

**IN THE SUPREME COURT OF FLORIDA**

ALACHUA COUNTY, FLORIDA,

Petitioner,

Case No. SC19-2016

v.

L.T. CASE NO.:

1D18-3367

012017CA000521

SADIE DARNELL, in her official  
capacity as SHERIFF OF ALACHUA  
COUNTY, FLORIDA

Respondent.

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**FLORIDA ASSOCIATION OF COUNTY ATTORNEYS, INC., AND  
BROWARD COUNTY, FLORIDA’S UNOPPOSED MOTION FOR LEAVE  
OF COURT TO FILE AN *AMICUS CURIAE* BRIEF**

FLORIDA ASSOCIATION OF COUNTY ATTORNEYS, INC., and  
BROWARD COUNTY, FLORIDA, a charter county and political subdivision of the  
State of Florida, by and through their undersigned counsel, and pursuant to Florida  
Rule of Appellate Procedure 9.370, hereby request leave to appear as *amici curiae*  
and join the brief filed by the Florida Association of Counties in support of Alachua  
County, the Petitioner, and in support of this matter states:

1. The Florida Association of County Attorneys, Inc. (“FACA”) is a  
Florida not-for-profit corporation whose purpose is to advise and consult with  
FACA’s Board of Directors on issues of significant county interest and to provide a

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forum for research, advice, and discussion in the development of local governmental law. FACA's membership includes legal counsel for counties and the boards of county commissioners throughout the State of Florida. FACA's participation will assist the Court in resolving the issues on appeal, which will affect all of FACA's members.

2. The case before the Court relates to the statutory process for the adoption of county budgets. As legal counsel for the boards of county commissioners, FACA's members provide guidance to the boards during the county's budget process, including the annual budget and subsequent amendments. The outcome could have significant impacts to the current budget processes for which the county attorneys are must provide advice.

3. FACA's members have extensive knowledge of the statutes at issue and the practical application of the statutes state-wide.

4. Broward County, Florida ("Broward") is the second largest county in the State of Florida, by population, and the most populous county in the State with an elected county sheriff. In Broward, the sheriff performs his duties pursuant to the State Constitution but also contracts for additional services with Broward's Board of County Commissioners and many of Broward's thirty-one (31) municipalities, resulting in a complex budgeting process.

5. The lower court's decision, if upheld, would have a significant negative impact on Broward's ability to manage its county-wide budget and would change the procedure for amendment and reconciliation of the county budgets that Broward has relied upon.

6. Broward's experience with a complex budget process for the sheriff and other constitutional officers can assist the court in understanding the practical implication of this issue on county budgets and the relationship among the various parts of the county budget process.

7. FACA and Broward will address the lower court's decision granting broad authority to the sheriffs, and potentially other constitutional officers, to amend adopted budget allocations without additional authorization or public scrutiny.

8. In accordance with Rule 9.370, Florida Rules of Appellate Procedure, attorneys for both Petitioner and Respondent have been contacted. All parties have indicated that they have no objection to this request for leave by FACA and Broward to appear as *amici curiae* and to file an amicus brief only. FACA and Broward would join in the brief of the Florida Association of Counties, accepted as Amicus by this court on June 12, 2020.

WHEREFORE, FACA and Broward request leave from this Court to appear as *amici curiae* and join in the brief of the Florida Association of Counties, in support of the Petitioner in this matter.

Respectfully submitted,

/s/ Laura M. Youmans

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 29, 2020, I caused a copy of the foregoing notice to be electronically served through the Florida Courts E-Filing Portal, which causes electronic service to all counsel of record, including:

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