

By the Committee on Judicial; and Commissioner Kruppenbacher

315-00195-17

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1 A proposal to amend
2 Section 14 of Article V of the State Constitution to
3 require the Legislature to provide by general law for
4 the payment of filing fees, service charges, and other
5 costs for certain judicial proceedings; and to require
6 the clerks of the circuit and county courts to submit
7 an annual cumulative budget for performing court-
8 related functions to the Legislature.
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10 Be It Proposed by the Constitution Revision Commission of
11 Florida:

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13 Section 14 of Article V of the State Constitution is
14 amended to read:

15 ARTICLE V

16 JUDICIARY

17 SECTION 14. Funding.—

18 (a) All justices and judges shall be compensated only by
19 state salaries fixed by general law. Funding for the state
20 courts system, state attorneys' offices, public defenders'
21 offices, and court-appointed counsel, except as otherwise
22 provided in subsection (c), shall be provided from state
23 revenues appropriated by general law.

24 (b) All funding for the offices of the clerks of the
25 circuit and county courts performing court-related functions,
26 except as otherwise provided in this subsection and subsection
27 (c), shall be provided by adequate and appropriate filing fees
28 for judicial proceedings and service charges and costs for
29 performing court-related functions as required by general law.
30 By general law, the legislature shall provide for the payment of
31 filing fees, service charges, and other costs for judicial
32 proceedings in criminal and other cases where the parties

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33 participating do not pay filing fees. Such payment must be
34 sufficient to offset the cost of the clerks' services in those
35 cases. Selected salaries, costs, and expenses of the state
36 courts system may be funded from appropriate filing fees for
37 judicial proceedings and service charges and costs for
38 performing court-related functions, as provided by general law.
39 Where the requirements of either the United States Constitution
40 or the Constitution of the State of Florida preclude the
41 imposition of filing fees for judicial proceedings and service
42 charges and costs for performing court-related functions
43 sufficient to fund the court-related functions of the offices of
44 the clerks of the circuit and county courts, the state shall
45 provide, as determined by the legislature, adequate and
46 appropriate supplemental funding from state revenues
47 appropriated by general law.

48 (c) No county or municipality, except as provided in this
49 subsection, shall be required to provide any funding for the
50 state courts system, state attorneys' offices, public defenders'
51 offices, court-appointed counsel or the offices of the clerks of
52 the circuit and county courts performing court-related
53 functions. Counties shall be required to fund the cost of
54 communications services, existing radio systems, existing multi-
55 agency criminal justice information systems, and the cost of
56 construction or lease, maintenance, utilities, and security of
57 facilities for the trial courts, public defenders' offices,
58 state attorneys' offices, and the offices of the clerks of the
59 circuit and county courts performing court-related functions.
60 Counties shall also pay reasonable and necessary salaries,
61 costs, and expenses of the state courts system to meet local

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62 requirements as determined by general law.

63 (d) The judiciary shall have no power to fix

64 appropriations.