

By Commissioner Langley

1                                   A proposal to revise  
 2           ARTICLE V, s. 2, Fla. Const.; allowing the  
 3           state supreme court and district courts of  
 4           appeal to submit questions of military law to  
 5           the federal Court of Appeal for the Uniform  
 6           Services for an advisory opinion.

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 8 It is proposed by the Florida Constitution Revision Commission  
 9 that:

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 11           Section 1. Section 2 of Article V of the Florida  
 12 Constitution is revised by amending that section to read:

13                                   ARTICLE V

14                                   JUDICIARY

15           SECTION 2. Administration; practice and procedure.--

16           (a) The supreme court shall adopt rules for the  
 17 practice and procedure in all courts including the time for  
 18 seeking appellate review, the administrative supervision of  
 19 all courts, the transfer to the court having jurisdiction of  
 20 any proceeding when the jurisdiction of another court has been  
 21 improvidently invoked, and a requirement that no cause shall  
 22 be dismissed because an improper remedy has been sought. The  
 23 supreme court shall adopt rules to allow the court and the  
 24 district courts of appeal to submit questions relating to  
 25 military law to the federal Court of Appeal for the Uniform  
 26 Services for an advisory opinion. These rules may be repealed  
 27 by general law enacted by two-thirds vote of the membership of  
 28 each house of the legislature.

29           (b) The chief justice of the supreme court shall be  
 30 chosen by a majority of the members of the court. He shall be  
 31 the chief administrative officer of the judicial system. He

1 shall have the power to assign justices or judges, including  
2 consenting retired justices or judges, to temporary duty in  
3 any court for which the judge is qualified and to delegate to  
4 a chief judge of a judicial circuit the power to assign judges  
5 for duty in his respective circuit.

6 (c) A chief judge for each district court of appeal  
7 shall be chosen by a majority of the judges thereof or, if  
8 there is no majority, by the chief justice. The chief judge  
9 shall be responsible for the administrative supervision of the  
10 court.

11 (d) A chief judge in each circuit shall be chosen from  
12 among the circuit judges as provided by supreme court rule.  
13 The chief judge shall be responsible for the administrative  
14 supervision of the circuit courts and county courts in his  
15 circuit.

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