

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: April 3, 1998 Revised: _____

Subject: Juries

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Harkins</u>	<u>Moody</u>	<u>JU</u>	<u>Favorable/CS</u>
2.	<u>Schmith</u>	<u>Yeatman</u>	<u>CA</u>	<u>Favorable</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The bill revises statutory provisions relating to establishment of jury districts for counties with a population greater than 50,000. The bill substitutes the county commissioners for the circuit court judges as the body which must approve the chief judge’s creation of jury districts. Further the bill authorizes both the chief judge and the county commissioners to initiate creation of jury districts.

The bill amends section 40.015 of the Florida Statutes.

II. Present Situation:

Pursuant to s. 40.015, F.S., counties with populations exceeding 50,000 with one or more locations, in addition to the county seat, at which trials are held may create jury districts for each courthouse location. The jury districts are created by the chief judge upon approval of a majority of the circuit court judges of the circuit.

Subsection (2) of s. 40.015, F.S., requires “the board” to avoid exclusion of any cognizable group when determining the boundaries of judicial districts. It is unclear whether “the board” refers to the board of county commissioners, which is not mentioned elsewhere in this section of law, or the chief judge and other circuit judges sitting together as a districting board.

III. Effect of Proposed Changes:

Section 1 amends s. 40.015, F.S., to revise and clarify the authority to create jury districts in counties with populations exceeding 50,000. The bill authorizes both the chief judge and the county commission to initiate creation of a jury district. Further, the bill requires that the county commission, rather than the judges of the circuit court, approve the creation of new jury districts.

Finally, the bill requires both the chief judge and the board of county commissioners to seek to avoid exclusion of any cognizable group when determining the boundaries of a jury district.

Section 2 provides an effective date upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
