

CHAPTER 26

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26.01 Number of judicial circuits.—The state is divided into 20 judicial circuits, and the county or counties composing each of said circuits are as set forth in s. 26.021.

History.—s. 1, ch. 5120, 1903; GS 1796; ss. 1, chs. 6197, 6198, 1911; RGS 3026; CGL 4769; ss. 1, 5A, ch. 17085, 1935; s. 10, ch. 27991, 1953; ss. 2, 5, ch. 63-470; s. 1, ch. 67-195; ss. 2, 4, 5, ch. 69-220; s. 2, ch. 72-404.

26.011 Census commission, judicial circuits.—

(1) APPOINTMENT OF COMMISSIONERS.—When it shall be deemed advisable by the Legislature that the population of any judicial circuit be determined, it may from time to time provide for the appointment by the Governor of three commissioners from such judicial circuit who shall obtain from the United States Census Bureau an outline of proper criteria other than by the

actual counting of individuals, to be used by the commissioners for the purpose of determining the population of a circuit, and the commissioners shall proceed in accordance with the criteria to determine the number of inhabitants of such circuit. In making their determination the commissioners shall also, after public notice, hold a public hearing or hearings at such place or places in the circuit as they deem advisable to receive such further proof needed to assist them in determining the number of inhabitants. After the conclusion of their study and after the public hearings to be held, as aforesaid, the commissioners shall make proof to the Governor, first, of the establishment of criteria by the United States Census Bureau and second, their findings based thereon. They shall also forward to the Governor a certified transcript of the record taken at the public hearings to be held as aforesaid.

(2) PROCLAMATION BY GOVERNOR.—The findings by any such commission or commissioners as to the number of inhabitants or the population of any judicial circuit when proclaimed by the Governor shall have the same force and effect in law as if according to a census taken pursuant to either federal or state law insofar as a census affects the number of circuit judges permitted by law but such determination shall not otherwise be effective for any purpose.

(3) The commissioners shall not be paid any compensation but shall be reimbursed for travel expenses as provided in s. 112.061.

History.—ss. 1-3, ch. 31395, 1956; s. 19, ch. 63-400; s. 1, ch. 65-265; s. 7, ch. 79-164.

26.012 Jurisdiction of circuit court.—

(1) Circuit courts shall have jurisdiction of appeals from county courts except appeals of county court orders or judgments declaring invalid a state statute or a provision of the State Constitution and except orders or judgments of a county court which are certified by the county court to the district court of appeal to be of great public importance and which are accepted by the district court of appeal for review. Circuit courts shall have jurisdiction of appeals from final administrative orders of local government code enforcement boards.

(2) They shall have exclusive original jurisdiction:

(a) In all actions at law not cognizable by the county courts;

(b) Of proceedings relating to the settlement of the estates of decedents and minors, the granting of letters testamentary, guardianship, involuntary hospitalization, the determination of incompetency, and other jurisdiction usually pertaining to courts of probate;

(c) In all cases in equity including all cases relating to juveniles except traffic offenses as provided in chapters 39 and 316;

(d) Of all felonies and of all misdemeanors arising out of the same circumstances as a felony which is also charged;

(e) In all cases involving legality of any tax assessment or toll or denial of refund, except as provided in s. 72.011;

- (f) In actions of ejectment; and
- (g) In all actions involving the title and boundaries of real property.
- (3) The circuit court may issue injunctions.
- (4) The chief judge of a circuit may authorize a county court judge to order emergency hospitalizations pursuant to part I of chapter 394 in the absence from the county of the circuit judge; and the county court judge shall have the power to issue all temporary orders and temporary injunctions necessary or proper to the complete exercise of such jurisdiction.

History.—s. 3, ch. 72-404; s. 1, ch. 74-209; s. 1, ch. 77-119; s. 1, ch. 80-399; s. 1, ch. 81-178; s. 22, ch. 81-259; s. 12, ch. 82-37; s. 2, ch. 84-303; s. 5, ch. 91-112; s. 27, ch. 94-353; s. 52, ch. 95-280.

126.021 Judicial circuits; judges.—

- (1) The first circuit is composed of Escambia, Okaloosa, Santa Rosa, and Walton Counties.
- (2) The second circuit is composed of Leon, Gadsden, Jefferson, Wakulla, Liberty, and Franklin Counties.
- (3) The third circuit is composed of Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, and Taylor Counties.
- (4) The fourth circuit is composed of Clay, Duval, and Nassau Counties.
- (5) The fifth circuit is composed of Citrus, Hernando, Lake, Marion, and Sumter Counties. Two of the circuit judges authorized for the fifth circuit shall reside in either Citrus, Hernando, or Sumter County, and neither of such two judges shall reside in the same county.
- (6) The sixth circuit is composed of Pasco and Pinellas Counties.
- (7) The seventh circuit is composed of Flagler, Putnam, St. Johns, and Volusia Counties. One judge shall reside in Flagler County; two judges shall reside in Putnam County; two judges shall reside in St. Johns County; and three judges shall reside in Volusia County. There shall be no residency requirement for any other judges in the circuit.
- (8) The eighth circuit is composed of Alachua, Baker, Bradford, Gilchrist, Levy, and Union Counties.
- (9) The ninth circuit is composed of Orange and Osceola Counties.
- (10) The tenth circuit is composed of Hardee, Highlands, and Polk Counties.
- (11) The eleventh circuit is composed of Dade County.
- (12) The twelfth circuit is composed of Manatee, Sarasota, and DeSoto Counties.
- (13) The thirteenth circuit is composed of Hillsborough County.
- (14) The fourteenth circuit is composed of Bay, Calhoun, Gulf, Holmes, Jackson, and Washington Counties.
- (15) The fifteenth circuit is composed of Palm Beach County.
- (16) The sixteenth circuit is composed of Monroe County. One judge in the circuit shall reside in the middle or upper Keys. There shall be no residency requirement for any other judge in the circuit.
- (17) The seventeenth circuit is composed of Broward County.
- (18) The eighteenth circuit is composed of Brevard and Seminole Counties.
- (19) The nineteenth circuit is composed of Indian River, Martin, Okeechobee, and St. Lucie Counties.

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

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

The judicial nominating commission of each circuit, in submitting nominations for any vacancy in a judgeship, and the Governor, in filling any vacancy for a judgeship, shall consider whether the existing judges within the circuit, together with potential nominees or appointees, reflect the geographic distribution of the population within the circuit, the geographic distribution of the caseload within the circuit, the racial and ethnic diversity of the population within the circuit, and the geographic distribution of the racial and ethnic minority population within the circuit.

History.—s. 4, ch. 72-404; s. 1, ch. 80-164; s. 1, ch. 81-220; s. 1, ch. 82-238; s. 1, ch. 94-137; s. 2, ch. 94-184.

Note.—

A. Section 3, ch. 94-184, provides that "[t]his act shall take effect [May 14, 1994], and shall apply to cases pending or commencing on or after [May 14, 1994]."

B. Section 2, ch. 94-137, provides that "[t]he provisions of section 1 shall take effect July 1, 1994, but shall apply prospectively to the next vacancies within the second and eighth circuits."

C. Section 7, ch. 94-137, provides that "[t]his act shall take effect on the first Tuesday after the first Monday in January 1995, except that section 5 and this section shall take effect upon becoming a law."

Note.—Former ss. 26.02, 26.03, 26.04, 26.05, 26.06, 26.07, 26.08-26.16, and 26.161-26.165.

26.031 Judicial circuits; number of judges.—The number of circuit judges in each circuit shall be as follows:

JUDICIAL CIRCUIT	TOTAL
(1) First.....	19
(2) Second.....	11
(3) Third.....	5
(4) Fourth.....	28
(5) Fifth.....	18
(6) Sixth.....	37
(7) Seventh.....	20
(8) Eighth.....	9
(9) Ninth.....	32
(10) Tenth.....	17
(11) Eleventh.....	70
(12) Twelfth.....	16
(13) Thirteenth.....	32
(14) Fourteenth.....	9
(15) Fifteenth.....	31
(16) Sixteenth.....	4
(17) Seventeenth.....	45
(18) Eighteenth.....	21
(19) Nineteenth.....	12
(20) Twentieth.....	19

History.—ss. 1, 3, ch. 72-402; s. 1, ch. 73-329; s. 1, ch. 75-124; s. 1, ch. 76-175; s. 1, ch. 77-368; s. 1, ch. 78-168; s. 5, ch. 79-413; s. 2, ch. 80-164; s. 1, ch. 80-385; s. 2, ch. 81-220; ss. 2, 7, ch. 82-238; s. 6, ch. 84-303; s. 1, ch. 85-218; s. 1, ch. 86-279; s. 1, ch. 87-89; s. 2, ch. 88-167; s. 1, ch. 89-290; s. 1, ch. 90-206; s. 1, ch. 93-63; s. 3, ch. 94-137; s. 1, ch. 95-351.

26.19 Abatement of actions because of change of judge, etc.—No civil or criminal cases, suits in equity, actions at law, statutory or otherwise; and no writs, process, pleading, motion, information, presentment, indictment or other proceedings, order, finding, decree, judgment or sentence, shall abate, be quashed, set aside, reversed, qualified, dismissed, defeated, or held to be

in error because of the changes in any circuit or circuits, or judge or judges, state attorneys, or other prosecuting officers.

History.—s. 5, ch. 17085, 1935; CGL 1936 Supp. 4738(5).

26.20 Availability of judge for hearings in chambers.—In circuits having more than one circuit judge, at least one of said judges shall be available as nearly as possible at all times to hold and conduct hearings in chambers. In each circuit, there must be at least one judge available on Saturdays, Sundays, holidays, and after hours on weekdays to hear motions for a temporary injunction ex parte in domestic violence cases. The chief judge may assign a judge for this purpose.

History.—s. 4, ch. 17085, 1935; CGL 1936 Supp. 4738(4); s. 2, ch. 91-210.

26.21 Terms of circuit courts.—At least two regular terms of the circuit court shall be held in each county each year, as hereinafter provided, also such special term or terms that may be necessary from time to time. Regular and special terms of court may be held and be in session, in the same or different counties of any circuit, simultaneously; provided, that separate minutes of each term, whether regular or special, shall be kept by the clerk. The time for holding the terms of the circuit court in the several judicial circuits shall be as set forth in ss. 26.22-26.365.

History.—s. 1, ch. 1561, 1866; RS 1373; s. 1, ch. 5121, 1903; GS 1805, 1813; s. 1, ch. 6173, 1911; RGS 3041, 3056; CGL 4808, 4837; ss. 4, 4A, ch. 17085, 1935; s. 7, ch. 69-220.

26.22 First Judicial Circuit.—

SPRING TERMS.

Escambia County, second Monday in June.

Okaloosa County, last Monday in April.

Santa Rosa County, second Monday after the second Monday in May.

Walton County, second Monday in May.

FALL TERMS.

Escambia County, second Monday in October.

Okaloosa County, last Monday in August.

Santa Rosa County, second Monday after the second Monday in September.

Walton County, second Monday in September.

WINTER TERMS.

Escambia County, second Monday in February.

Okaloosa County, second Monday in December.

Santa Rosa County, second Monday after the second Monday in January.

Walton County, second Monday in January.

History.—RS 1366; s. 1, ch. 5121, 1903; GS 1805; s. 2, ch. 6173, 1911; s. 2, ch. 6937, 1915; s. 1, ch. 7400, 1917; RGS 3042; s. 1, ch. 8522, 1921; ss. 1, chs. 9342, 9364^{1/2}, 1923; s. 1, ch. 10078, 1925; CGL 4809.

26.23 Second Judicial Circuit.—

SPRING TERMS.

Wakulla County, first Monday in March.

Franklin County, third Monday in March.

Gadsden County, first Monday in April.

Jefferson County, fourth Monday in April.

Liberty County, second Monday in May.

Leon County, first Monday in June.

FALL TERMS.

Wakulla County, second Monday in September.

Franklin County, fourth Monday in September.

Gadsden County, second Monday in October.

Jefferson County, first Monday in November.

Liberty County, third Monday in November.

Leon County, first Monday in December.

History.—RS 1367; s. 2, ch. 5121, 1903; GS 1806; s. 3, ch. 6173, 1911; s. 1, ch. 6459, 1913; s. 1, ch. 7848, 1919; RGS 3043; s. 1, ch. 8484, 1921; s. 1, ch. 9165, 1923; s. 1, ch. 11885, 1927; CGL 4810; s. 1, ch. 14695, 1931; s. 1, ch. 20230, 1941; s. 7, ch. 22656, 1945; s. 1, ch. 26988, 1951.

26.24 Third Judicial Circuit.—

SPRING TERMS.

Lafayette County, second Monday in January.

Dixie County, fourth Monday in January.

Hamilton County, second Monday in February.

Taylor County, first Monday in March.

Madison County, fourth Monday in March.

Suwannee County, third Monday in April.

Columbia County, second Monday in May.

FALL TERMS.

Lafayette County, third Monday in July.

Dixie County, first Monday in August.

Hamilton County, third Monday in August.

Taylor County, second Monday in September.

Madison County, first Monday in October.

Suwannee County, fourth Monday in October.

Columbia County, third Monday in November.

History.—RS 1368; s. 3, ch. 5121, 1903; GS 1807; s. 4, ch. 6173, 1911; s. 1, ch. 7844, 1919; RGS 3044; s. 22, ch. 8514, 1921; CGL 4811; s. 1, ch. 13582, 1929; s. 1, ch. 15912, 1933; s. 1, ch. 29631, 1955.

26.25 Fourth Judicial Circuit.—

SPRING TERMS.

Clay County, first Monday in April.

Duval County, first Monday in May.

Nassau County, third Monday in April.

FALL TERMS.

Clay County, first Monday in October.

Duval County, first Monday in November.

Nassau County, third Monday in October.

History.—RS 1369; s. 4, ch. 5121, 1903; GS 1808; s. 5, ch. 6173, 1911; ss. 1-4, ch. 7348, 1917; RGS 3045; s. 1, ch. 9282, 1923; s. 4, ch. 12437, 1927; CGL 4812; ss. 1, 2, ch. 26326, 1949.

26.26 Fifth Judicial Circuit.—

SPRING TERMS.

Sumter County, second Tuesday in January.

Citrus County, first Tuesday in February.

Hernando County, first Tuesday in March.

Marion County, first Tuesday in April.

Lake County, first Tuesday in May.

FALL TERMS.

Sumter County, second Tuesday in July.
 Citrus County, first Tuesday in August.
 Hernando County, first Tuesday in September.
 Marion County, first Tuesday in October.
 Lake County, first Tuesday in October.

History.—RS 1370; s. 5, ch. 5121, 1903; GS 1809; s. 6, ch. 6173, 1911; ss. 3, 4, ch. 7847, 1919; RGS 3046; s. 1, ch. 8485, 1921; ss. 3, 4, ch. 9164, 1923; s. 1, ch. 10077, 1925; ss. 1, chs. 11879, 12435, ss. 1-3, ch. 12436, 1927; CGL 4813, 4824, 4832; ss. 1, 2, ch. 17765, 1937; s. 1, ch. 19059, 1939; s. 1, ch. 29632, 1955; s. 1, ch. 57-814.

26.27 Sixth Judicial Circuit.—

SPRING TERMS.

Pasco County, first Tuesday in April.
 Pinellas County, first Monday in May.

FALL TERMS.

Pasco County, first Tuesday in October.
 Pinellas County, first Monday in December.

History.—s. 6, ch. 5121, 1903; GS 1810; s. 7, ch. 6173, 1911; s. 1, ch. 6975, 1915; RGS 3047; ss. 1, chs. 9162, 9277, 1923; CGL 4814.

26.28 Seventh Judicial Circuit.—

SPRING TERMS.

Flagler County, third Monday in May.
 Putnam County, second Monday in March.
 St. Johns County, second Monday in May.
 Volusia County, second Monday in April.

FALL TERMS.

Flagler County, second Monday in December.
 Putnam County, second Monday in October.
 St. Johns County, second Monday in November.
 Volusia County, third Monday in October.

History.—RS 1372; s. 7, ch. 5121, 1903; GS 1811; s. 8, ch. 6173, 1911; ss. 1-3, ch. 8462, s. 19, ch. 6511, 1913; s. 2, ch. 6901, 1915; ss. 2, 3, ch. 7348, s. 2, ch. 7351, 1917; s. 1, ch. 7846, s. 2, ch. 7847, 1919; RGS 3045, 3048, 3049; s. 2, ch. 8486, s. 1, ch. 8487, 1921; ss. 1, chs. 9282, 9343, 1923; s. 2, ch. 10080, 1925; s. 1, ch. 12434, ss. 2, 4, ch. 12437; s. 1, ch. 12438, 1927; CGL 4815, 4833; s. 1, ch. 15913, 1933; s. 1, ch. 17766, 1937; s. 1, ch. 75-163.

26.29 Eighth Judicial Circuit.—

SPRING TERMS.

Alachua County, second Monday in April.
 Baker County, second Monday in January.
 Bradford County, second Monday in May.
 Gilchrist County, first Monday in March.
 Levy County, second Monday in March.
 Union County, fourth Monday in May.

FALL TERMS.

Alachua County, second Monday in October.
 Baker County, second Monday in July.
 Bradford County, second Monday in November.
 Gilchrist County, first Tuesday after the first Monday in September.
 Levy County, second Monday in September.
 Union County, fourth Monday in November.

History.—s. 8, ch. 5121, 1903; GS 1812; s. 9, ch. 6173, 1911; ss. 1-3, ch. 8462, 1913; ss. 1, 2, ch. 6901, 1915; s. 1, ch. 7846, ss. 1, 2, ch. 7945, 1919; RGS 3049; s. 2, ch. 8486, s. 25, ch. 8516, 1921; s. 1, ch. 9343, 1923; ss. 1, 2, ch. 10080, s. 18, ch. 11371, 1925; ss. 1, 2, ch. 12014, ss. 1-3, ch. 12438, s. 1, ch. 12439, 1927; CGL 4816, 4834; s. 1, ch. 14497, 1929; s. 1, ch. 14699, 1931; ss. 1-3, ch. 15914, 1933; ss. 1, 2, ch. 16849, 1935; ss. 1, 2, ch. 17767, 1937; s. 2, ch. 26977, 1951; s. 1, ch. 57-45.

26.30 Ninth Judicial Circuit.—Two regular terms of the circuit court in the Ninth Judicial Circuit shall be held in each of said counties to be known as the spring and fall terms. The terms of court for the Ninth Judicial Circuit shall begin on the following dates:

SPRING TERMS.

Orange County, first Monday in April.
 Osceola County, third Monday in March.

FALL TERMS.

Orange County, third Monday in October.
 Osceola County, third Monday in September.

History.—s. 10, ch. 6173, 1911; s. 19, ch. 6511, 1913; ss. 2, 4, ch. 7351, 1917; ss. 2, 4, ch. 7847, 1919; RGS 3048, 3055; ss. 1, chs. 8485, 8487, 1921; s. 2, ch. 9164, 1923; ss. 2, 3, ch. 10079, ss. 1, 2, ch. 10089, s. 22, ch. 10148, s. 22, ch. 10180, 1925; ss. 1, 2, ch. 11880, s. 1, ch. 11883, s. 1, ch. 11884, s. 1, ch. 12432, s. 3, ch. 12434, 1927; CGL 4825, 4829, 4831; s. 1, ch. 17766, 1937; s. 1, ch. 19080, 1939; s. 1, ch. 22056, 1943; s. 1, ch. 24165, 1947; s. 11, ch. 25035, s. 1, ch. 25439, 1949; s. 1, ch. 57-59; s. 4, ch. 67-195.

26.31 Tenth Judicial Circuit.—

SPRING TERMS.

Hardee County, first Tuesday after the second Monday in February.
 Highlands County, first Tuesday after the first Monday in April.
 Polk County, first Tuesday after the second Monday in March.

FALL TERMS.

Hardee County, first Tuesday after the second Monday in September.
 Highlands County, first Tuesday after the first Monday in November.
 Polk County, first Tuesday after the second Monday in October.

History.—s. 11, ch. 6173, 1911; s. 1, ch. 6902, 1915; s. 2, ch. 7349, 1917; s. 1, ch. 7845, 1919; RGS 3051; ss. 1-3, ch. 8476, 1921; s. 3, ch. 10082, 1925; CGL 4818, 4827; ss. 1-3, ch. 17769, 1937.

26.32 Eleventh Judicial Circuit.—

SPRING TERM.

Dade County, second Tuesday in May.

FALL TERM.

Dade County, second Tuesday in November.

History.—s. 12, ch. 6173, 1911; s. 1, ch. 6461, 1913; s. 3, ch. 7351, 1917; RGS 3052; s. 4, ch. 10084, 1925; CGL 4819, 4828; s. 1, ch. 26517, s. 3, ch. 26952, 1951.

26.33 Twelfth Judicial Circuit.—The terms of court for the Twelfth Judicial Circuit shall begin on the following dates:

SPRING TERMS.

DeSoto County, second Monday in January.

Manatee County, second Monday in January.
Sarasota County, third Monday in January.

FALL TERMS.

DeSoto County, second Monday in June.
Manatee County, second Monday in June.
Sarasota County, third Monday in June.

History.—s. 11, ch. 6173, 1911; ss. 1, chs. 6902, 6975, 1915; s. 2, ch. 7349, 1917; s. 3, ch. 7845, 1919; RGS 3047, 3051; ss. 1-3, ch. 8476, RGS 3047, 3051; ss. 2, 20, ch. 8515, 1921; s. 3, ch. 9162, s. 1, ch. 9277, s. 22, ch. 9360, s. 22, ch. 9362, 1923; ss. 1, 3, ch. 10082, 1925; ss. 1, 3, ch. 12440, 1927; CGL 4820, 4826, 4827, 4835; ss. 1, 2, ch. 17770, 1937; s. 1, ch. 21817, 1943; s. 1, ch. 61-211; s. 6, ch. 69-220.

26.34 Thirteenth Judicial Circuit.—

SPRING TERM.

Hillsborough County, first Tuesday in April.

FALL TERM.

Hillsborough County, first Tuesday in October.

History.—s. 7, ch. 6173, 1911; s. 3, ch. 6975, 1915; RGS 3053; CGL 4821; s. 1, ch. 16850, 1935.

26.35 Fourteenth Judicial Circuit.—

SPRING TERMS.

Bay County, fourth Monday in February.
Calhoun County, fourth Monday in April.
Gulf County, second Monday in February.
Holmes County, second Monday in April.
Jackson County, second Monday in May.
Washington County, fourth Monday in March.

FALL TERMS.

Bay County, fourth Monday in August.
Calhoun County, fourth Monday in September.
Gulf County, second Monday in August.
Holmes County, second Monday in October.
Jackson County, second Monday in November.
Washington County, fourth Monday in October.

History.—ss. 3, 4, ch. 6976, 1915; ss. 1, 2, ch. 7350, 1917; ss. 1, 4, ch. 7847, ss. 1, 2, ch. 7946, 1919; RGS 3050, 3054; s. 2, ch. 10076, s. 22, ch. 10132, 1925; ss. 3, 4, ch. 12441, 1927; CGL 4817, 4822, 4836; ss. 1, 2, ch. 17771, 1937; s. 1, ch. 21901, 1943.

26.36 Fifteenth Judicial Circuit.—The terms of court for the Fifteenth Judicial Circuit shall be as follows:

SPRING TERM.

Palm Beach County, first Monday in June.

FALL TERM.

Palm Beach County, first Monday in October.

WINTER TERM.

Palm Beach County, first Monday in February.

History.—s. 3, ch. 7351, 1917; RGS 3055; s. 1, ch. 10079, 1925; s. 1, ch. 11882, ss. 1-3, ch. 12433, 1927; CGL 4823, 4830; s. 1, ch. 25426, 1949; ss. 1, chs. 57-138, 57-1994; s. 1, ch. 63-435, s. 3, ch. 63-470.

26.361 Sixteenth Judicial Circuit.—

SPRING TERM.

Monroe County, third Monday in April.

FALL TERM.

Monroe County, third Monday in October.

History.—s. 4, ch. 26952, 1951.

26.362 Seventeenth Judicial Circuit.—The terms of court for the Seventeenth Judicial Circuit shall be as follows:

SPRING TERM.

Broward County, second Tuesday in March.

FALL TERM.

Broward County, second Tuesday in October.

History.—s. 4, ch. 63-470.

26.363 Eighteenth Judicial Circuit.—The regular spring and fall terms of the circuit court of the Eighteenth Judicial Circuit of the state shall be held semiannually at the times hereinafter specified, to wit:

SPRING TERMS.

Brevard County, fourth Monday in March.
Seminole County, third Monday in April.

FALL TERMS.

Brevard County, second Monday in October.
Seminole County, first Monday in November.

History.—s. 5, ch. 67-195; s. 2, ch. 80-399.

26.364 Nineteenth Judicial Circuit.—The regular spring and fall terms of the circuit court of the Nineteenth Judicial Circuit of the state shall be held semiannually at the times hereinafter specified, to wit:

SPRING TERMS.

Okeechobee County, second Tuesday in April.
St. Lucie County, second Tuesday in February.
Martin County, second Tuesday in June.
Indian River County, second Tuesday in March.

FALL TERMS.

Okeechobee County, second Tuesday in November.
St. Lucie County, second Tuesday in September.
Martin County, second Tuesday in January.
Indian River County, second Tuesday in October.

History.—s. 7, ch. 67-195.

26.365 Twentieth Judicial Circuit.—The terms of court for the Twentieth Judicial Circuit shall be as follows:

SPRING TERMS.

Charlotte County, third Monday in January.
Collier County, second Monday in January.
Glades County, fourth Monday in January.

Hendry County, third Monday in January.
Lee County, second Monday in January.

FALL TERMS.

Charlotte County, third Monday in June.
Collier County, second Monday in June.
Glades County, fourth Monday in June.
Hendry County, third Monday in June.
Lee County, second Monday in June.

History.—s. 7, ch. 69-220.

26.37 Judge to attend first day of term.—Each judge of a circuit court is required, unless prevented by sickness or other providential causes, to attend on the first day of each term of the circuit court required by law to be held, and upon failure to do so, shall be subject to a deduction of \$100 from his or her salary for each and every such default.

History.—s. 1, ch. 252, 1849; RS 1377; GS 1817; RGS 3062; CGL 4843; s. 110, ch. 95-147.

26.38 Judge to state reason for nonattendance.—Whenever any judge as aforesaid shall make default as aforesaid in consequence of sickness or providential interposition, it shall be the duty of such judge to state the reasons of such failure, in writing, over his or her official signature, to be handed to the clerk of the court, who shall enter the same at length on the records of the court.

History.—s. 2, ch. 252, 1849; RS 1378; GS 1818; RGS 3063; CGL 4844; s. 111, ch. 95-147.

26.39 Penalty for nonattendance of judge.—Whenever such default shall occur, the clerk of the court (unless such judge shall file his or her reasons for such default as hereinbefore provided) shall certify the fact, under his or her official signature and seal, to the Comptroller of the state, who shall deduct from the warrants on the Treasurer, thereafter to be issued in favor of the judge making such default, the sum of \$100 as aforesaid for every such default.

History.—s. 3, ch. 252, 1849; RS 1379; GS 1819; RGS 3064; CGL 4845; s. 112, ch. 95-147.

26.40 Adjournment of court upon nonattendance. Whenever any judge shall not attend on the first day of any term, the court shall stand adjourned until 12 o'clock on the second day; and if said judge shall not then attend, the clerk at that time shall continue all causes, and adjourn the court to such time as the judge may appoint, or to the next regular term, by law established.

History.—s. 3, Nov. 23, 1828; RS 1380; GS 1820; RGS 3065; CGL 4846.

26.42 Calling docket at end of term.—The judge, at each term of the court, after other business of the term shall have been disposed of, shall call over all the causes standing upon the dockets, and make such orders and entries therein as shall be found necessary in relation thereto.

History.—s. 19, Nov. 23, 1828; RS 1343; GS 1778; RGS 3002; CGL 4736.

26.46 Jurisdiction of resident judge after assignment.—When a circuit judge is assigned to another circuit, none of the circuit judges in such other circuit shall, because of such assignment, be deprived of or affected

in his or her jurisdiction other than to the extent essential so as not to conflict with the authority of the temporarily assigned circuit judge as to the particular case or cases or class of cases, or in presiding at the particular term or part of term named or specified in the assignment.

History.—s. 2, ch. 6900, 1915; RGS 3061; CGL 4842; s. 113, ch. 95-147.

26.49 Executive officer of circuit court.—The sheriff of the county shall be the executive officer of the circuit court of the county.

History.—s. 14, ch. 4, 1845; RS 1396; GS 1841; RGS 3086; CGL 4869.

26.51 Salaries of circuit judges; payment.—The salaries of circuit judges to be paid by the state shall be paid in equal monthly installments.

History.—s. 1, ch. 6912, 1915; RGS 3003; s. 1, ch. 8480, 1921; s. 1, ch. 11335, 1925; s. 1, ch. 11888, 1927; CGL 4737; s. 1, ch. 15720, 1931; s. 1, ch. 15859, 1933; ss. 1, 2, ch. 21760, 1943; ss. 1, 2, ch. 22546, 1945; s. 2, ch. 26818, 1951; s. 7, ch. 29615, 1955; s. 2, ch. 69-353; s. 13, ch. 77-104.

26.52 Travel expenses, circuit judges.—Each circuit judge shall be reimbursed for travel expenses as provided in s. 112.061.

History.—s. 4, ch. 6912, 1915; RGS 3004; s. 2, ch. 8480, 1921; CGL 4738, s. 19, ch. 63-400.

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

(1) There is created and established the Conference of Circuit Judges of Florida. The conference shall consist of the active and retired circuit judges of the several judicial circuits of the state.

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

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

1. Consider and make recommendations concerning the betterment of the judicial system of the state and its various parts;

2. Consider and make recommendations concerning the improvement of rules and methods of procedure and practice in the several courts; and

3. Report to the Supreme Court such findings and recommendations as the conference may have with reference thereto.

(b) Not less than 60 days before the convening of the regular session of the Legislature, the chair of the conference shall report to the President of the Senate and the Speaker of the House such recommendations as the conference may have concerning defects in the laws of this state and such amendments or additional legislation as the conference may deem necessary.

History.—s. 1, ch. 59-273; s. 1, ch. 72-49; s. 1, ch. 73-299; s. 2, ch. 84-254; s. 114, ch. 95-147.

26.56 Residual jurisdiction for abolished courts.—

(1) If any court is abolished and a proceeding had in it is not transferred to another court, the circuit court for the county where the court formerly existed shall have jurisdiction over any further proceedings in the same manner as though the proceeding had been originally pending in the circuit court.

(2) Additional proceedings in the circuit court shall be commenced by filing the appropriate motion, pleading, or paper that would have been filed in the abolished court. The circuit court may require the custodian of the records of the abolished court to make the records of any proceedings available to the circuit court. The clerk of the circuit court shall charge no additional filing fee for proceedings under this section.

(3) This section shall apply to all courts that have heretofore been abolished and to all courts that may hereafter be abolished under the circumstances prescribed in this section.

History.—s. 1, ch. 71-7.

26.57 Temporary designation of county court judge to preside over circuit court cases.—In each county

where there is no resident circuit judge and the county court judge has been a member of the bar for at least 5 years and is qualified to be a circuit judge, the county court judge may be designated on a temporary basis to preside over circuit court cases by the Chief Justice of the Supreme Court upon recommendation of the chief judge of the circuit, and the judge so designated shall receive the same salary as a duly elected circuit judge for the time periods that the county judge is actually presiding over circuit court cases. He or she may be assigned to exercise all county and circuit court jurisdiction in the county, except appeals from the county court. In addition, he or she may be required to perform the duties of circuit judge in other counties of the circuit as time may permit and as the need arises, as determined by the chief judge of the circuit.

History.—s. 1, ch. 74-217; s. 115, ch. 95-147.