court initiatives and administrative functions.

Additionally, the State Courts Administrator serves as the liaison between the court system and the legislative branch, the executive branch, the auxiliary agencies of the Court, and national court research and planning agencies. The OSCA's legislative and communication functions are handled directly by the State Courts Administrator and her executive staff.

More information on this structure is available in the Florida Rules of Judicial Administration maintained by The Florida Bar.

The Office of the State Courts Administrator may be contacted at:

State Courts Administrator
500 South Duval Street
Tallahassee, Florida 32399-1900
(850) 922-5081
osca@flcourts.org

¹ Source: Florida State Courts, *Administrative Functions: General Information*, <http://www.flcourts.org/courts/crtadmin/crtadmin.shtml> (last visited Nov. 28, 2012).

Clerk of the Circuit Court

The clerk of the circuit court is an elected constitutional officer who serves many county and court functions. In addition to serving as clerk of the circuit court, these officers may also serve as clerk and accountant to the board of county commissioners, county auditor, clerk of county court, and as an agent of the Florida Department of Revenue. As clerk of the circuit court, some of their duties include having custody of court records; keeping a progress docket for court cases; keeping minutes of court proceedings; and receiving and accounting for all moneys received in connection with court proceedings, including fines, costs, and civil penalties. Clerks collect money for certain services, such as filing fees and collection of fines and child support payments. The budgets for clerks are required to be prepared in two parts, one showing the planned operations of the state courts system and the second part relating to the other duties of the clerk's office.

As a result of the implementation of the 1998 amendment to Article V of the Florida Constitution in 2004, many changes were made which affect the duties of clerks of court and the fees charged for funding court-related clerk activities. During the 2009 Regular Session (and with revisions in 2010), the Legislature enacted a measure that significantly affected the state courts system and the clerks of court in particular. The measure brought the clerks of court into the annual legislative budget process. Previously, clerks were funded through the retention of fines, fees, and costs that they collected from users of the state courts system, under oversight by the Clerks of Court Operations Corporation. Now, each clerk prepares a budget request and submits it to the corporation by October 1. Under core service areas, the clerk proposes specific services along with a proposed unit cost. The corporation and the Chief Financial Officer recommended unit costs for each clerk and a statewide total budget for all 67 clerks based on the unit costs and projected workload and make recommendations to the Legislature and the Supreme Court by December 1 of each year. The Legislature will accept, reject, or modify the proposed unit costs and appropriate the clerks' statewide total budget each year in the General Appropriations Act.

More information on the corporation can be obtained at: <http://flccoc.org/> . The website for the Florida Association of Court Clerks and Comptrollers is: <http://www.flclerks.com/> .

Justice Administrative Commission

What is the purpose of the commission?	The commission was created by Ch. 65-328, <i>Laws of Florida</i> , (s. 43.16, <i>Florida Statutes</i>), as a central office providing administrative services on behalf of Florida's state attorneys, public defenders, the capital collateral regional counsels, the criminal conflict and civil regional counsels, the Guardian ad Litem Program, and the Clerks of Court.
What is the composition of the commission?	The commission is governed by a board of two state attorneys and two public defenders, who are appointed by their respective professional associations, the Florida Prosecuting Attorneys Association, and the Florida Public Defender Association. Members serve on the commission for a term of two years and appoint the executive director. The executive director employs personnel necessary for the efficient performance of the commission.
What services does the commission provide?	<p>The commission performs a number of administrative functions for its client agencies as described below.</p> <ul style="list-style-type: none"> • The commission performs administrative services related to budget, personnel and payroll matters, payment of invoices for the goods and services received by the client agencies to assure general adherence to all rules relative to purchasing and auditing. Specifically, the commission contracts with court-appointed attorneys and reviews their invoices for the payment of attorney fees, as well as implements a quarterly reporting system to ensure the continuation of adequate funding for court-appointed attorney costs. • The commission processes all court-appointed counsel, state attorney, public defender, and private court-appointed counsel due process costs. • The commission records revenues from payments by the cities and counties to state attorneys and public defenders for the prosecution of ordinance violations and other new revenue sources. <p>The commission is also charged with maintaining a registry of mental health and other experts who are available and willing to provide examinations and expert testimony in proceedings relating to the civil commitment of sexually violent predators. While the commission does not verify the professional qualifications of persons listed on the registry, Florida statutes require the commission to list the name and contact information of all persons holding themselves out to be qualified to provide examinations and expert testimony upon request.</p>
What is the commission's workload and performance?	In Fiscal Year 2010-11, the commission processed 490,640 accounting transactions and 54,733 court-appointed attorney and due process vendor invoices. The commission processed 92.27% of invoices within statutory time frames (the legislative performance standard was 95.00%).

What is the commission's budget?	FISCAL YEAR BUDGET 2012-13		
	JUSTICE ADMINISTRATION	DOLLARS	POSITIONS
	CAPITAL COLLATERAL REGIONAL COUNSELS		
	PROGRAM: MIDDLE REGIONAL COUNSEL		
	PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES	3,781,743	41.00
	PROGRAM: SOUTHERN REGIONAL COUNSEL		
	PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES	3,181,584	32.00
	CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSELS		
	01-PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST	9,229,152	111.00
	02-PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND	8,720,962	101.00
	03-PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD	5,000,707	47.00
	04-PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH	7,715,726	63.00
	05-PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH	6,316,651	67.00
	PROGRAM: CLERKS OF COURT		
	CLERKS OF COURT	445,380,312	.00
	CLERKS OF COURT OPERATIONS CORPORATION	1,616,044	7.00
	PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION		
	EXECUTIVE DIRECTION AND SUPPORT SERVICES	86,752,682	94.00
	PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE	32,101,043	539.00
	PUBLIC DEFENDERS PUBLIC DEFENDERS APPELLATE DIVISION		
	02-PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT	2,211,162	34.00

07-PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT	2,147,600	33.00
10-PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT	3,736,894	50.00
11-PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT	1,839,538	24.00
15-PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT	3,062,835	37.00
01-PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT	8,168,206	119.00
02-PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT	5,384,730	85.00
03-PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT	2,527,678	30.00
04-PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT	10,435,073	147.00
05-PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT	7,291,945	108.00
06-PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT	15,244,851	229.00
07-PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT	7,222,831	114.00
08-PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT	4,922,605	74.00
09-PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT	12,827,911	221.00
10-PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT	7,099,485	114.00
11-PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT	25,553,523	384.00
12-PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT	6,144,627	95.50
13-PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT	14,681,285	221.50
14-PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT	4,535,025	61.00
15-PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT	11,815,701	194.00
16-PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT	2,652,408	42.00

17-PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT	16,469,103	223.00
18-PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT	7,730,442	119.00
19-PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT	5,527,888	78.00
20-PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT	8,728,986	137.00
STATE ATTORNEYS		
01-PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT	14,356,565	231.75
02-PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT	8,273,980	116.00
03-PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT	4,809,763	71.00
04-PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT	22,412,411	370.00
05-PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT	15,791,919	239.00
06-PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT	30,242,236	475.00
07-PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT	15,550,053	242.00
08-PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT	8,504,816	139.00
09-PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT	23,600,675	361.50
10-PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT	14,850,908	216.00
11-PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT	78,208,777	1,264.00
12-PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT	11,545,592	182.00
13-PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT	22,296,803	357.00
14-PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT	7,764,806	123.00
15-PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT	22,310,793	331.00
16-PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT	4,399,617	62.00
17-PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT	32,153,546	509.00
18-PROGRAM: STATE ATTORNEYS -	18,272,090	294.00

	<p>EIGHTEENTH JUDICIAL CIRCUIT</p> <p>19-PROGRAM: STATE ATTORNEYS - 10,478,457 166.00</p> <p>NINETEENTH JUDICIAL CIRCUIT</p> <p>20-PROGRAM: STATE ATTORNEYS - 19,221,680 310.00</p> <p>TWENTIETH JUDICIAL CIRCUIT</p> <p>TOTAL 1,192,804,425 10,135.25</p> <p>Source: www.transparencyflorida.gov</p>
Where can I get more information?	<p>OPPAGA Reports A complete list of OPPAGA reports pertaining to the judiciary is available at http://www.oppaga.state.fl.us/ .</p> <p>Other Reports The Auditor General reports on state attorney's and public defender's operations are available at http://www.myflorida.com/audgen/pages/subjects/stattorney.htm .</p> <p>Websites of Interest Capital Collateral Regional Counsels, http://www.floridacapitalcases.state.fl.us/c-ccrc.cfm Clerks of Court Operations Corporation, http://www.flccoc.org/index.php Florida Association of Court Clerks and Comptrollers, http://www.flclerks.com/ Guardian ad Litem, http://www.guardianadlitem.org/</p> <p>Performance Performance measures and standards for the department may be found in its Long Range Program Plan, which is available at http://floridafiscalportal.state.fl.us/PDFDoc.aspx?ID=6157.</p>
What are the applicable statutes?	Sections 27.511, 28.35, 39.8296, 43.16 and 394.932, <i>Florida Statutes</i> .
Whom do I contact for help?	<p>Alton L. "Rip" Colvin, Jr., Executive Director, 850-488-2415</p> <p>http://www.justiceadmin.org/</p>

Source: Florida Legislature, Office of Program Policy Analysis and Government Accountability, Government Program Summaries (last updated 4/27/12) <http://www.oppaga.state.fl.us/profiles/1022/> (with revisions by staff of the Committee on Judiciary)

Office of the Attorney General

(Department of Legal Affairs)

What is the purpose of the office?	<p>The Office of the Attorney General, also known as the Department of Legal Affairs, serves as the people's law firm. Led by an elected Attorney General, this office protects</p> <ul style="list-style-type: none">• the constitutional powers of the state through litigation conducted at the trial and appellate levels;• the public safety by litigating a wide variety of civil cases and prosecuting multi-circuit crime and selected capital crimes on appeal;• the rights of children, consumers, and victims through its various protection programs; and• the state's economic market place by investigating and litigating against businesses that seek to limit competition and defraud taxpayers.
Who is the Attorney General?	<p>The current Attorney General is Pam Bondi. The Florida constitution designates the Attorney General as the chief state legal officer. The constitution requires the Attorney General to be elected every four years and be at least 30 years old. To qualify for election, the Attorney General must have resided in the state for the preceding seven years and have been a member of the Florida Bar for the preceding five years. The Attorney General serves as legal advisor to the Florida Cabinet and represents the Governor and Cabinet in litigation. As a cabinet member, the Attorney General is also a member of the Clemency Board.</p>
What services does the office provide?	<p>The office provides a wide variety of legal services that can be broadly divided into four areas.</p> <ul style="list-style-type: none">• Criminal and Civil Litigation<ul style="list-style-type: none">◦ assesses whether ethical charges against public officials should move forward;◦ litigates criminal and capital (death sentence) appeals in state and federal court;◦ provides legal representation on matters pertaining to professional licensure and disciplinary boards, the defense and assessment of state taxes, federal and state employment law, acquisition of private land through eminent domain, corrections litigation pertaining to Florida inmates, and tort-related issues for which the state may be assessed damages;◦ investigates and litigates against businesses and individuals who violate state and federal antitrust, civil rights, and Medicaid laws;◦ protects the economic marketplace by prosecuting violators of the Florida Deceptive and Unfair Trade Practices Act and the Florida Racketeer Influenced and Corrupt Organization Act;

	<ul style="list-style-type: none">◦ protects the rights of children through legal services and child support enforcement;◦ seeks to resolve disputes between government agencies and citizens seeking access to public records, as well as between automobile manufacturers and dissatisfied new car owners and leasees; and◦ defends the constitutional power, duties, and responsibilities of all three branches of Florida government through the Solicitor General. <ul style="list-style-type: none">• Executive Direction and Support Services assists the Attorney General in her role as a member of the Florida Cabinet, provides legal opinions to government officials, and administers the agency in general.• Statewide Prosecution investigates and prosecutes multi-circuit crime and assists state and local law enforcement in their efforts to combat organized crime.• Victim Services helps ensure financial assistance for victims of crime and educates the public about crime prevention.																																	
Does the office house any independent entities?	The Florida Elections Commission enforces Florida’s campaign finance laws. The commission is housed in the Attorney General’s office for administrative purposes only. It is not subject to the control, supervision, or direction of the Attorney General.																																	
What is this office's budget?	<table><tr><td colspan="3">FISCAL YEAR BUDGET 2012-13</td></tr><tr><td>LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL</td><td>DOLLARS</td><td>POSITIONS</td></tr><tr><td colspan="3">PROGRAM: FLORIDA ELECTIONS COMMISSION</td></tr><tr><td>CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT</td><td>1,342,615</td><td>14.00</td></tr><tr><td colspan="3">PROGRAM: OFFICE OF ATTORNEY GENERAL</td></tr><tr><td>CRIMINAL AND CIVIL LITIGATION</td><td>90,625,352</td><td>983.00</td></tr><tr><td>EXECUTIVE DIRECTION AND SUPPORT SERVICES</td><td>11,646,463</td><td>133.00</td></tr><tr><td>VICTIM SERVICES</td><td>81,620,652</td><td>99.00</td></tr><tr><td colspan="3">PROGRAM: OFFICE OF STATEWIDE PROSECUTION</td></tr><tr><td>PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME</td><td>5,732,258</td><td>63.50</td></tr><tr><td>TOTAL</td><td>190,967,340</td><td>1,292.50</td></tr></table> <p>Source: www.transparencyflorida.gov</p>	FISCAL YEAR BUDGET 2012-13			LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL	DOLLARS	POSITIONS	PROGRAM: FLORIDA ELECTIONS COMMISSION			CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT	1,342,615	14.00	PROGRAM: OFFICE OF ATTORNEY GENERAL			CRIMINAL AND CIVIL LITIGATION	90,625,352	983.00	EXECUTIVE DIRECTION AND SUPPORT SERVICES	11,646,463	133.00	VICTIM SERVICES	81,620,652	99.00	PROGRAM: OFFICE OF STATEWIDE PROSECUTION			PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME	5,732,258	63.50	TOTAL	190,967,340	1,292.50
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CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT	1,342,615	14.00																																
PROGRAM: OFFICE OF ATTORNEY GENERAL																																		
CRIMINAL AND CIVIL LITIGATION	90,625,352	983.00																																
EXECUTIVE DIRECTION AND SUPPORT SERVICES	11,646,463	133.00																																
VICTIM SERVICES	81,620,652	99.00																																
PROGRAM: OFFICE OF STATEWIDE PROSECUTION																																		
PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME	5,732,258	63.50																																
TOTAL	190,967,340	1,292.50																																
Where can I get	OPPAGA Reports																																	

<p>more information?</p>	<p><i>Further Actions Need to Be Taken to Improve the State's Consumer Complaint System</i>, Report No. 08-33, May 2008. <i>Florida's System for Handling Consumer Complaints Could Be Improved</i>, Report No. 06-51, June 2006. <i>Legal Affairs Adopts Most OPPAGA Recommendations to Improve Accountability</i>, Report No. 02-24, April 2002. A complete list of OPPAGA reports pertaining to the department is available at http://www.oppaga.state.fl.us/ .</p> <p>Other Reports The Auditor General reports on department operations are available at http://www.myflorida.com/audgen/ .</p> <p>Websites of Interest National Association of Attorneys General, http://www.naag.org/</p> <p>Performance Performance measures and standards for the department may be found in its Long Range Program Plan, which is available at http://floridafiscalportal.state.fl.us/PDFDoc.aspx?ID=6160.</p>
<p>What are the applicable statutes?</p>	<p>Article IV, Sections 4, 5, and 10, <i>Constitution of the State of Florida</i>; and s. 20.11 and Ch. 16, <i>Florida Statutes</i>.</p>
<p>Whom do I contact for help?</p>	<ul style="list-style-type: none"> • Office of the Attorney General <ul style="list-style-type: none"> ◦ ADA Coordinator, 850-414-3900 ◦ Citizens Services, 850-414-3990 ◦ Florida Relay/TDD, 1-800-955-8771 ◦ Florida Toll Free, 1-866-966-7226 ◦ Switchboard, 850-414-3300 <p>http://myfloridalegal.com/</p>

Source: Florida Legislature, Office of Program Policy Analysis and Government Accountability, Government Program Summaries (last updated 5/10/12) <http://www.oppaga.state.fl.us/profiles/1026/> (with revisions by staff of the Committee on Judiciary)

Florida Trial Courts

Statistical Reference Guide

The following information is from the *Statistical Reference Guide (FY 2010-11)* prepared by the Office of the State Courts Administrator. The complete guide is available at:
http://www.flcourts.org/gen_public/stats/reference_guide10_11.shtml .

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Introduction

REPORT OVERVIEW

1

Florida's court system is organized in four different tiers, with a two-tier appellate court system and a two-tier trial court system. The appellate court system includes the Supreme Court of Florida and the five District Courts of Appeal. Additionally, the trial court system incorporates both circuit and county courts. The *Statistical Reference Guide* provides statistics pertaining to Florida's trial courts for fiscal year 2010-11 (July 1, 2010 to June 30, 2011). These statistics were received and verified as of November 2011.

The Office of the State Courts Administrator (OSCA) publishes the *Statistical Reference Guide* annually as a resource for the judicial branch and others who often request information on Florida's trial courts. The majority of the requests deal with filings and dispositions data and are received from those outside of the OSCA including: state and local government agencies, circuit court administration, private sector businesses and citizens, clerks of court, and the media. In addition, all data can be accessed on the web at www.flcourts.org.

The information and statistics contained in this report are organized as follows:

Introduction - The first section of the report provides a map of the state of Florida identifying the location of each of Florida's twenty judicial circuits and sixty-seven counties along with a table providing the population for each circuit and county. Additionally, this section provides an explanation for how the data are collected, maintained, and verified for accuracy.

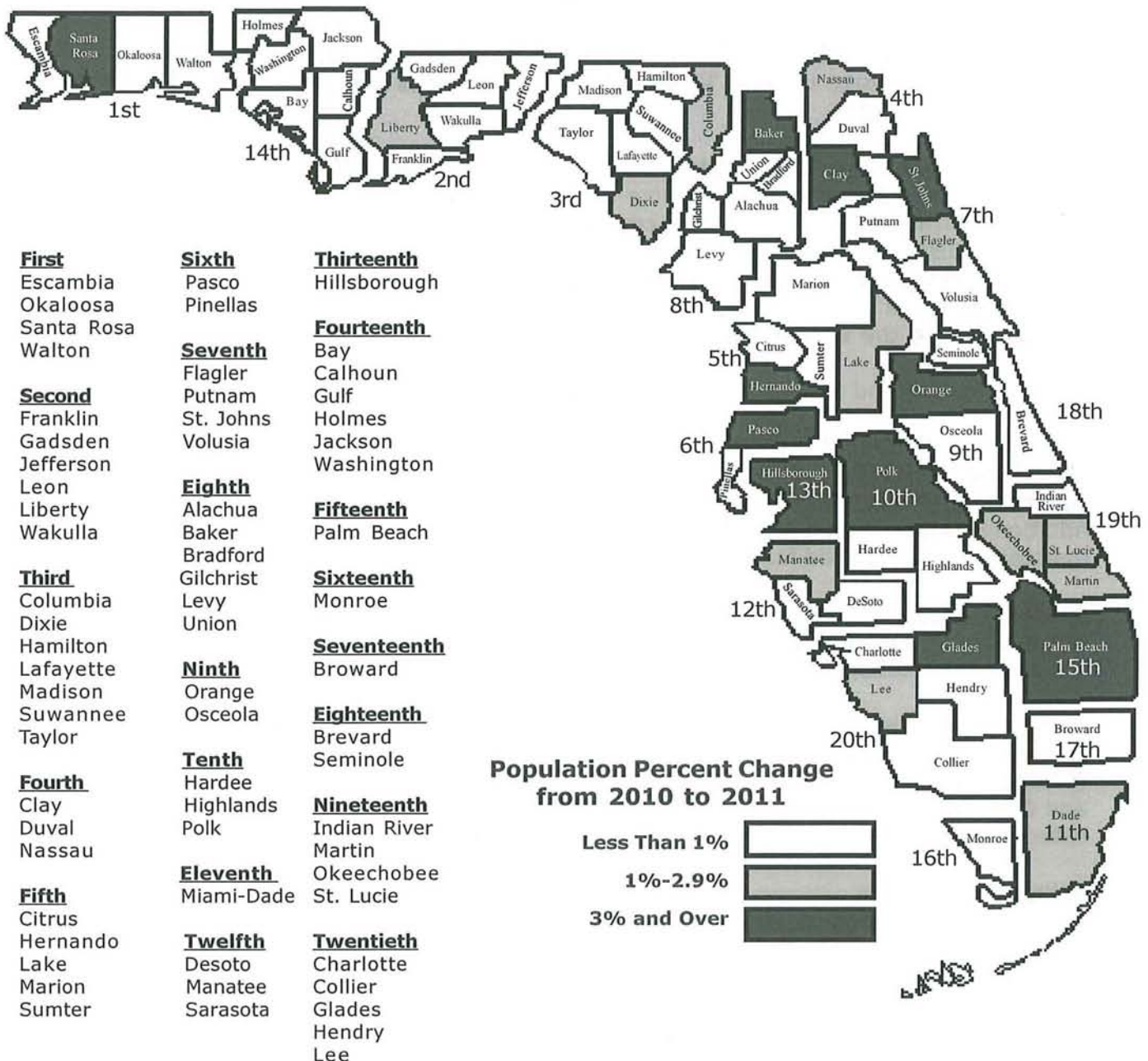
Overall Statistics - The Overall Statistics section provides a breakdown of the number and assignment of circuit and county judgeships for each judicial circuit. Also provided are statewide statistics for total circuit and county court filings and dispositions.

By-Division Statistics - The By-Division portion of the report displays filings, dispositions, clearance rates, reopenings, and other statistics by each division of court (Circuit Criminal, Circuit Civil, Circuit Family Court, Circuit Probate, County Criminal, and County Civil). Statewide, circuit, and county level data are furnished by various categories and case types that comprise each division.

Acknowledgements

Glossary - The glossary provides definitions for common terms used across every division of the trial courts and those terms specific to each division.

JUDICIAL CIRCUIT MAP OF FLORIDA



Introduction

FLORIDA POPULATION* by Circuit/County as of January 2010 and January 2011

1

Circuit/County (Circuit Ranking)	Total Population (as of January 2010)	Total Population (as of January 2011)	Percentage Change from 2010 to 2011
Circuit 1 (14)	711,973	685,689	-3.7%
Escambia	312,571	296,683	-5.1%
Okaloosa	196,509	180,555	-8.1%
Santa Rosa	144,991	153,038	5.5%
Walton	57,902	55,413	-4.3%
Circuit 2 (16)	391,818	388,426	-0.9%
Franklin	12,386	11,523	-7.0%
Gadsden	49,813	46,480	-6.7%
Jefferson	14,762	14,739	-0.2%
Leon	274,827	276,217	0.5%
Liberty	8,208	8,418	2.6%
Wakulla	31,822	31,049	-2.4%
Circuit 3 (19)	192,908	192,066	-0.4%
Columbia	66,907	67,803	1.3%
Dixie	16,226	16,540	1.9%
Hamilton	14,761	14,751	-0.1%
Lafayette	9,322	9,264	-0.6%
Madison	20,314	19,076	-6.1%
Suwannee	42,246	42,038	-0.5%
Taylor	23,132	22,594	-2.3%
Circuit 4 (8)	1,157,665	1,134,275	-2.0%
Clay	185,391	192,751	4.0%
Duval	899,348	867,527	-3.5%
Nassau	72,926	73,997	1.5%

1

FLORIDA POPULATION*, Continued
by Circuit/County
as of January 2010 and January 2011

Circuit/County (Circuit Ranking)	Total Population (as of January 2010)	Total Population (as of January 2011)	Percentage Change from 2010 to 2011
Circuit 5 (9)	1,030,052	1,043,271	1.3%
Citrus	142,740	141,266	-1.0%
Hernando	165,319	173,949	5.2%
Lake	293,195	299,682	2.2%
Marion	330,527	332,669	0.6%
Sumter	98,271	95,705	-2.6%
Circuit 6 (4)	1,367,992	1,382,043	1.0%
Pasco	440,049	467,981	6.3%
Pinellas	927,943	914,062	-1.5%
Circuit 7 (11)	861,293	858,290	-0.3%
Flagler	95,309	97,091	1.9%
Putnam	74,303	74,142	-0.2%
St. Johns	185,319	193,067	4.2%
Volusia	506,362	493,990	-2.4%
Circuit 8 (17)	386,277	377,127	-2.4%
Alachua	257,349	248,014	-3.6%
Baker	25,903	27,215	5.1%
Bradford	29,246	28,228	-3.5%
Gilchrist	17,524	17,042	-2.8%
Levy	40,651	40,935	0.7%
Union	15,604	15,693	0.6%
Circuit 9 (3)	1,382,430	1,428,357	3.3%
Orange	1,109,638	1,156,086	4.2%
Osceola	272,792	272,271	-0.2%

Introduction

FLORIDA POPULATION*, Continued by Circuit/County as of January 2010 and January 2011

1

Circuit/County (Circuit Ranking)	Total Population (as of January 2010)	Total Population (as of January 2011)	Percentage Change from 2010 to 2011
Circuit 10 (13)	711,722	732,249	2.9%
Hardee	28,346	27,713	-2.2%
Highlands	99,665	98,649	-1.0%
Polk	583,711	605,887	3.8%
Circuit 11 (1)	2,474,671	2,506,307	1.3%
Miami-Dade	2,474,671	2,506,307	1.3%
Circuit 12 (12)	742,045	740,362	-0.2%
Desoto	34,660	34,927	0.8%
Manatee	318,538	324,436	1.9%
Sarasota	388,847	380,999	-2.0%
Circuit 13 (6)	1,198,221	1,239,245	3.4%
Hillsborough	1,198,221	1,239,245	3.4%
Circuit 14 (18)	298,846	293,958	-1.6%
Bay	169,980	169,333	-0.4%
Calhoun	14,609	14,557	-0.4%
Gulf	16,756	15,738	-6.1%
Holmes	19,888	19,791	-0.5%
Jackson	52,700	49,508	-6.1%
Washington	24,913	25,031	0.5%
Circuit 15 (5)	1,286,373	1,325,915	3.1%
Palm Beach	1,286,373	1,325,915	3.1%
Circuit 16 (20)	78,283	72,516	-7.4%
Monroe	78,283	72,516	-7.4%

1

FLORIDA POPULATION*, Continued
by Circuit/County
as of January 2010 and January 2011

Circuit/County (Circuit Ranking)	Total Population (as of January 2010)	Total Population (as of January 2011)	Percentage Change from 2010 to 2011
Circuit 17 (2)	1,742,788	1,753,181	0.6%
Broward	1,742,788	1,753,181	0.6%
Circuit 18 (10)	978,475	968,318	-1.0%
Brevard	554,971	544,322	-1.9%
Seminole	423,504	423,996	0.1%
Circuit 19 (15)	598,803	606,665	1.3%
Indian River	141,786	138,663	-2.2%
Martin	143,844	146,753	2.0%
Okeechobee	39,667	40,061	1.0%
St. Lucie	273,506	281,188	2.8%
Circuit 20 (7)	1,166,738	1,161,760	-0.4%
Charlotte	165,674	160,220	-3.3%
Collier	333,367	324,194	-2.8%
Glades	11,320	12,947	14.4%
Hendry	41,087	39,172	-4.7%
Lee	615,290	625,227	1.6%
State Total	18,759,373	18,890,020	0.7%

*January 2010 and January 2011 population figures were provided by the Office of Economic and Demographic Research of the Florida Legislature in August 2010 and July 2011, respectively.

Introduction

1

DESCRIPTION OF TRIAL COURT DATA

Pursuant to section 25.075, Florida Statutes, the Summary Reporting System (SRS) was developed to provide the Office of the State Courts Administrator (OSCA) with data to assist the Supreme Court of Florida in its management and oversight role of the court system. The data are utilized as a measure of trial court activity in Florida. These data are not intended to measure the work of state attorneys or public defenders. Data for the SRS are submitted by the sixty-seven clerks of court monthly via electronic or hard-copy submission in a format prescribed by the OSCA. Exceptions to this are county criminal traffic, driving under the influence, and civil traffic infractions data which are obtained from the Florida Department of Highway Safety and Motor Vehicles.

Upon receipt of the SRS reports from the clerks of court, the OSCA staff review the data for accuracy either manually or through the utilization of an automated program designed to detect anomalies. If anomalies are detected, the county is contacted to verify or correct the data. SRS data are maintained in a dynamic database that is updated on a continual basis. Amendments to previously reported data may be submitted by the clerks up to three years after the original submission deadline. The OSCA also conducts field audits in clerk of court offices. These audits are conducted to ensure compliance to the SRS reporting guidelines as specified in the *Florida Summary Reporting System Manual* (available at www.flcourts.org).

Each fall, a permanent database is created for the previous fiscal year. Data amendments submitted by the clerks of court after the creation of the database are not incorporated into the permanent database (although amendments are still incorporated into the dynamic database). If any data have not been submitted at the time the fiscal year database is generated, an automated program designed to estimate missing data may be utilized. The permanent database is utilized for reporting statistics in the certification of new judgeships and in standardized judicial branch reports regarding performance and accountability, and long-range program planning. The information in the permanent database are also utilized in the production of this *Statistical Reference Guide*.

As previously mentioned, the trial courts are composed of two levels and six different divisions. The circuit level includes criminal, civil, family court, and probate divisions and the county level consists of criminal and civil divisions. Within each division are several *categories* of cases. Moreover, within each of the *categories* are various *case types*. For instance, the Circuit Criminal division includes the following *categories*: capital murder, violent crimes, crimes against persons, crimes against property, and drug crimes. The crimes against property category includes the following *case types*: burglary, theft, forgery, fraud, worthless checks, other crimes against property, and other felony offenses. The detailed *categories* and *case types* pertaining to each division are provided in the by-division portion of this report.

Note: All percentages provided in the report have been rounded. Therefore, totals may not equal 100%.

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Overall Statistics

Sections 26.031 and 34.022, Florida Statutes, specify the number of judges within each circuit and county. The following table reflects circuit and county judges authorized by the Florida Legislature for Fiscal Year 2010-11.

CIRCUIT AND COUNTY COURT JUDGES by Circuit FY 2010-11

2

Circuit (Circuit Seat)	Circuit Judges	County Judges	Total
First (Pensacola)	24	11	35
Second (Tallahassee)	16	10	26
Third (Lake City)	7	7	14
Fourth (Jacksonville)	35	20	55
Fifth (Tavares)	31	11	42
Sixth (Clearwater)	45	24	69
Seventh (Daytona Beach)	27	15	42
Eighth (Gainesville)	13	10	23
Ninth (Orlando)	43	22	65
Tenth (Bartow)	28	12	40
Eleventh (Miami)	80	43	123
Twelfth (Sarasota)	21	10	31
Thirteenth (Tampa)	45	17	62
Fourteenth (Panama City)	11	9	20
Fifteenth (West Palm Beach)	35	19	54
Sixteenth (Key West)	4	4	8
Seventeenth (Ft. Lauderdale)	58	32	90
Eighteenth (Sanford)	26	17	43
Nineteenth (Ft. Pierce)	19	10	29
Twentieth (Ft. Myers)	31	19	50
Total	599	322	921

CIRCUIT AND COUNTY COURT JUDGES*
by Division and Circuit
FY 2010-11

Circuit	Circuit Court						County Court				Total
	Administrative	Criminal	Civil	Family Court**	Probate	Total	Administrative	Criminal	Civil	Total	
1	0.4	7.6	5.2	9.8	1.0	24	0.0	8.0	3.0	11	35
2	0.6	5.4	4.2	5.2	0.7	16	0.4	6.1	3.5	10	26
3	0.3	2.1	1.9	2.5	0.2	7	0.0	4.3	2.7	7	14
4	1.5	9.0	9.0	13.4	2.1	35	0.2	12.9	6.9	20	55
5	0.0	8.9	6.7	13.5	2.0	31	0.0	6.0	5.0	11	42
6	0.8	12.8	11.5	17.0	3.0	45	0.0	16.1	7.9	24	69
7	0.5	8.2	5.9	10.0	2.4	27	0.1	8.7	6.2	15	42
8	0.7	4.3	3.1	4.3	0.7	13	0.2	6.2	3.7	10	23
9	1.0	15.0	10.5	15.0	1.5	43	0.3	17.0	4.8	22	65
10	0.6	9.0	6.5	10.4	1.6	28	0.1	8.1	3.8	12	40
11	2.5	26.5	24.5	22.5	4.0	80	1.8	23.2	18.1	43	123
12	0.8	6.8	4.5	7.3	1.7	21	0.0	6.7	3.3	10	31
13	1.6	14.6	11.4	16.0	1.5	45	0.2	8.7	8.2	17	62
14	0.4	2.9	2.9	4.4	0.3	11	0.0	4.5	4.5	9	20
15	1.0	8.0	12.0	11.2	2.8	35	0.0	10.4	8.6	19	54
16	0.1	1.0	1.3	1.4	0.3	4	0.0	2.9	1.1	4	8
17	1.0	19.0	16.0	19.0	3.0	58	0.0	19.5	12.5	32	90
18	0.6	10.0	3.5	11.1	0.8	26	0.0	12.6	4.4	17	43
19	0.3	7.3	4.0	6.7	0.6	19	0.0	5.7	4.3	10	29
20	0.9	9.0	7.3	11.1	2.7	31	0.2	12.6	6.2	19	50
Total	15.5	187.2	151.8	211.7	32.8	599	3.3	200.2	118.5	322	921

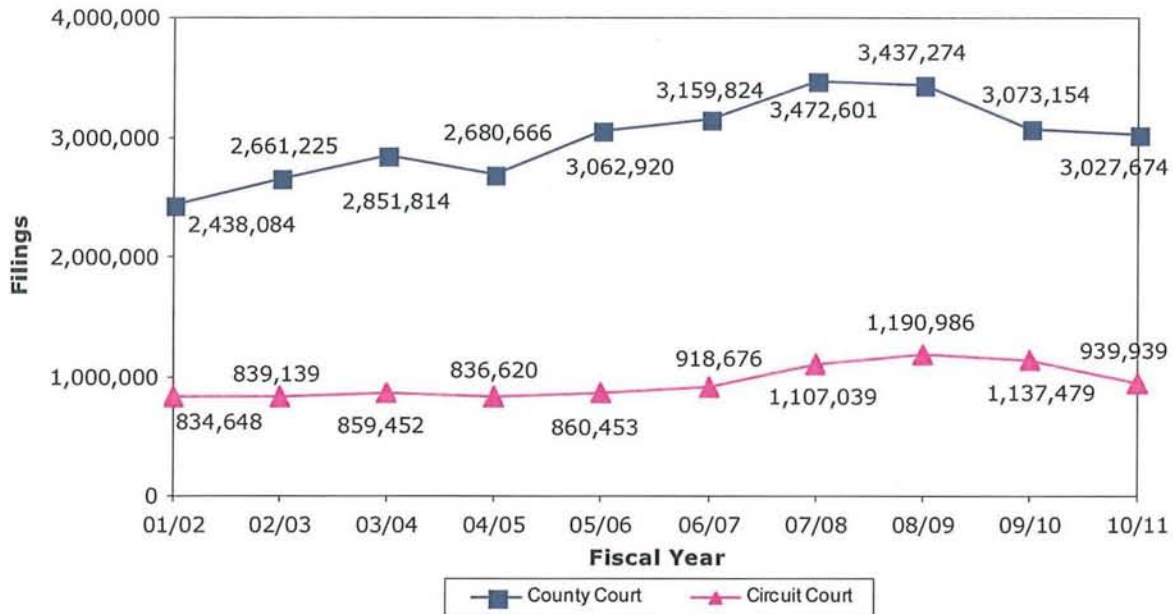
* These data are reported annually by each circuit in the judgeship needs application.

** Family Court includes Domestic Relations, Juvenile Delinquency, Juvenile Dependency, and Termination of Parental Rights.

Overall Statistics ♦ Filings

CIRCUIT AND COUNTY COURT FILINGS*

FY 2001-02 to FY 2010-11

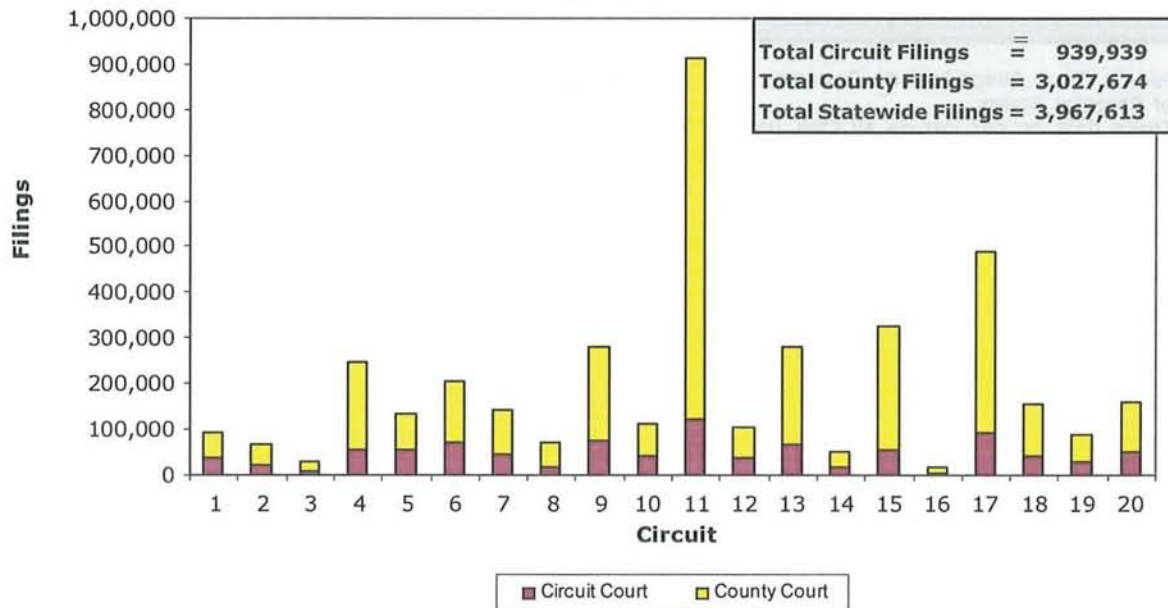


*For fiscal year 2006-07 through fiscal year 2010-11, the increase in circuit court filings is attributed to real property/mortgage foreclosure filings.

CIRCUIT AND COUNTY COURT FILINGS

by Circuit

FY 2010-11



CIRCUIT AND COUNTY COURT FILINGS**Statewide by Division and Month****FY 2010-11**

Division	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
A. Circuit Court	88,681	88,647	89,028	79,763	70,464	69,296	70,467	71,852	82,833	74,088	74,371	80,449	939,939
1. Criminal	17,251	16,840	17,127	15,835	15,045	15,485	15,682	16,130	17,826	15,482	16,178	17,572	196,453
2. Civil	33,044	34,741	35,304	27,716	20,321	20,561	20,038	18,786	21,551	19,773	19,004	22,576	293,415
3. Family Court*	29,374	28,489	28,461	28,448	27,154	25,649	26,802	28,642	33,830	30,240	30,421	31,712	349,222
4. Probate	9,012	8,577	8,136	7,764	7,944	7,601	7,945	8,294	9,626	8,593	8,768	8,589	100,849
B. County Court	255,772	260,916	255,722	254,197	245,198	216,949	244,829	249,172	279,879	249,172	265,571	250,297	3,027,674
1. Criminal	78,195	78,940	76,668	76,500	70,548	64,449	70,977	70,768	80,293	72,913	76,612	72,029	888,892
2. Civil**	177,577	181,976	179,054	177,697	174,650	152,500	173,852	178,404	199,586	176,259	188,959	178,268	2,138,782
Total	344,453	349,563	344,750	333,960	315,662	286,245	315,296	321,024	362,712	323,260	339,942	330,746	3,967,613

* Family Court filings include Domestic Relations, Juvenile Delinquency, Juvenile Dependency, and Termination of Parental Rights.

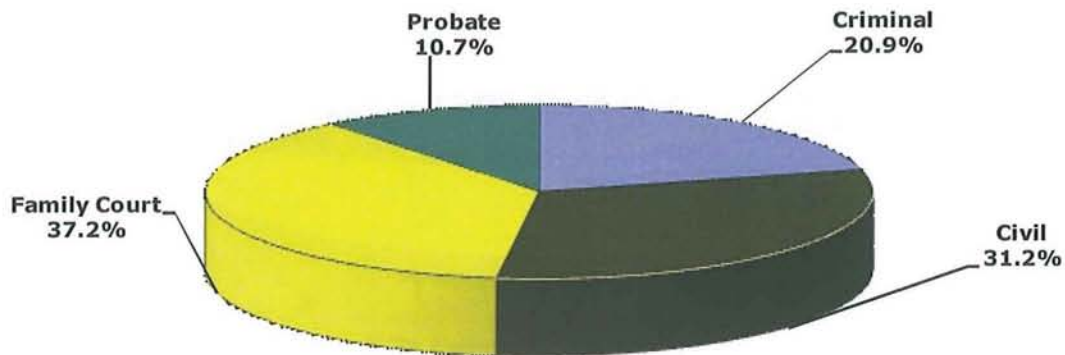
** These data do not include all Civil Traffic Infractions reported to the Department of Highway Safety and Motor Vehicles by the clerks of court. They only represent those Civil Traffic Infraction filings involving a judge or hearing officer.

Overall Statistics ♦ Filings

CIRCUIT COURT FILINGS

by Division

FY 2010-11

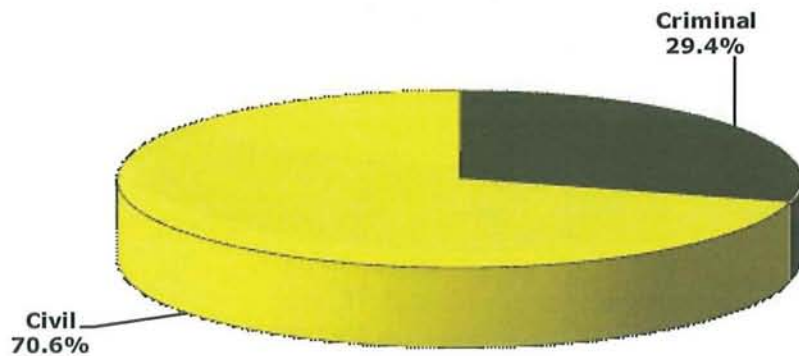


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COUNTY COURT FILINGS

by Division

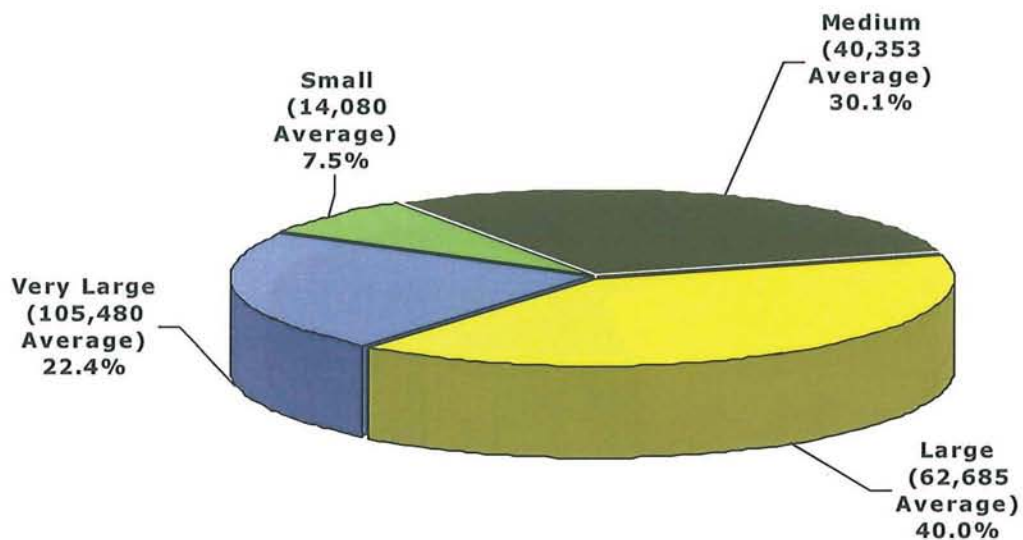
FY 2010-11



CIRCUIT COURT FILINGS

by Circuit Size*

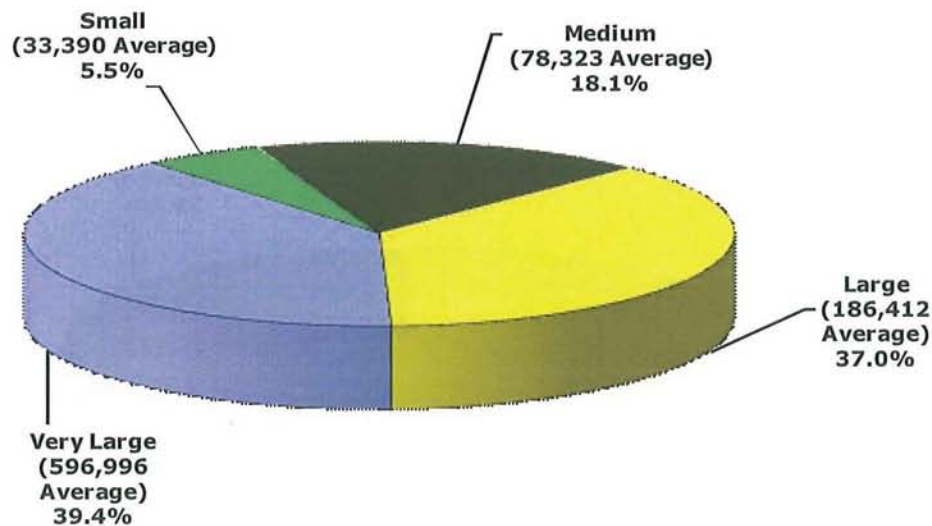
FY 2010-11



COUNTY COURT FILINGS

by Circuit Size*

FY 2010-11



*Small Circuits - 2nd, 3rd, 8th, 14th, 16th;
 Medium Circuits - 1st, 5th, 7th, 10th, 12th, 18th, 19th;
 Large Circuits - 4th, 6th, 9th, 13th, 15th, 20th;
 Very Large Circuits - 11th, 17th (as defined in the Glossary).

Overall Statistics ♦ Filings

CIRCUIT AND COUNTY COURT FILINGS
by Division and Circuit/County
FY 2010-11

Circuit/ County	Circuit Court					County Court			Total
	Criminal	Civil	Family Court*	Probate	Total	Criminal	Civil**	Total	
Circuit 1	9,048	7,103	16,272	4,255	36,678	29,626	26,080	55,706	92,384
Escambia	4,964	2,686	7,965	2,549	18,164	14,314	9,654	23,968	42,132
Okaloosa	2,128	1,913	4,213	939	9,193	7,422	8,452	15,874	25,067
Santa Rosa	1,355	1,290	2,981	493	6,119	5,472	5,030	10,502	16,621
Walton	601	1,214	1,113	274	3,202	2,418	2,944	5,362	8,564
Circuit 2	4,787	5,060	7,291	3,077	20,215	14,841	31,489	46,330	66,545
Franklin	211	245	335	71	862	903	915	1,818	2,680
Gadsden	605	403	881	486	2,375	2,262	5,681	7,943	10,318
Jefferson	249	120	226	69	664	507	1,647	2,154	2,818
Leon	3,276	3,860	4,960	2,302	14,398	9,996	21,508	31,504	45,902
Liberty	101	42	153	27	323	192	342	534	857
Wakulla	345	390	736	122	1,593	981	1,396	2,377	3,970
Circuit 3	2,668	1,604	4,997	1,041	10,310	7,659	11,572	19,231	29,541
Columbia	1,052	657	1,915	434	4,058	3,010	5,021	8,031	12,089
Dixie	194	119	390	102	805	544	891	1,435	2,240
Hamilton	170	121	352	54	697	630	809	1,439	2,136
Lafayette	68	53	189	37	347	187	240	427	774
Madison	265	160	370	114	909	996	1,830	2,826	3,735
Suwannee	586	340	1,295	195	2,416	1,159	1,385	2,544	4,960
Taylor	333	154	486	105	1,078	1,133	1,396	2,529	3,607
Circuit 4	11,900	14,929	23,967	4,803	55,599	60,536	129,985	190,521	246,120
Clay	1,374	2,128	3,665	587	7,754	7,048	10,883	17,931	25,685
Duval	9,797	11,994	18,915	3,946	44,652	50,727	116,263	166,990	211,642
Nassau	729	807	1,387	270	3,193	2,761	2,839	5,600	8,793

CIRCUIT AND COUNTY COURT FILINGS, Continued
by Division and Circuit/County
FY 2010-11

Circuit/ County	Circuit Court					County Court			Total
	Criminal	Civil	Family Court*	Probate	Total	Criminal	Civil**	Total	
Circuit 5	10,991	15,223	19,853	7,037	53,104	30,961	47,798	78,759	131,863
Citrus	1,049	2,626	3,427	1,599	8,701	4,482	6,425	10,907	19,608
Hernando	2,306	2,867	3,559	1,820	10,552	4,936	10,743	15,679	26,231
Lake	2,921	3,901	4,917	1,485	13,224	9,075	17,135	26,210	39,434
Marion	4,020	4,168	7,056	1,781	17,025	10,419	11,146	21,565	38,590
Sumter	695	1,661	894	352	3,602	2,049	2,349	4,398	8,000
Circuit 6	18,371	20,101	23,366	8,291	70,129	61,991	73,058	135,049	205,178
Pasco	4,716	6,893	7,716	2,664	21,989	16,202	21,739	37,941	59,930
Pinellas	13,655	13,208	15,650	5,627	48,140	45,789	51,319	97,108	145,248
Circuit 7	10,237	12,647	16,580	5,268	44,732	48,841	50,398	99,239	143,971
Flagler	937	1,396	2,084	565	4,982	4,257	3,783	8,040	13,022
Putnam	1,292	650	1,977	348	4,267	3,735	2,518	6,253	10,520
St. Johns	1,481	2,385	2,937	751	7,554	5,620	10,024	15,644	23,198
Volusia	6,527	8,216	9,582	3,604	27,929	35,229	34,073	69,302	97,231
Circuit 8	4,762	3,105	8,252	2,118	18,237	21,106	31,166	52,272	70,509
Alachua	2,862	1,928	5,093	1,526	11,409	15,584	22,572	38,156	49,565
Baker	454	207	688	145	1,494	1,293	2,461	3,754	5,248
Bradford	484	245	627	99	1,455	1,389	3,330	4,719	6,174
Gilchrist	122	131	428	63	744	532	507	1,039	1,783
Levy	633	488	1,066	192	2,379	1,936	1,806	3,742	6,121
Union	207	106	350	93	756	372	490	862	1,618
Circuit 9	17,353	24,185	30,111	4,921	76,570	60,341	142,745	203,086	279,656
Orange	14,208	19,115	22,919	3,967	60,209	48,354	118,158	166,512	226,721
Osceola	3,145	5,070	7,192	954	16,361	11,987	24,587	36,574	52,935

Overall Statistics ♦ Filings

CIRCUIT AND COUNTY COURT FILINGS, Continued
by Division and Circuit/County
FY 2010-11

Circuit/ County	Circuit Court					County Court			Total
	Criminal	Civil	Family Court*	Probate	Total	Criminal	Civil**	Total	
Circuit 10	10,182	8,445	18,034	4,467	41,128	36,339	36,135	72,474	113,602
Hardee	325	232	586	96	1,239	2,041	917	2,958	4,197
Highlands	993	1,329	1,964	940	5,226	2,938	3,064	6,002	11,228
Polk	8,864	6,884	15,484	3,431	34,663	31,360	32,154	63,514	98,177
Circuit 11	21,074	48,746	40,681	10,335	120,836	132,393	660,792	793,185	914,021
Miami-Dade	21,074	48,746	40,681	10,335	120,836	132,393	660,792	793,185	914,021
Circuit 12	6,420	10,145	13,479	5,990	36,034	27,627	40,836	68,463	104,497
Desoto	489	235	757	101	1,582	1,508	1,330	2,838	4,420
Manatee	2,607	4,275	6,216	1,630	14,728	13,063	14,402	27,465	42,193
Sarasota	3,324	5,635	6,506	4,259	19,724	13,056	25,104	38,160	57,884
Circuit 13	13,197	18,993	27,429	5,784	65,403	68,205	144,943	213,148	278,551
Hillsborough	13,197	18,993	27,429	5,784	65,403	68,205	144,943	213,148	278,551
Circuit 14	4,680	3,478	7,014	1,681	16,853	17,641	17,512	35,153	52,006
Bay	2,987	2,262	4,156	1,036	10,441	13,188	11,311	24,499	34,940
Calhoun	194	96	372	65	727	511	758	1,269	1,996
Gulf	187	324	290	75	876	446	315	761	1,637
Holmes	308	126	459	87	980	797	831	1,628	2,608
Jackson	606	392	1,200	299	2,497	2,067	3,305	5,372	7,869
Washington	398	278	537	119	1,332	632	992	1,624	2,956
Circuit 15	8,800	23,008	16,855	7,525	56,188	76,050	192,359	268,409	324,597
Palm Beach	8,800	23,008	16,855	7,525	56,188	76,050	192,359	268,409	324,597
Circuit 16	1,421	1,328	1,586	449	4,784	4,516	9,450	13,966	18,750
Monroe	1,421	1,328	1,586	449	4,784	4,516	9,450	13,966	18,750

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CIRCUIT AND COUNTY COURT FILINGS, Continued
by Division and Circuit/County
FY 2010-11

Circuit/ County	Circuit Court					County Court			Total
	Criminal	Civil	Family Court*	Probate	Total	Criminal	Civil**	Total	
Circuit 17	16,216	35,462	29,996	8,449	90,123	75,008	325,798	400,806	490,929
Broward	16,216	35,462	29,996	8,449	90,123	75,008	325,798	400,806	490,929
Circuit 18	8,987	12,532	15,749	4,714	41,982	45,074	69,189	114,263	156,245
Brevard	5,537	6,775	9,125	2,720	24,157	26,881	31,842	58,723	82,880
Seminole	3,450	5,757	6,624	1,994	17,825	18,193	37,347	55,540	73,365
Circuit 19	5,855	8,593	10,208	4,159	28,815	22,725	36,629	59,354	88,169
Indian River	1,270	1,650	2,060	956	5,936	3,735	6,599	10,334	16,270
Martin	1,200	2,292	2,049	801	6,342	7,802	9,775	17,577	23,919
Okeechobee	621	446	981	162	2,210	2,032	1,386	3,418	5,628
St. Lucie	2,764	4,205	5,118	2,240	14,327	9,156	18,869	28,025	42,352
Circuit 20	9,504	18,728	17,502	6,485	52,219	47,412	60,848	108,260	160,479
Charlotte	1,796	2,437	2,995	1,770	8,998	5,406	6,939	12,345	21,343
Collier	1,509	5,063	3,986	1,754	12,312	10,160	15,734	25,894	38,206
Glades	204	98	242	26	570	633	1,294	1,927	2,497
Hendry	609	443	885	123	2,060	3,250	2,259	5,509	7,569
Lee	5,386	10,687	9,394	2,812	28,279	27,963	34,622	62,585	90,864
State Total	196,453	293,415	349,222	100,849	939,939	888,892	2,138,782	3,027,674	3,967,613

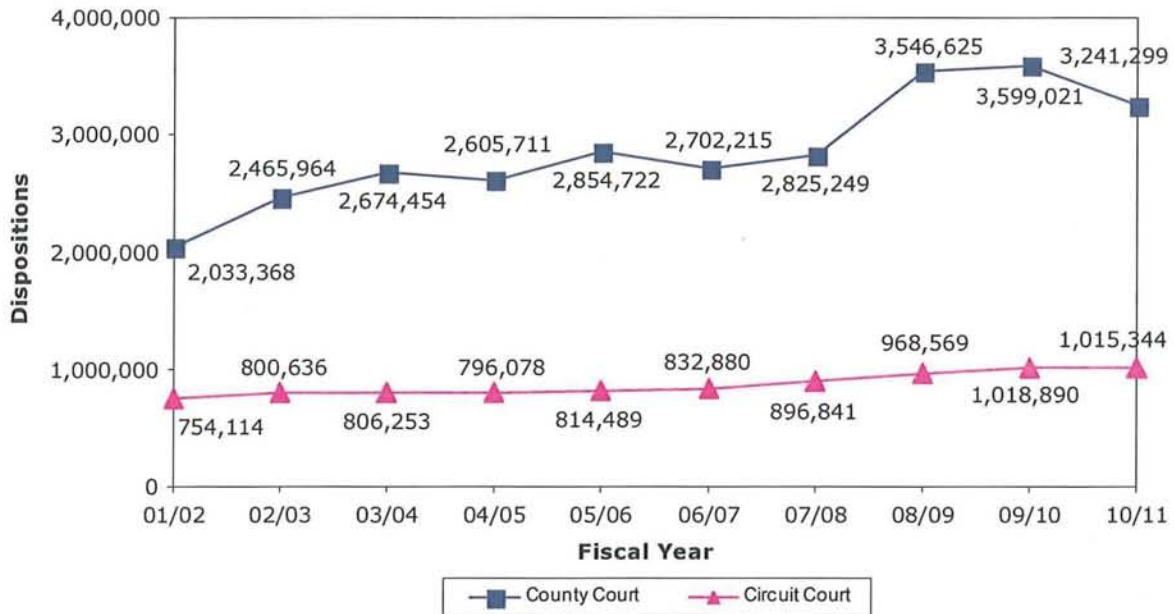
* Family Court filings include Domestic Relations, Juvenile Delinquency, Juvenile Dependency, and Termination of Parental Rights.

** These data do not include all Civil Traffic Infractions reported to the Department of Highway Safety and Motor Vehicles by the clerks of court. They only represent those Civil Traffic Infraction filings involving a judge or hearing officer.

Overall Statistics ♦ Dispositions

CIRCUIT AND COUNTY COURT DISPOSITIONS*

FY 2001-02 to FY 2010-11

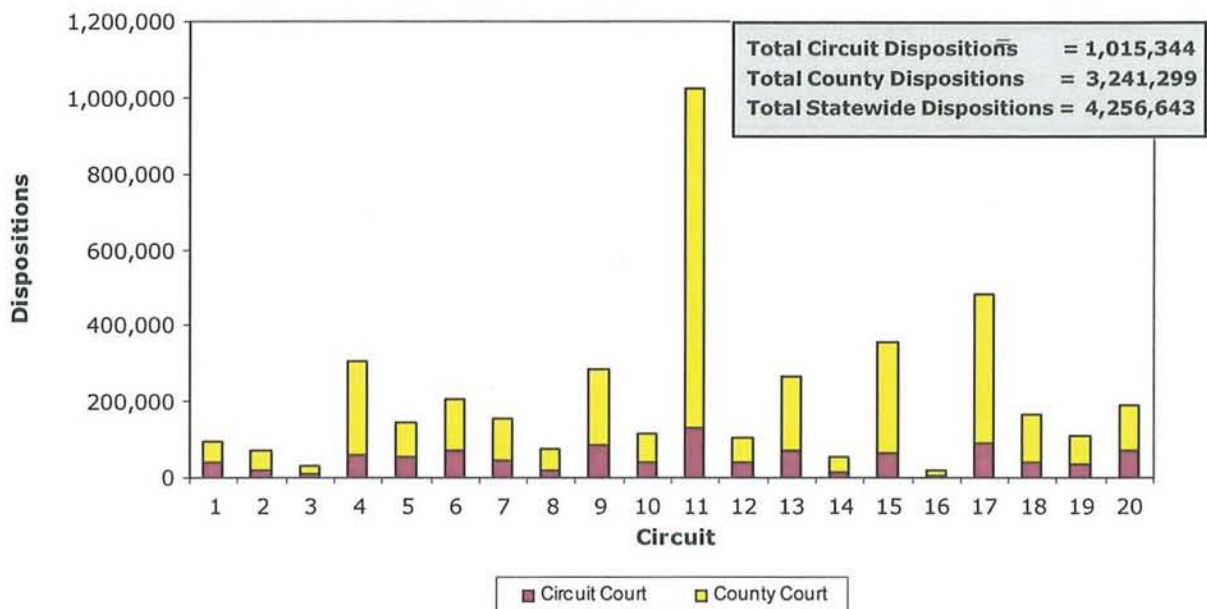


*For fiscal year 2008-09, the increase in county court dispositions is attributed to a refinement in the methodology used to calculate civil traffic infraction activity. Termination of Parental Rights dispositions are included for fiscal year 2010-11. The reporting of these dispositions began in January 2010.

CIRCUIT AND COUNTY COURT DISPOSITIONS

by Circuit

FY 2010-11



CIRCUIT AND COUNTY COURT DISPOSITIONS**Statewide by Division and Month****FY 2010-11**

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Division	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
A. Circuit Court	91,051	98,864	91,626	85,045	76,297	71,172	78,217	74,003	88,656	83,082	85,319	92,012	1,015,344
1. Criminal	15,465	17,991	16,403	16,095	15,842	13,003	16,491	15,750	18,111	15,857	15,642	18,675	195,325
2. Civil	37,727	42,455	37,942	33,033	26,140	25,027	28,640	24,813	31,597	32,347	31,056	34,055	384,832
3. Family Court*	29,258	29,437	28,444	27,628	26,624	25,473	25,717	26,454	30,259	27,439	30,447	30,956	338,136
4. Probate	8,601	8,981	8,837	8,289	7,691	7,669	7,369	6,986	8,689	7,439	8,174	8,326	97,051
B. County Court	277,517	284,122	285,283	276,681	250,453	244,270	266,931	261,406	292,340	257,656	258,869	285,771	3,241,299
1. Criminal	71,146	74,725	74,254	69,680	66,500	61,048	69,313	67,649	79,228	67,850	70,170	80,266	851,829
2. Civil**	206,371	209,397	211,029	207,001	183,953	183,222	197,618	193,757	213,112	189,806	188,699	205,505	2,389,470
Total	368,568	382,986	376,909	361,726	326,750	315,442	345,148	335,409	380,996	340,738	344,188	377,783	4,256,643

*Family Court dispositions include Domestic Relations, Juvenile Delinquency, Juvenile Dependency, and Termination of Parental Rights. The reporting of Termination of Parental Rights dispositions began in January 2010.

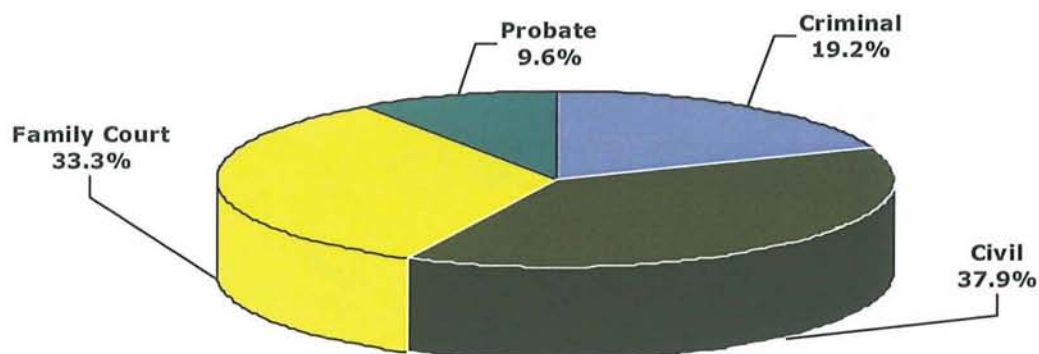
**These data do not include all Civil Traffic Infractions reported to the Department of Highway Safety and Motor Vehicles by the clerks of court. They only represent those Civil Traffic Infraction dispositions involving a judge or hearing officer.

Overall Statistics ♦ Dispositions

CIRCUIT COURT DISPOSITIONS

by Division

FY 2010-11

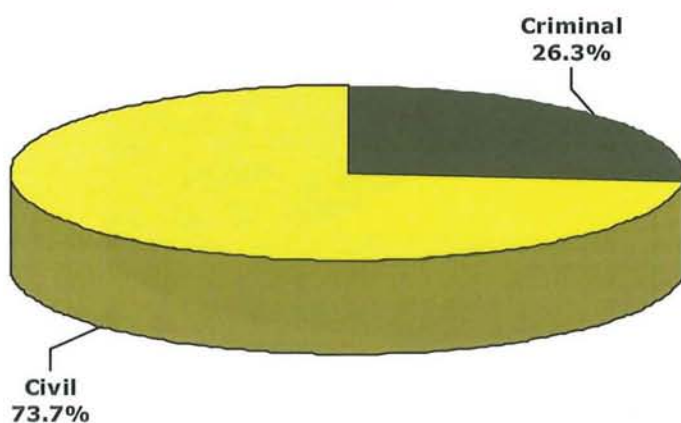


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COUNTY COURT DISPOSITIONS

by Division

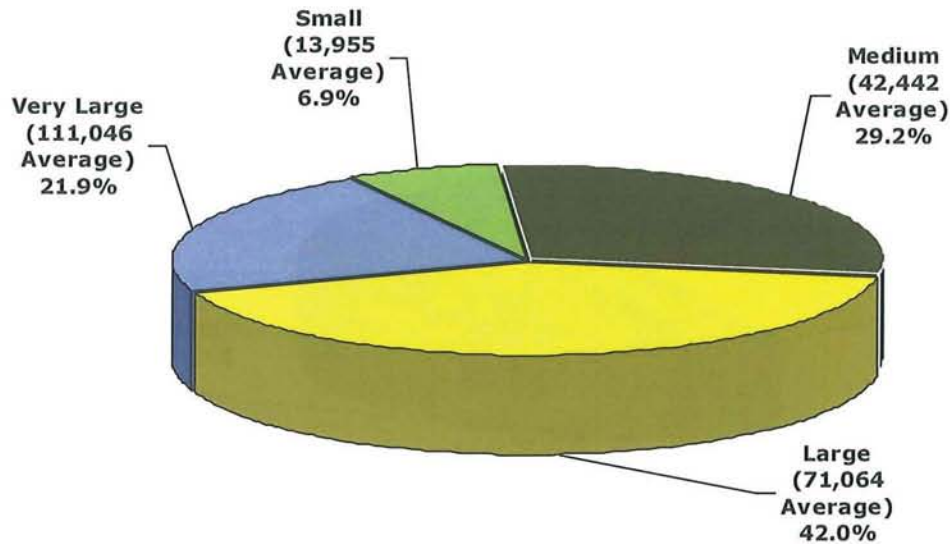
FY 2010-11



CIRCUIT COURT DISPOSITIONS

by Circuit Size*

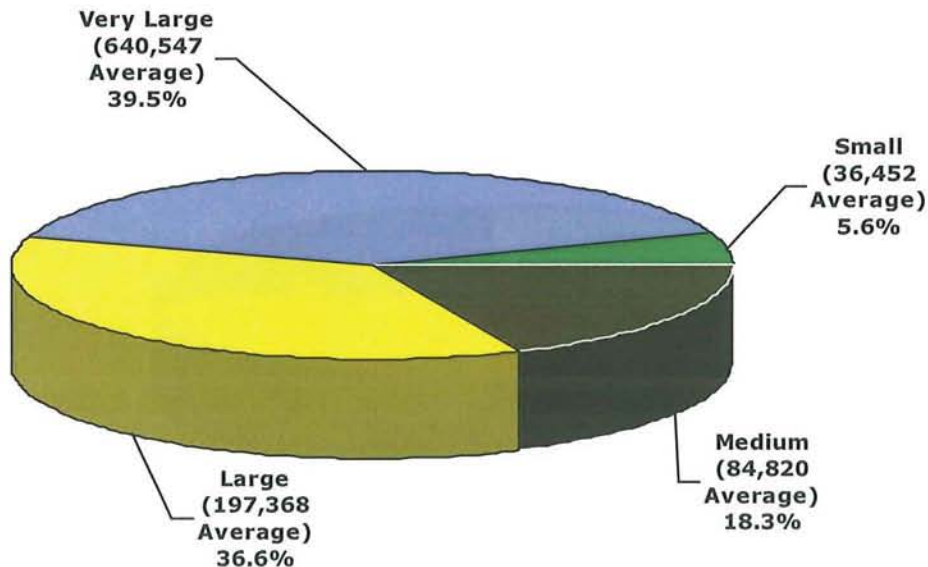
FY 2010-11



COUNTY COURT DISPOSITIONS

by Circuit Size*

FY 2010-11



*Small Circuits - 2nd, 3rd, 8th, 14th, 16th;
 Medium Circuits - 1st, 5th, 7th, 10th, 12th, 18th, 19th;
 Large Circuits - 4th, 6th, 9th, 13th, 15th, 20th;
 Very Large Circuits - 11th, 17th (as defined in the Glossary).

Overall Statistics ♦ Dispositions

CIRCUIT AND COUNTY COURT DISPOSITIONS
by Division and Circuit/County
FY 2010-11

Circuit/ County	Circuit Court					County Court			Total
	Criminal	Civil	Family Court*	Probate	Total	Criminal	Civil**	Total	
Circuit 1	9,460	10,107	15,954	3,916	39,437	28,805	27,255	56,060	95,497
Escambia	5,103	3,766	7,844	2,608	19,321	13,550	10,217	23,767	43,088
Okaloosa	2,287	2,742	4,142	623	9,794	7,701	8,342	16,043	25,837
Santa Rosa	1,373	1,573	2,902	471	6,319	5,171	5,218	10,389	16,708
Walton	697	2,026	1,066	214	4,003	2,383	3,478	5,861	9,864
Circuit 2	4,725	5,444	6,222	2,641	19,032	14,411	36,331	50,742	69,774
Franklin	233	314	247	6	800	738	1,040	1,778	2,578
Gadsden	610	449	772	444	2,275	2,110	9,337	11,447	13,722
Jefferson	237	54	156	36	483	463	1,947	2,410	2,893
Leon	3,245	4,179	4,220	2,105	13,749	9,875	21,765	31,640	45,389
Liberty	116	77	134	15	342	204	520	724	1,066
Wakulla	284	371	693	35	1,383	1,021	1,722	2,743	4,126
Circuit 3	2,627	1,659	4,828	1,084	10,198	7,376	14,183	21,559	31,757
Columbia	1,034	824	1,914	395	4,167	3,016	5,375	8,391	12,558
Dixie	165	56	271	168	660	596	1,055	1,651	2,311
Hamilton	128	68	313	31	540	465	707	1,172	1,712
Lafayette	45	54	159	78	336	169	285	454	790
Madison	264	148	383	156	951	880	2,259	3,139	4,090
Suwannee	614	393	1,352	181	2,540	1,080	2,775	3,855	6,395
Taylor	377	116	436	75	1,004	1,170	1,727	2,897	3,901
Circuit 4	13,347	17,718	24,174	4,737	59,976	71,420	174,081	245,501	305,477
Clay	1,302	2,782	3,633	557	8,274	7,134	19,270	26,404	34,678
Duval	11,080	14,061	19,185	3,953	48,279	61,104	150,532	211,636	259,915
Nassau	965	875	1,356	227	3,423	3,182	4,279	7,461	10,884

CIRCUIT AND COUNTY COURT DISPOSITIONS, Continued
by Division and Circuit/County
FY 2010-11

Circuit/ County	Circuit Court					County Court			Total
	Criminal	Civil	Family Court*	Probate	Total	Criminal	Civil**	Total	
Circuit 5	11,321	18,343	19,946	7,013	56,623	28,359	59,385	87,744	144,367
Citrus	1,140	2,595	3,203	1,538	8,476	3,434	8,339	11,773	20,249
Hernando	2,448	3,760	3,752	1,798	11,758	4,858	11,409	16,267	28,025
Lake	3,193	4,918	4,831	1,557	14,499	8,263	19,375	27,638	42,137
Marion	3,788	5,365	7,273	1,762	18,188	9,791	17,781	27,572	45,760
Sumter	752	1,705	887	358	3,702	2,013	2,481	4,494	8,196
Circuit 6	17,806	24,086	21,411	8,251	71,554	56,340	76,994	133,334	204,888
Pasco	4,462	8,078	6,519	2,762	21,821	15,338	24,243	39,581	61,402
Pinellas	13,344	16,008	14,892	5,489	49,733	41,002	52,751	93,753	143,486
Circuit 7	10,056	13,482	16,311	5,222	45,071	49,144	63,665	112,809	157,880
Flagler	890	1,717	1,760	414	4,781	4,011	4,204	8,215	12,996
Putnam	1,429	632	2,420	561	5,042	3,882	3,352	7,234	12,276
St. Johns	1,336	2,404	2,729	644	7,113	5,975	10,725	16,700	23,813
Volusia	6,401	8,729	9,402	3,603	28,135	35,276	45,384	80,660	108,795
Circuit 8	4,392	4,240	8,075	2,051	18,758	20,698	34,345	55,043	73,801
Alachua	2,708	2,889	5,058	1,465	12,120	15,579	23,613	39,192	51,312
Baker	442	293	618	141	1,494	1,225	2,420	3,645	5,139
Bradford	379	322	641	93	1,435	1,253	2,871	4,124	5,559
Gilchrist	125	111	404	36	676	493	560	1,053	1,729
Levy	614	492	995	216	2,317	1,805	4,179	5,984	8,301
Union	124	133	359	100	716	343	702	1,045	1,761
Circuit 9	15,767	32,952	29,193	5,189	83,101	56,251	144,681	200,932	284,033
Orange	12,198	24,494	21,842	4,310	62,844	45,314	119,451	164,765	227,609
Osceola	3,569	8,458	7,351	879	20,257	10,937	25,230	36,167	56,424

Overall Statistics ♦ Dispositions

CIRCUIT AND COUNTY COURT DISPOSITIONS, Continued
by Division and Circuit/County
FY 2010-11

Circuit/ County	Circuit Court					County Court			Total
	Criminal	Civil	Family Court*	Probate	Total	Criminal	Civil**	Total	
Circuit 10	7,767	11,092	17,718	4,554	41,131	36,547	36,272	72,819	113,950
Hardee	329	225	583	87	1,224	2,002	953	2,955	4,179
Highlands	928	1,439	2,064	918	5,349	3,068	2,949	6,017	11,366
Polk	6,510	9,428	15,071	3,549	34,558	31,477	32,370	63,847	98,405
Circuit 11	22,528	61,643	36,566	9,648	130,385	123,721	769,549	893,270	1,023,655
Miami-Dade	22,528	61,643	36,566	9,648	130,385	123,721	769,549	893,270	1,023,655
Circuit 12	6,214	15,454	12,167	6,020	39,855	24,749	39,435	64,184	104,039
Desoto	398	202	801	95	1,496	1,241	1,279	2,520	4,016
Manatee	2,547	6,358	5,063	1,619	15,587	11,998	13,290	25,288	40,875
Sarasota	3,269	8,894	6,303	4,306	22,772	11,510	24,866	36,376	59,148
Circuit 13	16,230	20,433	29,660	5,962	72,285	65,389	130,025	195,414	267,699
Hillsborough	16,230	20,433	29,660	5,962	72,285	65,389	130,025	195,414	267,699
Circuit 14	5,133	4,015	6,364	1,524	17,036	20,185	17,525	37,710	54,746
Bay	3,403	2,668	3,658	977	10,706	16,037	10,105	26,142	36,848
Calhoun	166	205	412	44	827	440	1,624	2,064	2,891
Gulf	222	353	263	81	919	482	446	928	1,847
Holmes	352	154	479	79	1,064	675	825	1,500	2,564
Jackson	620	299	1,084	261	2,264	1,875	3,451	5,326	7,590
Washington	370	336	468	82	1,256	676	1,074	1,750	3,006
Circuit 15	8,718	35,853	16,115	7,014	67,700	68,008	221,010	289,018	356,718
Palm Beach	8,718	35,853	16,115	7,014	67,700	68,008	221,010	289,018	356,718
Circuit 16	925	1,858	1,573	393	4,749	3,172	14,034	17,206	21,955
Monroe	925	1,858	1,573	393	4,749	3,172	14,034	17,206	21,955

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CIRCUIT AND COUNTY COURT DISPOSITIONS, Continued
by Division and Circuit/County
FY 2010-11

Circuit/ County	Circuit Court					County Court			Total
	Criminal	Civil	Family Court*	Probate	Total	Criminal	Civil**	Total	
Circuit 17	15,384	40,878	28,913	6,531	91,706	64,839	322,984	387,823	479,529
Broward	15,384	40,878	28,913	6,531	91,706	64,839	322,984	387,823	479,529
Circuit 18	8,396	12,846	15,376	4,125	40,743	43,710	82,005	125,715	166,458
Brevard	5,010	6,504	8,776	2,209	22,499	26,332	33,882	60,214	82,713
Seminole	3,386	6,342	6,600	1,916	18,244	17,378	48,123	65,501	83,745
Circuit 19	5,301	13,786	10,662	4,486	34,235	21,866	52,543	74,409	108,644
Indian River	1,373	3,045	2,616	843	7,877	3,322	6,424	9,746	17,623
Martin	1,316	3,491	1,845	1,347	7,999	8,192	11,088	19,280	27,279
Okeechobee	615	457	742	140	1,954	2,024	1,217	3,241	5,195
St. Lucie	1,997	6,793	5,459	2,156	16,405	8,328	33,814	42,142	58,547
Circuit 20	9,228	38,943	16,908	6,690	71,769	46,839	73,168	120,007	191,776
Charlotte	2,225	4,677	3,106	1,680	11,688	5,503	7,050	12,553	24,241
Collier	1,705	7,435	3,695	1,952	14,787	10,029	18,426	28,455	43,242
Glades	161	97	175	26	459	595	1,701	2,296	2,755
Hendry	461	285	637	125	1,508	2,921	2,754	5,675	7,183
Lee	4,676	26,449	9,295	2,907	43,327	27,791	43,237	71,028	114,355
State Total	195,325	384,832	338,136	97,051	1,015,344	851,829	2,389,470	3,241,299	4,256,643

*Family Court dispositions include Domestic Relations, Juvenile Delinquency, Juvenile Dependency, and Termination of Parental Rights. The reporting of Termination of Parental Rights dispositions began in January 2010.

**These data do not include all Civil Traffic Infractions reported to the Department of Highway Safety and Motor Vehicles by the clerks of court. They only represent those Civil Traffic Infraction dispositions involving a judge or hearing officer.

Funding for New Judges and Justices

- The Florida Constitution requires the Supreme Court to certify to the Legislature the number of new judges (other than Supreme Court justices) needed each year (s. 9, art. V, State Const.). The Court may recommend an increase or decrease in the number of authorized judges and justices. The recommendations are made via an opinion issued by the Supreme Court. (See the most recent opinion from December 15, 2011, under this tab.)
- The Legislature authorizes and funds new judgeships. Total annual costs per new judge are approximately \$250,000.
- The Legislature has historically funded fewer judges than the Supreme Court certifies.
- Counties must provide for the facility, computer, and security needs of the new judges. Space constraints in county courthouses can make placing new judges difficult.
- In 2005 and 2006, the Legislature created a total of 114 new circuit and county judgeships, the largest increase in recent years. Since 2006, the Legislature has not created an additional circuit, county court, or appellate court judgeships. In 2008, the Legislature reduced by one the number of judgeships for the Third District Court of Appeal, upon the recommendation of the Supreme Court and the district court.

76 So.3d 932, 36 Fla. L. Weekly S725
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C

Supreme Court of Florida.
In re CERTIFICATION OF NEED FOR ADDITIONAL
JUDGES.

No. SC11-2246.
Dec. 15, 2011.

Original Proceeding—Certification of the Need for Additional Judges.

PER CURIAM.

This opinion fulfills our constitutional obligation to determine the State's need for additional judges in Fiscal Year 2012/2013 and to certify our "findings and recommendations concerning such need" to the Legislature. ^{FN1} Certification is "the sole mechanism established by our constitution for a systematic and uniform assessment of this need." *In re Certification of Need for Additional Judges*, 889 So.2d 734, 735 (Fla.2004).

^{FN1}. Article V, section 9 of the Florida Constitution provides in pertinent part:

Determination of number of judges.—The supreme court shall establish by rule uniform criteria for the determination of the need for additional judges except supreme court justices, the necessity for decreasing the number of judges and for increasing, decreasing or redefining appellate districts and judicial circuits. If the supreme court finds that a need exists for increasing or decreasing the number of judges or increasing, decreasing or redefining appellate districts and judicial circuits, it shall, prior to the next regular session of the legislature, certify to the legislature its findings and recommendations concerning such need.

TRIAL COURTS

The Florida Supreme Court continues to use a weighted caseload system as a primary basis for assessing judicial need for the trial courts. ^{FN2} Using objective standards, this Court has examined case filing and disposition data, analyzed various judicial workload indicators, applied a three-year average net need, and considered

judgeship requests submitted by the lower courts. As part of our ongoing effort to carefully evaluate judicial workload and within our discretion pursuant to Florida Rule of Judicial Administration 2.240, we have slightly modified our methodology this year, using a three-year average net need rather than the sustained net judicial need based on the lowest need for the prior three years. We believe that this modification to our methodology more accurately reflects the net judicial need from year to year.

^{FN2}. Our certification methodology relies primarily on case weights and calculations of available judge time to determine the need for additional trial court judges. See Fla. R. Jud. Admin. 2.240.

Applying this methodology, this Court certifies the need for seventy-one judgeships statewide, twenty-three of which are in circuit court and forty-eight in county court.

We submit this certification recognizing the economic difficulties that continue to affect both the private sector and the public sector in Florida. Further, we acknowledge that state general revenues remain low, thereby creating competition between funding new judgeships and other critical state needs. Yet, as we noted in last year's certification opinion, ^{FN3} our judges and court staff continue to work diligently to ensure the administration of justice and the timely resolution of disputes. They do so despite a demonstrated net need for new judges and with fewer support staff.

^{FN3}. *In re Certification of Need for Additional Judges*, 60 So.3d 955 (Fla.2011).

Our analysis indicates that felony, delinquency, and civil filings have decreased in *933 circuit court relative to previous years. The drop in felony and delinquency filings correlates with fewer arrests being made as reported by the Florida Department of Law Enforcement. The drop in circuit civil filings is primarily attributable to the self-imposed moratorium on residential mortgage foreclosures by various lending institutions. However, mortgage foreclosure filings are projected to increase in the coming months. Notwithstanding the decreases to certain filing categories, our three-year average net need analysis indicates that additional judgeships are necessary in our circuit

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courts. This three-year average net need reflects accumulated workload over a multi-year period.

Chief judges have identified a number of the workload trends that are affecting court operations throughout the state. Several of the chief judges cited low clearance rates, substantial pending caseloads, high jury trial rates, fewer staff to assist with case processing matters, and statutory requirements requiring additional hearings for certain case types in civil, criminal, and family law as contributing to judicial workloads. Others note the protracted delays experienced by parties in scheduling hearings along with the impact of self-represented litigants on court time and resources. Collectively, these factors contribute to court delay.

Our judges continue to absorb the work previously performed by magistrates, law clerks, case managers, and other supplemental support staff lost in the budget reductions of the last several years.^{FN4} Most of these positions provided direct case management, legal research, and adjudicatory support to our judges. Chief judges have advised us that the loss of support staff translates into slower case processing times, crowded dockets, and long waits to access judicial calendars. Restoration of case processing support staff lost in the budget reductions over the last three years remains a priority for the judicial branch. Accordingly, we fully support the trial courts' Fiscal Year 2012/2013 Legislative Budget Request that seeks additional funding for case managers, general magistrates, and law clerks,^{FN5} as these positions are integral to case disposition, docket management, and pending caseload reduction.

^{FN4}. It is important to note that when the case weights were originally developed in 1999 and updated in 2007, they incorporated the availability of supplemental resources to assist judges with case processing matters. It is reasonable to conclude that the loss of these supplemental positions (i.e., case managers, law clerks, and magistrates) may increase the case weights if not restored prior to the next case-weight update. Increased case weights may translate into the need for more judgeships.

^{FN5}. The Florida State Courts System's Legislative Budget Request for Fiscal Year 2012/2013 is available on the Florida Fiscal Portal at <http://florida.fiscal.portal.state.fl.us/>.

Several of our chief judges noted the long waits associated with obtaining hearing times. In some jurisdictions, dockets are so full that it takes several weeks to schedule a hearing. Similarly, lengthy jury trials must be scheduled months in advance. These conditions are additional indicators of an under-resourced court system. This situation frustrates all who use the courts, especially litigants, their lawyers, and our judges. Chief judges continue to report concerns that judges are unable to devote sufficient time to hearings due to significant workload.

The circuits have responded admirably to changing circumstances bearing on caseloads, including case complexity, demographics, and other factors within their jurisdictions. Where appropriate, the circuits continue to use mediation and differentiated⁹³⁴ case management techniques to address workload. Moreover, as the complexity of Florida's caseload increases, many jurisdictions have chosen to respond by instituting specialized court dockets. These include juvenile and adult drug courts; veterans' courts; those dealing with probate, elder, and mental health proceedings; and tobacco cases, asbestos cases, and other complex cases.

Workload associated with the residential mortgage foreclosure crisis continues to impede disposition times and rates in our circuit civil division. The Court is grateful to the Legislature for funding the Foreclosure and Economic Recovery Initiative, which terminated on June 30, 2011. The case managers and senior judges used in the Foreclosure and Economic Recovery Initiative made a significant difference in reducing backlog throughout the state. Unfortunately, due to the severity and protracted nature of the crisis, our trial courts continue to struggle with heavy pending caseloads and the slow resurgence of foreclosure filings. The absence of additional case processing resources, such as case managers and senior judges, will continue to delay case processing times and pending caseloads in our civil divisions for the foreseeable future. Moreover, this crisis has a ripple effect on the workload of other court divisions as chief judges and administrative judges allocate limited court resources to address demand.

County court workload continues to increase in several areas, including evictions and landlord/tenant cases. In select jurisdictions, some chief judges report that personal injury protection and credit card debt cases are impacting county court workload.

The loss of civil traffic infraction hearing officers in

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county court continues to have an impact on county judge workload throughout the state. In many counties, county judges are hearing traffic cases previously processed by the civil traffic infraction hearing officers.

Self-represented litigants continue to affect Florida's court system. All circuit and county civil divisions are experiencing an increase in self-represented litigants. Frequently, self-represented litigants are unprepared for the rigors of presenting evidence, following rules of procedure, and generally representing themselves in court. Consequently, they often require enhanced judicial involvement, which entails lengthier hearings, rescheduled hearings, and court delay.

DISTRICT COURTS OF APPEAL

The Second District Court of Appeal requests two additional judgeships. That court cites to its workload and [Florida Rule of Judicial Administration 2.240\(b\)\(2\)\(B\)](#), which provides that a presumption of need arises "where the relative weight of cases disposed on the merits per judge would have exceeded 280 after application of the proposed additional judge(s)." Using our discretion under [Florida Rule of Judicial Administration 2.240](#) and as part of our ongoing effort to carefully evaluate judicial workload, we have slightly modified our methodology this year for the district courts, using a three-year average of weighted dispositions per judge. We believe that this modification to our methodology more accurately reflects the net judicial need from year to year.

A number of factors are impacting the overall workload in the Second District, including changes in statutes requiring appellate review and clarification, changes in criminal and sentencing statutes, and growth in prison population and postconviction motions. Other factors impacting case processing include the unavailability of senior judges and fewer central staff attorneys to assist the judges with legal research and related case processing matters due to budget reductions. Of particular concern to this Court is the observation by the Chief Judge of the Second District that although the district has been able to maintain high clearance and disposition rates, it does so at the expense of time dedicated to a given case.

The Chief Judge of the Second District also cites to two qualitative factors contained in [Florida Rule of Judicial Administration 2.240](#): effectiveness and professionalism. Effectiveness means that each appellate court judge must have adequate time to review and consider briefs, petitions, motions, and memoranda to fully research legal

issues, write opinions, and review all decisions by the court. Given their current workload, the judges in the Second District find themselves increasingly challenged to fully meet the rigors of the effectiveness standard.

The professionalism factors of the rule speak to judicial participation in activities designed to enhance lawyer and judicial professionalism, improve the administration of justice, and improve relations between the bench and bar. The Second District notes that high workloads and reduced resources continue to adversely affect its judges' ability to meet this standard.

While the Second District Court of Appeal has requested that two additional district court judges be certified, our analysis of the three-year weighted dispositions per judge average indicates that they do not meet the threshold of 280 weighted dispositions per judge after a second judge is added. Therefore, we certify the need for one additional district court judge in the Second District for Fiscal Year 2012/2013.

CONCLUSION

We have conducted both a quantitative and qualitative assessment of judicial workload. Using the case weighted methodology required by the Legislature and the application of other factors identified in [Florida Rule of Judicial Administration 2.240](#), we certify the need for seventy-one additional trial court judges in Florida, consisting of twenty-three in circuit court and forty-eight in county court, as set forth in the appendix to this opinion, and one additional district court judge in the Second District Court of Appeal.

Many of the workload trends we identified in last year's certification opinion remain today. In response, our courts continue to proactively manage their dockets to ensure that the administration of justice is not diminished. Yet despite these measures, we remain concerned that the timeliness and quality of justice are being adversely affected.

As we certify the need for new judgeships, we also observe that the last year has proven very difficult for Florida's State Court System due to the depletion of funds in the State Courts Revenue Trust Fund in the spring. While the State Courts Revenue Trust Fund was created by the Legislature to address funding issues in the court system, it has proven insufficient to sustain funding for the judicial branch. To address this deficiency, the Legislature directed the state courts, pursuant to Specific Appropria-

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tion 2986 in the 2011 General Appropriations Act,^{FN6} to work with the clerks of court to identify appropriate and sufficient funding streams for both the court system and the clerks of court. Those recommendations have been submitted to the Legislature.

^{FN6}. Available at http://www.myfloridahouse.gov/filestores/Adhoc/Appropriations/GAA/2011-Senate/CR_SB_2000.pdf.

*936 We recognize that the funding of new judgeships is an expensive proposition, especially during difficult economic times with diminished state revenues. If monies

become available, we encourage the Legislature to give priority consideration to funding the trial courts' Fiscal Year 2012/2013 Legislative Budget Request for positions to assist with case processing (i.e., case managers, law clerks, and magistrates).

It is so ordered.

CANADY, C.J., and LEWIS, PARIENTE, QUINCE, POLSTON, LABARGA, and PERRY, JJ., concur.

APPENDIX Trial Court Need

Circuit	Circuit Court Certified Judges	County	County Court Certified Judges
1	4	NA	0
2	0	NA	0
3	0	NA	0
4	1	Duval	4
5	4	Citrus	1
		Lake	1
		Marion	1
6	1	NA	0
7	2	Flagler	1
		St. Johns	1
		Volusia	2
8	0	NA	0
9	2	Orange	3
		Osceola	1
10	1	Polk	1
11	0	Miami-Dade	10
12	1	Manatee	1
		Sarasota	1
13	1	Hillsborough	4
14	1	Bay	1
15	1	Palm Beach	5
16	0	NA	0
17	0	Broward	6
18	1	Seminole	1
19	1	St. Lucie	1
20	2	Lee	2
Total	23	Total	48

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Fla.,2011.
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END OF DOCUMENT

Sections of The Florida Bar

The following are descriptions and contact information for some of the sections of The Florida Bar with which the Committee on Judiciary interacts.¹

Business Law Section

The purpose of the Business Law Section of The Florida Bar is to provide an organization within The Florida Bar for members interested in corporation, banking, business, bankruptcy, computer and cyber law, anti-trust and franchise law, litigation and related areas of law, as well as to provide a forum for the discussion and exchange of ideas leading to the improvement of the laws relating to these areas of law.

There are numerous substantive law committees within the Section, including Antitrust, Franchise & Trade Regulation, Bankruptcy/UCC, Bankruptcy Judicial Liaison Committee, Business Litigation, Corporations, Securities & Financial Services, Computer and Cyber Law, Intellectual Property, and State/Federal Judicial Liaison Committee.

Member benefits include notification of and attendance at numerous year-round CLE's, including lunchtime CLE presentations (which can be attended in person or by telephone), participation at committee meetings, including participation in legislative initiatives, networking events, a copy of the Section's Annual Journal (updating Florida case law relevant to business law); and participation in special committee projects, including, among others, the Florida third party opinion practice; and revisions to Section 608 (the Florida LLC statute).

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<http://flabizlaw.org/>

¹ This information is republished from the website of The Florida Bar. See *About The Bar: Sections and Divisions*, <http://www.floridabar.org/DIVCOM/PI/CertSect.nsf/Sections?OpenForm> (last visited Nov. 29, 2012).

Family Law Section

The Family Law Section provides section members and the public with information on attorneys practicing in the areas of divorce, child custody, adoption, modification of judgments and enforcement of alimony and child support. Family law deals with legal problems arising from family relationship of husband and wife and parent and child, including litigation of civil controversies arising from those relationships. In addition to actual pretrial and trial process, marital and family law includes evaluating, handling and resolving such controversies prior to the institution of suit and post-judgment proceedings.

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Real Property, Probate and Trust Law Section

The Real Property, Probate and Trust Law Section provides a forum for discussion on legal issues in the areas of real property, probate, wills/estates and trust law. The Section also assists in developing real property, probate and trust law, and serves the public and The Florida Bar in interpreting and carrying out the public and professional needs and objectives in the fields of real property, probate and trust law.

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Trial Lawyers Section

The Trial Lawyers Section of The Florida Bar provides a forum for discussion and exchange of ideas leading to the improvement of individual trial ability. The essential purposes of the Trial Lawyers Section are threefold: to assist the courts in improving the administration of justice; to promote the art of advocacy; and to preserve and protect the jury system. The Trial Lawyers Section includes both plaintiff and defense attorneys as well as prosecutors.

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Frequently Asked Questions About The Florida Bar¹

What is The Florida Bar?

The Florida Bar is the organization of all lawyers who are licensed by the Supreme Court of Florida to practice law in the state. Any lawyer desiring to practice law in Florida must be a member of The Florida Bar.

How many lawyers are licensed to practice law in Florida?

Total members as of 6/01/12 93,895

Male members 65%

Female members 35%

What is The Florida Bar's official governmental status?

Article V, Section 15 of the Constitution of the State of Florida gives the Supreme Court of Florida exclusive and ultimate authority to regulate the admission of persons to the practice of law and the discipline of those persons who are admitted to practice. The Court performs those official functions through two separate arms: the Florida Board of Bar Examiners, which screens, tests and certifies candidates for admission to the practice; and The Florida Bar, the investigative and prosecutorial authority in the lawyer regulatory process. Neither of these two agencies, nor any of their functions, is supported by state tax dollars.

What are the responsibilities of The Florida Bar?

The Florida Bar's core functions are to prosecute unethical lawyers; administer a client protection fund to cover certain financial losses a client might suffer due to misappropriation by a lawyer; administer a substance abuse program; and provide continuing education services for lawyers. The Florida Bar provides many other services to members and the public, including publishing legal periodicals, administering a public information program, providing ethics and law office management advice, and sponsoring conferences and meetings. See our listing of consumer pamphlets for more information.

Who admits lawyers to the practice of law in Florida?

The Florida Bar as an organization has no direct control over attorney admissions. The Florida Board of Bar Examiners is the entity charged by the Florida Supreme Court with assuring that only qualified persons will be admitted to the practice of law in this state. The Board of Bar

¹ This information is republished from the website of The Florida Bar. See *About The Bar: Organization*, <http://www.floridabar.org/DIVCOM/PI/WebNodes.nsf/Nodes/3CBE88F1C9F055A7852577E000485BB2> (last visited Nov. 29, 2012).

Examiners investigate the character and fitness of applicants, develop and administer the bar examination for attorney candidates, and submit for Supreme Court approval the names of those qualified for admission to practice.

Who can practice law in Florida?

Generally speaking, you must be a member of The Florida Bar in order to practice law in Florida. There are some limited exceptions established by rule or law. For example, the following chapters of the Rules Regulating The Florida Bar allow limited practice in Florida without being admitted:

Chapter 12, Emeritus Attorney Pro Bono Participation Program

Chapter 13, Authorized Legal Aid Practitioner Rule

Chapter 16, Foreign Legal Consultancy Rule

Chapter 17, Authorized House Counsel Rule

Chapter 18, Military Legal Assistance Counsel Rule

There may be other exceptions allowed by law. You may contact the Bar's Unlicensed Practice of Law Department, 850-561-5840, for additional information.

What is the unlicensed practice of law?

The unlicensed practice of law, in its simplest terms, is when someone who is not licensed or otherwise authorized to practice law in Florida practices law. In determining whether the giving of advice and counsel and the performance of services in legal matters constitute the practice of law, it is safe to follow the rule that if giving such advice and performance of services affect important rights of a person under the law, and if the reasonable protection of the rights and property of those advised and served requires that the persons giving such advice possess legal skill and knowledge of the law greater than that possessed by the average citizen, then the giving of such advice and performance of services by one for another constitutes the practice of law.

History of The Florida Bar¹

“To inculcate in its members the principles of duty and service to the public, to improve the administration of justice, and to advance the science of jurisprudence.”

~ From the Rules Regulating The Florida Bar

The history of the term “bar” as representing a legal organization dates from the early 1300s. The word originated when King Edward II established a system of courts throughout his kingdom to settle disputes among the people. Judges moved from village to village to hear and settle disagreements in the surrounding communities.

The people of this early era derived most of their entertainment and education in public gathering places. Hearing the plights and disputes of fellow villagers was a great diversion for them. As the courts grew in number, more people began attending these sessions as a social gathering. Consequently, the court sessions had to be held in fields or commons to accommodate the crowds.

It soon became necessary to set up boundaries to separate the spectators from the proceedings. This was accomplished by surrounding the court with a square of logs. Only those persons who were part of the court or party to the argument were allowed within the square of logs or “bars.” Thus, the terminology, “admission to the bar,” became synonymous with practicing law. The term “bar” since has come to mean an organized group practicing law in a given locality.

These events laid the foundation for the establishment of the Boston Bar Association almost 400 years later, in 1761. This bar is the oldest reported legal association in the United States. It originally drew together some of the first lawyers in the colonies.

Recorded history of the bar in Florida dates from 1889. It consisted of a small voluntary group of lawyers when the state's population was less than 400,000. Out of this grew the Florida State Bar Association in 1907. Still a voluntary organization, it concentrated its attention on publishing a legal journal, drafting court procedures, and presenting occasional educational courses for lawyers. It helped provide legislative reform relating to the courts and the legal profession. Membership in this voluntary association never exceeded 2,500 lawyers.

Shortly after the close of World War I, beginning around 1920, there was a sharp growth in the number of lawyers in Florida. But they still had no cohesive organization and fewer than two-thirds of them belonged to the voluntary state bar association.

In the 1930s it was proposed for the first time that lawyers, upon admission to practice, be required to be members of the Florida State Bar Association. Many felt that if all lawyers were

¹ This information is republished from the website of The Florida Bar. See *About The Bar: Bar Organization*, <http://www.floridabar.org/DIVCOM/PI/WebNodes.nsf/Nodes/3CBE88F1C9F055A7852577E000485BB2> (last visited Nov. 29, 2012).

members of the Bar, communication would improve and disciplining unethical lawyers would be simplified. Such bar associations with mandatory membership for regulatory purposes are called "unified" or "integrated" bars.

The Supreme Court of Florida, which had (and still has) jurisdiction over lawyers, rejected this initial proposal. Then in 1947 Bar leaders again proposed compulsory membership, providing the court results of a poll indicating that most Florida lawyers agreed that a change in Bar structure was needed. These bar leaders argued that only through a unified organization could all Florida lawyers receive uniform education on changes in the law and legal procedures. An integrated Bar organization would also pave the way for a uniform discipline system, capable of weeding out unethical lawyers and assuring the public that only those with high standards would be allowed to practice.

In the summer of 1949 the Supreme Court of Florida told state Bar officials to proceed in forming a unified bar. As a result, the Florida State Bar Association met for the last time in April 1950. Members shortened the name of their organization to "The Florida Bar," the state's 3,758 lawyers automatically became members of The Florida Bar that same year.

By the early 1960s, the Bar had grown to 7,000 members. The Florida Bar membership has steadily grown to 12,000 in 1970, nearly 30,000 in 1980, and 45,000 in 1990. Currently membership stands at over 90,000.

The rapid growth in Bar membership brought the need for an expanded staff of full-time professionals to administer the varied programs of the Florida legal profession. From the original one-member staff located in the Supreme Court Building, The Florida Bar expanded until it became necessary to seek additional office space.

In 1958, the Bar leased space for its operation in the Petroleum Building in Tallahassee. It became apparent, with the continuing increase in Bar membership and staff growth, that the Bar needed its own, permanent headquarters. A statewide fund-raising campaign to build and equip a building for The Florida Bar began in 1964. Florida lawyers and judges responded enthusiastically with volunteer contributions.

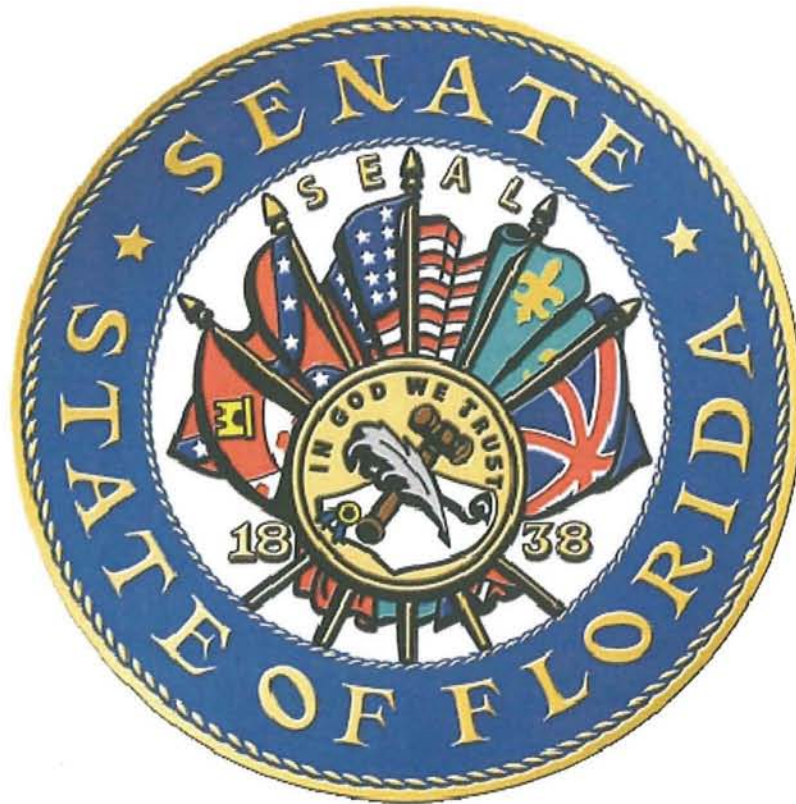
The Florida Bar's new headquarters was dedicated on October 8, 1966. The Florida Bar Center, on the corner of Apalachee Parkway and Franklin Boulevard, is a three-story, red brick building patterned after the architecture of Colonial Williamsburg. Its colonial design is highlighted by its Flemish bond brick work and six large pillars at the front entrance.

Bar programs and activities grew at such a rate that in the early 1970s an addition to the existing Bar Center became imperative. Again, the membership responded with funding and in October 1976 the new addition was dedicated. Facilities include office space for nearly 200 staff members and various meeting rooms.

In 1989, The Florida Bar added nearly three acres to its existing two-acre headquarters complex. A four-story Bar Center Annex -- extensively remodeled in 1991 to be compatible with the distinctive architecture of the headquarters building -- houses selected Bar functions and

commercial tenants. The Florida Bar also maintains branch offices in Miami, Fort Lauderdale, Orlando, Tampa and Tallahassee.

Summaries of Legislation Passed 2012 Regular Session



Committee on Judiciary

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

CS/HB 401 — Effect of Dissolution or Annulment of Marriage on Certain Designations

by Judiciary Committee and Rep. Moraitis (CS/CS/SB 1146 by Budget Subcommittee on General Government Appropriations; Judiciary Committee; and Senator Simmons)

The bill generally nullifies upon divorce or annulment the designation of a spouse as a beneficiary of nonprobate assets such as life insurance policies, individual retirement accounts, and payable on death accounts. Certain state-administered retirement plans are exempt from the bill. If the provisions of the bill apply, an asset will pass as if the former spouse predeceased the decedent.

The bill also specifies criteria for a payor of a nonprobate asset to use in identifying the appropriate beneficiary. The bill specifically provides that the payor is not liable in some circumstances for transferring an asset to the beneficiary identified through the bill's criteria.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 34-6; House 116-0

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

SB 520 — Veteran's Guardianship

by Senator Braynon

Section 744.103, F.S., provides that in the event of a conflict between general guardianship law and a provision of the Veterans' Guardianship Law which apply to incapacitated world war veterans, the general guardianship law prevails. Senate Bill 520 repeals s. 744.103, F.S.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 38-0; House 118-0

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

CS/HB 701 — Florida Evidence Code

by Civil Justice Subcommittee and Reps. Logan, Holder, and others (CS/SB 782 by Judiciary Committee and Senator Bennett)

This bill creates a hearsay exception to allow a court to consider statements that would otherwise be inadmissible into evidence if a party wrongfully makes a witness unavailable. Specifically, this bill creates a hearsay exception for a statement offered by an unavailable witness against a party that has engaged or acquiesced in wrongdoing intended to make the witness unavailable. The Florida Evidence Code generally prohibits a judge or jury from considering hearsay, which is an out-of-court statement offered by someone other than the declarant while testifying at trial or a hearing used to prove the truth of the matter asserted.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 114-0

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

HB 733 — Probate

by Rep. Kiar and others (SB 988 by Senator Joyner)

The bill revises the effective date of the 2011 amendments to s. 732.102, F.S., so that the changes to that section apply only to the estates of decedents dying on or after October 1, 2011. Section 732.102, F.S., was amended in 2011 to revise the share a decedent's spouse receives as part of an intestate estate under certain circumstances.

Effective July 1, 2012, and applicable to estates of persons dying on or after July 1, 2012, the bill:

- Clarifies that real property owned in joint tenancy with right of survivorship is not protected homestead. Thus, clarifying that property not subject to devise may be transferred before a person dies by titling the property in joint tenancy with right of survivorship.
- Revises the time in which an attorney in fact or guardian for an incapacitated spouse must file a petition for authority to make an election to take an undivided one-half interest as a tenant in common in the decedent's homestead.
- Bars inheritance through intestate succession by a parent from a child in cases when the natural or adoptive parent's parental rights were terminated prior to the death of the child. In such cases, the natural or adoptive parent must be treated as if the parent predeceased the child.

If approved by the Governor, and except as otherwise provided in the bill, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 115-0

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

CS/CS/HB 897 — Construction Contracting

by Judiciary Committee; Civil Justice Subcommittee; and Rep. Moraitis (CS/SB 1202 by Judiciary Committee; and Senator Bogdanoff)

The bill increases the information that must be shared among parties involved in a construction project and increases the time periods within which construction liens may be recorded or claims against a payment bond may be made. Additionally, the bill:

- Establishes a uniform time period of 5 years to initiate an action to enforce a claim against a payment bond.
- Requires a contractor to supply a copy of the payment bond to the public entity contracting for a public works project before commencing construction.
- Requires government entities to open sealed bids for public works projects at a public meeting.
- Simplifies procedures for a lessor to prohibit the attachment of liens to a parcel of property as the result of an improvement to a leased premises by a tenant.
- Revises the methods by which notices and other documents relating to construction liens must be served.
- Authorizes a contractor to satisfy certain grandfathering provisions for certification as a contractor by 2015 and allows glass glazing contractors to receive certification through the grandfathering provisions.

If approved by the Governor, these provisions take effect October 1, 2012, except as otherwise provided in the bill.

Vote: Senate 40-0; House 114-0

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

SB 990 — Natural Guardians

by Senators Joyner and Lynn

Under s. 744.301, F.S., the mother and father of a child generally are the natural guardians of the child. The statute gives natural guardians substantial authority to act on the behalf of their minor child in matters of managing assets, transferring real or personal property, and settling of disputes when, in the aggregate, those matters do not exceed \$15,000. This bill conforms terminology used in s. 744.301, F.S., to terminology used in ch. 61, F.S., which relates to divorce and child custody. Specifically, the bill changes “mother and father” to “parents” and changes “child custody” to “parental responsibility.”

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 40-0; House 118-0

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

CS/CS/HB 1193 — Public Records/Victims of Violence

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Jones and others (CS/CS/SB 1390 by Judiciary Committee; Governmental Oversight and Accountability Committee; and Senator Joyner)

The bill creates public records exemptions for the personal contact information provided by a petitioner in his or her request for notices relating to an injunction for protection against domestic violence, repeat violence, sexual violence, or dating violence. The court clerk must apprise the petitioner of the right to make a written request that his or her contact information be exempt from public records requirements. After receipt of the written request, the information is exempt for 5 years. The bill grants access to any state or federal agency that is authorized by law to have access to such information in furtherance of the agency's statutory duties. The public records exemptions will be repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.

If approved by the Governor, these provisions take effect October 1, 2012.

Vote Senate 39-0; House 116-0

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

HB 4047 — Judicial Census Commissions

by Rep. Nehr (SB 522 by Senator Braynon)

This bill repeals s. 26.011, F.S., an obsolete statute, which provides for the use of judicial census commissions in determining the population of a judicial circuit. The Legislature created the judicial census commissions to determine the population of a given judicial circuit because the State Constitution formerly required one circuit judge for every 50,000 people in a circuit. The Constitution was amended in 1973 to provide for a different method of determining the number of circuit judges, making the judicial census commissions unnecessary.

If approved by the Governor, these provisions will take effect July 1, 2012.

Vote: Senate 40-0; House 117-0

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

HB 4077 — Actions for Damages

by Rep. Metz (SB 1268 by Senator Simmons)

This bill repeals s. 768.75, F.S., which authorizes a court in a negligence action to require the attorneys, parties, and persons having authority to settle to attend a settlement conference at least 3 weeks before trial. Courts, however, retain this authority under the Florida Rules of Civil Procedure.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 117-0

2013 Issues for State Courts System

Legislative Agenda

Fiscal Year 2013-14 Legislative Budget Request: The emphasis of the LBR is on investing in the existing resources of the state courts system – personnel and property – rather than requesting substantial new resources. See accompanying summary of key LBR issues.

Judicial Branch 2013 Legislative Substantive Issues:

Protecting confidentiality of behavioral and health information in court records:

- Specify that any behavioral health evaluation filed with the court under chapter 916, F.S. (proceedings relating to mentally deficient and mentally ill defendants), is confidential and exempt from disclosure under the public-records law.
- Specify that the initial treatment-based drug program evaluation and substance abuse screenings, and any behavioral health evaluations, and subsequent treatment status reports relating to a participant in a treatment-based drug court program are confidential and exempt from disclosure under the public-records law.

Supporting community-based substance abuse and mental health treatment for offenders: Support efforts to create and implement a reentry program, under which an eligible, nonviolent, low-risk participant would receive in-prison substance abuse or mental health treatment followed by treatment to be completed while he or she is on substance abuse or mental health probation in the community.

Taking judicial notice in family cases when there is imminent danger: Permit judges in family cases to take judicial notice of court records when there is imminent danger to persons or property and prior notice to a party is impractical, and authorize the court to defer the opportunity for a party to present evidence on the propriety of taking that judicial notice until after the notice has been taken.

Ensuring court access to driver license photographs: Provide specific statutory authority for justices, judges, and individuals who support the functions of the courts to access driver license photographs maintained by the Department of Highway Safety and Motor Vehicles.

Facilitating use of electronic search and arrest warrants: Promote the use of technology to secure and issue search and arrest warrants in an electronic rather than paper-based manner, in coordination with the Florida Courts Technology Commission and law enforcement entities to ensure that statewide considerations are included in the approach to use of electronic warrants.

Recommendations of the Florida Innocence Commission: Members of the Florida Innocence Commission may pursue the commission's recommendations, and staff of the Office of the State Courts Administrator will provide background information to the Legislature.

Other Key Issue: Automating the Court Record

The Judicial Branch will continue its efforts to integrate the clerks' and the courts' computer systems and to provide technology necessary for judges to use electronic documents effectively in the performance of their adjudicatory functions.