A proposal to revise
ARTICLE V, s. 10, Fla. Const.; providing that
candidates for judicial office may not be
precluded from taking a public position on
issues.

It is proposed by the Florida Constitution Revision Commission
that:

Section 1. Section 10 of Article V of the Florida
Constitution is revised by amending that section to read:

ARTICLE V
JUDICIARY
SECTION 10. Retention; election and terms.--
(a) Any justice of the supreme court or any judge of a
district court of appeal may qualify for retention by a vote
of the electors in the general election next preceding the
expiration of his term in the manner prescribed by law. If a
justice or judge is ineligible or fails to qualify for
retention, a vacancy shall exist in that office upon the
expiration of the term being served by the justice or judge.
When a justice of the supreme court or a judge of a district
court of appeal so qualifies, the ballot shall read
substantially as follows: "Shall Justice (or Judge) ...(name
of justice or judge)... of the ...(name of the court)... be
retained in office?" If a majority of the qualified electors
voting within the territorial jurisdiction of the court vote
to retain, the justice or judge shall be retained for a term
of six years commencing on the first Tuesday after the first
Monday in January following the general election. If a
majority of the qualified electors voting within the

CODING: Words struck are deletions; words underlined are additions.
territorial jurisdiction of the court vote to not retain, a
vacancy shall exist in that office upon the expiration of the
term being served by the justice or judge.

(b) Circuit judges and judges of county courts shall
be elected by vote of the qualified electors within the
territorial jurisdiction of their respective courts. The
terms of circuit judges shall be for six years. The terms of
judges of county courts shall be for four years.

(c) A candidate for any judicial office may not be
precluded from taking a public position on issues.