



Civil Justice Subcommittee

November 5, 2013

3:30 PM

404 HOB

Action Packet

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

11/5/2013 3:30:00PM

Location: Sumner Hall (404 HOB)

Summary:

Civil Justice Subcommittee

Tuesday November 05, 2013 03:30 pm

PCB CJS 14-01 Favorable With Amendments

Yeas: 13 Nays: 0

Amendment PCB CJS 14-01 a1 Adopted Without
Objection

Committee meeting was reported out: Tuesday, November 05, 2013 6:24:14PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

11/5/2013 3:30:00PM

Location: Sumner Hall (404 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Larry Metz (Chair)	X		
Michael Clelland	X		
Daniel Davis	X		
Tom Goodson	X		
Bill Hager	X		
Walter Hill	X		
Kathleen Passidomo	X		
José Rodríguez	X		
Ross Spano	X		
Cynthia Stafford	X		
Charlie Stone	X		
James Waldman	X		
Dana Young	X		
Totals:	13	0	0

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

11/5/2013 3:30:00PM

Location: Sumner Hall (404 HOB)

PCB CJS 14-01 : Court System

Favorable With Amendments

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Michael Clelland	X				
Daniel Davis	X				
Tom Goodson	X				
Bill Hager	X				
Walter Hill	X				
Kathleen Passidomo	X				
José Rodríguez	X				
Ross Spano	X				
Cynthia Stafford	X				
Charlie Stone	X				
James Waldman	X				
Dana Young	X				
Larry Metz (Chair)	X				
Total Yeas: 13		Total Nays: 0			

PCB CJS 14-01 Amendments

Amendment PCB CJS 14-01 a1

Adopted Without Objection

Appearances:

Goodner, Lisa (Lobbyist) - Waive In Support
Administrator, State Courts System
500 S. Doval St.
Tallahassee FL 32399
Phone: 850-922-5081

Dunbar, Peter (Lobbyist) - Waive In Support
Conference of Circuit Judges of Florida
1351 NW 12th St
Miami FL 33125
Phone: (850)222-3533

Pitts, Brian - Information Only
Trustee-Justice-2-Jesus
1119 Newton Avenue South
S. Petersburg Florida 33705
Phone: 727-897-9291

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Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

- ADOPTED _____ (Y/N)
- ADOPTED AS AMENDED _____ (Y/N)
- ADOPTED W/O OBJECTION _____ (Y/N)
- FAILED TO ADOPT _____ (Y/N)
- WITHDRAWN _____ (Y/N)
- OTHER _____

*favorable
11.5.13*

1 Committee/Subcommittee hearing PCB: Civil Justice Subcommittee
 2 Representative Metz offered the following:

Amendment (with title amendment)

Remove lines 71-197 and insert:

6 Section 3. Section 25.231, Florida Statutes, is repealed.

7 Section 4. Subsection (1) of section 25.241, Florida
8 Statutes, is repealed.

9 Section 5. Section 25.281, Florida Statutes, is repealed.

10 Section 6. Section 25.351, Florida Statutes, is repealed.

11 Section 7. Section 26.01, Florida Statutes, is repealed.

12 Section 8. Section 26.021, Florida Statutes, is amended to
13 read:

14 26.021 Judicial circuits; judges.—The state is divided
15 into 20 judicial circuits:

16 (1) The first circuit is composed of Escambia, Okaloosa,
17 Santa Rosa, and Walton Counties.



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18 (2) The second circuit is composed of Leon, Gadsden,
19 Jefferson, Wakulla, Liberty, and Franklin Counties.

20 (3) The third circuit is composed of Columbia, Dixie,
21 Hamilton, Lafayette, Madison, Suwannee, and Taylor Counties.

22 (4) The fourth circuit is composed of Clay, Duval, and
23 Nassau Counties.

24 (5) The fifth circuit is composed of Citrus, Hernando,
25 Lake, Marion, and Sumter Counties. ~~Two of the circuit judges~~
26 ~~authorized for the fifth circuit shall reside in either Citrus,~~
27 ~~Hernando, or Sumter County, and neither of such two judges shall~~
28 ~~reside in the same county.~~

29 (6) The sixth circuit is composed of Pasco and Pinellas
30 Counties.

31 (7) The seventh circuit is composed of Flagler, Putnam,
32 St. Johns, and Volusia Counties. ~~One judge shall reside in~~
33 ~~Flagler County; two judges shall reside in Putnam County; two~~
34 ~~judges shall reside in St. Johns County; and three judges shall~~
35 ~~reside in Volusia County. There shall be no residency~~
36 ~~requirement for any other judges in the circuit.~~

37 (8) The eighth circuit is composed of Alachua, Baker,
38 Bradford, Gilchrist, Levy, and Union Counties.

39 (9) The ninth circuit is composed of Orange and Osceola
40 Counties.

41 (10) The tenth circuit is composed of Hardee, Highlands,
42 and Polk Counties.

43 (11) The eleventh circuit is composed of Miami-Dade



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44 County.

45 (12) The twelfth circuit is composed of Manatee, Sarasota,
46 and DeSoto Counties.

47 (13) The thirteenth circuit is composed of Hillsborough
48 County.

49 (14) The fourteenth circuit is composed of Bay, Calhoun,
50 Gulf, Holmes, Jackson, and Washington Counties.

51 (15) The fifteenth circuit is composed of Palm Beach
52 County.

53 (16) The sixteenth circuit is composed of Monroe County.
54 ~~One judge in the circuit shall reside in the middle or upper~~
55 ~~Keys. There shall be no residency requirement for any other~~
56 ~~judge in the circuit.~~

57 (17) The seventeenth circuit is composed of Broward
58 County.

59 (18) The eighteenth circuit is composed of Brevard and
60 Seminole Counties.

61 (19) The nineteenth circuit is composed of Indian River,
62 Martin, Okeechobee, and St. Lucie Counties.

63 (20) The twentieth circuit is composed of Charlotte,
64 Collier, Glades, Hendry, and Lee Counties.

65 (21) Notwithstanding subsections (1)-(20), the territorial
66 jurisdiction of a circuit court may be expanded as provided for
67 in s. 910.03(3).

68
69 The judicial nominating commission of each circuit, in



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70 submitting nominations for any vacancy in a judgeship, and the
71 Governor, in filling any vacancy for a judgeship, shall consider
72 whether the existing judges within the circuit, together with
73 potential nominees or appointees, reflect the geographic
74 distribution of the population within the circuit, the
75 geographic distribution of the caseload within the circuit, the
76 racial and ethnic diversity of the population within the
77 circuit, and the geographic distribution of the racial and
78 ethnic minority population within the circuit.

79 Section 9. Section 26.51, Florida Statutes, is repealed.

80 Section 10. Section 26.55, Florida Statutes, is amended to
81 read:

82 26.55 Conference of Circuit Judges of Florida; duties and
83 reports.—

84 (1) There is ~~created and~~ established the Conference of
85 Circuit Judges of Florida. The conference shall consist of the
86 active and retired circuit judges of the several judicial
87 circuits of the state, excluding retired judges practicing law.

88 (2) The conference shall annually elect a chair, whose
89 duty it shall be to call all meetings and to appoint committees
90 to effectuate the purposes of the conference. ~~It is declared to~~
91 ~~be an official function of each circuit judge to attend the~~
92 ~~meetings of the conference. It is also an official function of~~
93 ~~each circuit judge to participate in the activity of each~~
94 ~~committee to the membership of which such judge is appointed.~~

95 (3)(a) It is declared to be the responsibility of the

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96 conference to operate according to the Rules of Judicial
97 Administration of the Florida Supreme Court, which includes:

98 (a)1- Consider and make recommendations concerning the
99 betterment of the judicial system of the state and its various
100 parts;

101 (b)2- Consider and make recommendations concerning the
102 improvement of rules and methods of procedure and practice in
103 the several courts; ~~and~~

104 (c)3- Report to the Supreme Court such findings and
105 recommendations as the conference may have with reference
106 thereto; ~~and-~~

107 (d)(b) Provide ~~Not less than 60 days before the convening~~
108 ~~of the regular session of the Legislature with, the chair of the~~
109 ~~conference shall report to the President of the Senate and the~~
110 ~~Speaker of the House~~ such recommendations as the conference may
111 have concerning defects in the laws of this state and such
112 amendments or additional legislation as the conference may deem
113 necessary regarding the administration of justice.

114 Section 11. Section 27.50, Florida Statutes, is repealed.

115 Section 12. Section 27.55, Florida Statutes, is repealed.

116 Section 13. Section 29.23, Florida Statutes, is created to
117 read:

118 29.23 Salaries of certain positions in the judicial
119 branch.-



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120 (1) The salaries of justices, judges of the district courts
121 of appeal, circuit judges and county judges shall be fixed
122 annually in the General Appropriations Act.

123 (2) The clerk and marshal of the Supreme Court or a clerk
124 or a marshal of a district court of appeal shall be paid an
125 annual salary to be determined in accordance with s. 25.382.

126 Section 14. Section 35.12, Florida Statutes, is repealed.

127 Section 15. Section 35.13, Florida Statutes, is repealed.

128 Section 16. Section 35.19, Florida Statutes, is repealed.

129 Section 17. Section 35.21, Florida Statutes, is repealed.

130 Section 18. Subsection (1) of section 35.22, Florida
131 Statutes, is repealed.

132 Section 19. Section 35.25, Florida Statutes, is repealed.

133 Section 20. Section 35.27, Florida Statutes, is repealed.

134 Section 21. Section 38.13, Florida Statutes, is repealed.

135 Section 22. Subsection (2) of section 43.20, Florida
136 Statutes, is amended to read:

137 43.20 Judicial Qualifications Commission.—

138 (2) MEMBERSHIP; TERMS.—The commission shall consist of 15
139 ~~13~~ members. The members of the commission shall serve for terms
140 of 6 years.

141 Section 23. Section 57.101, Florida Statutes, is repealed.

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T I T L E A M E N D M E N T

Remove lines 6-62 and insert:
of the Supreme Court; repealing s. 25.231, F.S.; repealing a requirement that the Clerk perform duties as directed by the Court; amending s. 25.241, F.S.; repealing a requirement regarding the salary of the Clerk of the Supreme Court; repealing s. 25.281, F.S.; repealing a provision regarding compensation of the Marshal of the Supreme Court; repealing s. 25.351, F.S.; repealing a requirement regarding the manner in which books for the Supreme Court library may be acquired; repealing s. 26.01, F.S.; repealing statute stating the number of judicial circuits; amending s. 26.021, F.S.; setting the number of judicial circuits; repealing certain residency requirements related to judicial circuits; repealing s. 26.51, F.S.; repealing requirement to pay circuit judge salaries monthly; amending s. 26.55, F.S.; excluding retired judges practicing law from the Conference of Circuit Judges; removing a requirement that circuit court judges attend such Conference; removing a requirement that circuit court judges participate in committee activities of the Conference; removing a requirement that the Conference operate according to the Rules of Judicial Administration; repealing s. 27.50, F.S.; repealing a statutory provision regarding the qualifications of a public defender; repealing s. 27.55, F.S.; repealing provision regarding the compensation of the public defender and expenditures for office in a newly created circuit; creating s. 29.23, F.S.; providing

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172 for certain judicial branch salaries; repealing s. 35.12, F.S. ;
173 repealing a statutory provision that a chief judge be selected
174 in each district court of appeal; repealing s. 35.13, F.S. ;
175 repealing a statutory provision that three judges consider every
176 case on appeal; repealing s. 35.19, F.S. ; repealing a statutory
177 provision that the compensation of district judges be provided
178 by law; repealing s. 35.21, F.S. ; repealing a statutory
179 provision that each district court of appeal appoint a clerk;
180 amending s. 35.22, F.S. ; repealing provision regarding salaries
181 of a district court of appeal clerk; repealing s. 35.25, F.S. ;
182 repealing a requirement that the clerk of a district court of
183 appeal perform duties as prescribed by the rules of court;
184 repealing s. 35.27, F.S. ; repealing a statutory provision
185 regarding the compensation of a district court of appeal marshal
186 by law; repealing s. 38.13, F.S. ; repealing a provision
187 regarding replacement of disqualified judges; amending s. 43.20,
188 F.S. ; changing number of persons on the Judicial Qualifications
189 Commission to conform to the state constitution; repealing s.
190 57.101, F.S. ; repealing a provision that certain costs of the
191 record and copies in the Supreme Court are not taxed against the
192 losing party;

193

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

11/5/2013 3:30:00PM

Location: Sumner Hall (404 HOB)

Presentation/Workshop/Other Business Appearances:

CAM's and UPL

Anderson, Mark (Lobbyist) - Information Only
Chief Executive Officers of Management Companies
5901 Sun Blvd Ste 203
St Petersburg FL 33715
Phone: (813)205-0658

CAM's and UPL

Holcomb, Lori (General Public) - Information Only
Director, Client Protection, The Florida Bar
651 E Jefferson Street
Tallahassee FL 32399-2300
Phone: 850-561-5840

CAM's and UPL

Felice, David (General Public) - Information Only
4809 Ehrlich Rd, Suite 105
Tampa FL 33624
Phone: 813-374-2363

CAM's and UPL

Dunbar, Peter (Lobbyist) - Information Only
Real Property, Probate & Trust Law Section
c/o The Florida Bar 651 E Jefferson St
Tallahassee FL 32399
Phone: (850)222-3533

Summary Judgment

Reyes, Israel (General Public) - Information Only
Managing Partner, The Reyes Law Firm
1 Alhameda Plaza, Suite 1130
Coral Gables FL
Phone: 305-403-2272

Summary Judgment

Hogan, Wayne (General Public) - Information Only
800 Blackstone Building
Jacksonville FL 32202
Phone: 904-632-2424

Summary Judgment

Wells, Charles (Lobbyist) - Information Only
Florida Justice Reform Institute
301 East Pine Street
Orlando FL
Phone: 407-843-8880

Summary Judgment

Gerber, Dan (General Public) - Information Only
300 S Orange Avenue
Orlando FL 32802
Phone: 407-872-7300

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

11/5/2013 3:30:00PM

Location: Sumner Hall (404 HOB)

Presentation/Workshop/Other Business Appearances: (continued)

Summary Judgment

Bolin, Andrew (Lobbyist) - Information Only

Florida Justice Reform Institute

201 One Tampa City Center Suite 2900

Tampa FL 33602

Phone: 813-226-3000

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