IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA

)
IN RE: PROCEDURE FOR ELECTION)   ADMINISTRATIVE ORDER
        OF CHIEF JUDGE   )   No. 2.23
)

Pursuant to Fla. R. Jud. Admin. 2.215(b) and (c) and the inherent power of the Court to do everything necessary to promote the prompt and efficient administration of justice in the Twentieth Judicial Circuit, the Court hereby adopts the following procedure for the election of the Chief Judge of this circuit.

1. Candidates for Chief Judge shall be nominated or otherwise announce their candidacy for the office of Chief Judge by the filing of a formal notice with the Court Administrator no later than January 5th in every odd-numbered year.

2. The Court Administrator will thereafter prepare a ballot with the names of each candidate for Chief Judge and shall cause that ballot to be distributed to each circuit and county judge within the Twentieth Judicial Circuit within five days thereafter.

3. In the event that more than one candidate for Chief Judge appears on the ballot, the Chief Judge shall schedule and thereafter hold a meeting of all circuit and county judges as soon as is practicable after February 1st of the year during which the Chief Judge's term commences.

4. The date, time and place of this meeting will be published to the judges by the Court Administrator, and each candidate for Chief Judge shall be given equal time at the discretion of the current Chief Judge to address his or her fellow judges. A meeting may also be scheduled by the Chief Judge even if less than two names appear on the ballot.

5. Voting will thereafter commence. The vote for Chief Judge shall be by secret ballot and shall be processed and counted by a committee of three judges in attendance at the meeting who are appointed by the Chief Judge. The committee shall be comprised of two circuit judges

and one county judge, and none of the committee members shall be candidates for the position of Chief Judge. The Chief Judge may serve on the committee in the event that he or she is not seeking reelection.

6. Voting by proxy is prohibited by Fla. R. Jud. Admin. 2.215(c).

7. Any judge who will be absent from any meeting called by the Chief Judge may vote in advance by delivering to the Court Administrator by mail or in person a secret ballot prepared in accordance with paragraph 2. Any such ballots tendered in advance of the election shall be retained by the Court Administrator and presented to the committee at the time of the election.

8. In the event that no candidate for Chief Judge obtains a majority on the first ballot, a run-off election will thereafter be held with the first and second place finishers on the first ballot being listed as the only remaining candidates.

9. In the event of a deadlock or tie vote on the second ballot, then pursuant to Fla. R. Jud. Admin. 2.215(c), the Chief Judge shall submit the matter to the Chief Justice for selection of the successor Chief Judge.

10. To the extent that any provision of this Administrative Order may be construed as being in conflict with any law, statute, or rule, the law, statute, or rule shall prevail.

DONE AND ORDERED in Chambers at Fort Myers, Lee County, Florida this 1st day of _December_, 2008.

G. Keith Cary
Chief Judge

History. – Administrative Order 2.23 (October 30, 2002).

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