

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

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1 Committee/Subcommittee hearing bill: Justice Appropriations  
 2 Subcommittee

3 Representative Byrd offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 58-113 and insert:

7 (1) (a) The membership of the Florida Court Educational Council,  
 8 as it was constituted before January 1, 2018, is terminated and  
 9 replaced as provided in this section. The Florida Court  
 10 Educational Council shall consist of 17 members. All the members  
 11 must be active judges.

12 1. Two members of the council shall be elected to  
 13 staggered terms by the Florida Conference of District Court of  
 14 Appeal Judges from its membership pursuant to conference adopted  
 15 procedures. One council member shall be elected for a term  
 16 ending December 31, 2019, and subsequently for 2-year terms

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17 ending on December 31 of each odd-numbered year and the other  
18 council member shall be elected for a term ending on December  
19 31, 2020, and subsequently for 2-year terms ending on December  
20 31 of each even-numbered year.

21 2. Ten members of the council shall be elected to  
22 staggered terms by the Florida Conference of Circuit Court  
23 Judges from its membership pursuant to conference adopted  
24 procedures. Five council members shall each be elected for a  
25 term ending December 31, 2019, and subsequently for 2-year terms  
26 ending on December 31 of each odd-numbered year. The five  
27 remaining council members shall each be elected for a term  
28 ending on December 31, 2020, and subsequently for 2-year terms  
29 ending on December 31 of each even-numbered year.

30 3. Five members of the council shall be elected to  
31 staggered terms by the Florida Conference of County Court Judges  
32 from its membership pursuant to conference adopted procedures.  
33 Three council members shall each be elected for a term ending  
34 December 31, 2019, and subsequently for 2-year terms ending on  
35 December 31 of each odd-numbered year. The two remaining council  
36 members shall each be elected for a term ending on December 31,  
37 2020, and subsequently for 2-year terms ending on December 31 of  
38 each even-numbered year.

39 4. Each vacancy shall be filled for the remainder of an  
40 unexpired term in the same manner as the original appointment.

41 5. Council members may serve consecutive terms.

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42           6. The council shall elect a chair from its membership  
43 for a 1-year term to preside at all council meetings. The  
44 council shall also elect other officers from its membership as  
45 it deems necessary.

46           (b) A majority of the council members shall constitute a  
47 quorum, and the affirmative vote of a majority of the members  
48 present shall be necessary for any action to be taken by the  
49 council.

50           (c) The administrative duties of the council include:

51           1. Adopting guidelines on permissible administrative  
52 expenses. The council shall minimize administrative expenses and  
53 maximize educational opportunities for judges and judicial  
54 staff.

55           a. Administrative expenses include office space expenses;  
56 salaries for full-time employees, or the equivalent, unless such  
57 employees teach judges or judicial staff on a full-time basis;  
58 compensation for part-time assistance, unless such individuals  
59 are retained to teach judges or judicial staff; and equipment  
60 and supplies purchased or leased by the council. Upon approval  
61 of the council, any employee who documents time spent teaching  
62 judges or judicial staff on a less than a full-time basis may  
63 have the pro-rata portion of his or her salary deducted from the  
64 calculation of administrative expenses.

65           b. As part of the report required by subsection (3), the  
66 council shall provide a description of all efforts the council

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67 has made to reduce administrative expenses below 44 percent.  
68 This part of the report is not required for any year that the  
69 council spends less than 25 percent of the previous year's gross  
70 receipts on administrative expenses.

71 2. Adopting policies and guidelines related to the  
72 selection of continuing judicial and judicial staff education  
73 and training programs, approval of courses for such programs,  
74 and selection of participants. The council shall also develop  
75 and fund appropriate education and training programs for new  
76 trial judges, appellate judges, child support hearing officers,  
77 and magistrates.

78 3. Adopting reporting formats.

79 4. Employing and supervising all council employees.  
80 Council employees shall report only to the chair of the council  
81 and may not be assigned any duties except those dealing directly  
82 with court education. It is unlawful to require a counsel  
83 employee to perform duties unrelated to judicial or judicial  
84 staff education if such duties are not authorized by the  
85 council. The council may not employ more than 15 full-time  
86 employees. The council must employ less than 15 full-time  
87 employees if the council determines that the judicial and  
88 judicial staff education training objectives of the council can  
89 be accomplished with fewer than 15 employees.

90 (d) The council and its employees shall be headquartered  
91 at the First District Court of Appeal.

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92            (2) (a) (1) The ~~Florida Court Educational~~ council shall  
93 establish standards for instruction of circuit and county court  
94 judges who have responsibility for domestic violence cases, and  
95 the council shall provide such instruction on a periodic and  
96 timely basis.

97            (b) (2) As used in this subsection, ~~section~~:

98            ~~(a)~~ the term "domestic violence" has the meaning set forth  
99 in s. 741.28.

100            ~~(b)~~ "Family or household member" has the meaning set forth  
101 in ~~s. 741.28~~.

102            (3) The council shall submit a report each year, on  
103 October 1, to the President of the Senate and the Speaker of the  
104 House of Representatives that includes the total number of  
105 judges and other court personnel attending each in-state  
106 training or educational program, the training or educational  
107 program attended and the location of the program, and the costs  
108 incurred. The report shall also identify the judges and other  
109 court personnel attending out-of-state training or educational  
110 programs and the costs associated with such programs. The report  
111 shall identify the total dollars deposited into the trust fund  
112 for the fiscal year and the balance in the trust fund at the end  
113 of the fiscal year.

114            Section 3. If any provision contained in sections 1 or 2  
115 of this act is declared invalid for any reason, then sections 1  
116 and 2 of this act shall be declared invalid, the fees that would

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117 be directed to the Court Education Trust Fund may not be  
118 assessed pursuant to ss. 28.2401(3), 28.241(1)(a)1.c.,  
119 28.241(1)(a)2.e., and 34.041(1)(b), the remaining unencumbered  
120 funds in the Court Education Trust Fund shall revert to the  
121 General Revenue Fund, and the trust fund shall be terminated.

122 Section 4. This act shall take effect January 1, 2018.

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**T I T L E   A M E N D M E N T**

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Remove line 11 and insert:

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annual report concerning educational and training programs for

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judges and other personnel; providing for