

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR HARDEE, HIGHLANDS, AND POLK COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 1-10.1

METHOD FOR THE ELECTION OF THE CHIEF JUDGE

WHEREAS, Rule 2.215(c), Fla. R. Jud. Admin., provides that “the chief judge shall be chosen by a majority of the circuit and county court judges within the circuit for a term of 2 years commencing on July 1 of each odd-numbered year,” and

WHEREAS, a consistent and clearly defined method for the election of the Chief Judge is deemed essential to the orderly administration of the Tenth Judicial Circuit; now therefore, it is

ORDERED that:

1. On the first Tuesday following the first Monday of each odd-numbered year, the Court Administrator will publish the attached nomination form (see Attachment A) by e-mail to the circuit and county court judges comprising the Tenth Judicial Circuit Court. The attached nomination form shall be used by the judges to nominate a candidate for the position of Chief Judge of the Tenth Judicial Circuit Court. All completed nomination forms must be submitted to the Trial Court Administrator on or before 5:00 p.m on the first business day of February of each odd-numbered year. After the nomination period closes, the Trial Court Administrator shall distribute a ballot to all circuit and county judges in a double envelope. The cover envelope will be sealed and marked with the name of the judge to whom it was delivered. It will contain a second, unsealed envelope marked **BALLOT**, and an alphabetical list of all circuit judges nominated for the position of Chief Judge. The judge to whom the ballot is delivered votes for his or her preference for Chief Judge by circling one name. The list is then placed in the ballot envelope (sealed) and delivered to the Court Administrator before noon on the third Thursday of February or prior to commencement of the judges meeting held for electing the Chief Judge.
2. On the third Thursday of February at noon, the judges will meet for the purpose of electing the Chief Judge. In the presence of the attending judges, the Court Administrator will open the sealed ballots and tabulate the votes.
3. If no judge receives a majority on the first ballot, the Court Administrator will distribute another ballot containing the names of the two judges receiving the highest number of votes.
4. If no judge receives a majority on the second ballot, the meeting will be adjourned and a new nomination period will be set by the current Chief Judge. The entire election process will then be repeated with all applicable dates being set by special order by the current Chief Judge.

5. If no judge receives a majority after the entire election process has been repeated, as provided in paragraph 4, the matter will be referred to the Chief Justice of the Florida Supreme Court.
6. In addition to the foregoing, the following general rules shall apply:
 - (a) The first judge to receive a majority of the votes of all circuit and county court judges is elected Chief Judge.
 - (b) “Proxy voting shall not be permitted.” Fla. R. Jud. Admin. 2.215(c)(3).
 - (c) In the event that a judge will be unable to attend the election, the judge may vote by absentee ballot. Absentee votes will be counted in each ballot as submitted.
 - (d) The Court Administrator will be responsible for conducting the election and will announce the results of each ballot.
 - (e) Unless no judge receives a majority on the second ballot the entire electoral process shall take place at the meeting on the third Thursday of February. No motion to adjourn shall be entertained until a Chief Judge is elected, unless no judge receives a majority on the second ballot. In that event, the meeting will be adjourned and a new nomination period will be set by the current Chief Judge. The entire election process will then be repeated with all applicable dates being set by special order by the current Chief Judge.
7. That by concurrence of a majority of the Conference of Judge (vote held on October 14, 2010), this Order cancels and supersedes Administrative Order No. 1-10.0, dated January 5, 1989.

DONE AND ORDERED on this 15th day of October, 2010.

J. DAVID LANGFORD
Chief Judge

TENTH JUDICIAL CIRCUIT
NOMINATION FOR CHIEF JUDGE

NOMINATION

I, _____, Circuit Judge/County Court Judge, hereby nominate
_____ for Chief Judge of the Tenth Judicial Circuit for
the term of July 1, _____ - June 30, _____.

Dated this _____ day of _____, _____.

Judge

ACCEPTANCE OF NOMINATION

I _____, hereby accept the nomination for Chief Judge for the
term of July 1, _____ - June 30, _____.

Dated this _____ day of _____, _____.

Judge

ATTACHMENT A