

# Supreme Court of Florida

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No. SC21-1223

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## **IN RE: AMENDMENTS TO FLORIDA RULE OF GENERAL PRACTICE AND JUDICIAL ADMINISTRATION 2.244.**

September 2, 2021

PER CURIAM.

The Court, on its own motion, amends Florida Rule of General Practice and Judicial Administration 2.244 to adjust the title, to remove the references to salary relationships among levels of state judges, and to renumber the subdivisions detailing the Unified Committee on Judicial Compensation and its role in addressing judicial pay and benefits issues.<sup>1</sup> These amendments are intended to respect the realities of the legislative process, while also ensuring the continuation of the judicial branch's support of fair and adequate compensation for Florida's judges and justices.

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1. We have jurisdiction. See art. V, § 2(a), Fla. Const.; Fla. R. Gen. Prac. & Jud. Admin. 2.140(d).

In 2007, this Court first adopted rule 2.244 in response to a proposal filed by the Judicial Compensation Work Group to delineate “salary relationships for the various levels of state judges.” *In re Report & Recommendations of the Judicial Compensation Work Group*, 957 So. 2d 1168, 1169 (Fla. 2007). At the time, the Court explained that “the pay scales set forth in this rule are intended to be flexible guidelines, not rigid rules.” *Id.* at 1170. Then, in 2012 in response to recommendations of the Judicial Branch Governance Study Group, the Court added language to rule 2.244 creating the Unified Committee on Judicial Compensation as a mechanism “to develop and recommend to the Court judicial pay and benefits priorities and to advocate for judicial pay and benefits issues approved by the Court for inclusion in the annual judicial branch budget request.” *In re Implementation of Judicial Branch Governance Study Group Recommendations*, 121 So. 3d 1, 6 (Fla. 2012).

Given that the discretion for appropriations levels is vested in the Florida Legislature, the Court has determined that the salary relationships currently listed in rule 2.244 are not appropriate for a rule of court practice and procedure. To be clear, however, we

emphasize that the Court supports and will continue to support fair and adequate compensation for all of Florida's judges. And the language of rule 2.244 providing for the Unified Committee on Judicial Compensation and its role in developing and advocating the branch's judicial pay and benefits priorities will remain in place.

Accordingly, we amend the Florida Rules of General Practice and Judicial Administration as reflected in the appendix to this opinion. New language is indicated by underscoring, and deletions are indicated by struck-through type. The amendments shall become effective immediately. Because the amendments were not published for comment previously, interested persons shall have seventy-five days from the date of this opinion in which to file comments with the Court.<sup>2</sup>

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2. All comments must be filed with the Court on or before November 16, 2021, as well as a separate request for oral argument if the person filing the comment wishes to participate in oral argument, which may be scheduled in this case. If filed by an attorney in good standing with The Florida Bar, the comment must be electronically filed via the Florida Courts E-Filing Portal (Portal) in accordance with *In re Electronic Filing in the Supreme Court of Florida via the Florida Courts E-Filing Portal*, Fla. Admin. Order No. AOSC13-7 (Feb. 18, 2013). If filed by a nonlawyer or a lawyer not licensed to practice in Florida, the comment may be, but is not required to be, filed via the Portal. Any person unable to submit a comment electronically must mail or hand-deliver the originally

It is so ordered.

CANADY, C.J., and POLSTON, LABARGA, LAWSON, MUÑIZ,  
COURIEL, and GROSSHANS, JJ., concur.

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER  
THE EFFECTIVE DATE OF THESE AMENDMENTS.

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signed comment to the Florida Supreme Court, Office of the Clerk,  
500 South Duval Street, Tallahassee, Florida 32399-1927; no  
additional copies are required or will be accepted.

## APPENDIX

### **Rule 2.244. JUDICIAL COMPENSATION UNIFIED COMMITTEE ON JUDICIAL COMPENSATION**

~~**(a) Statement of Purpose.** The purpose of this rule is to set forth the official policy of the judicial branch of state government concerning the appropriate salary relationships between justices and judges at the various levels of the state courts system and the mechanism for advancing judicial compensation and benefits issues. Although ultimate discretion in establishing judicial compensation is vested in the Florida Legislature, the salary relationships referenced in this rule reflect the policy of the judicial branch when requesting adjustments to judicial salaries.~~

~~**(b) Annual Salaries.** The annual salary of a district court of appeal judge should be equal to 95 percent of the annual salary of a supreme court justice. The annual salary of a circuit court judge should be equal to 90 percent of the annual salary of a supreme court justice. The annual salary of a county court judge should be equal to 85 percent of the annual salary of a supreme court justice.~~

#### ~~**(c) Unified Committee on Judicial Compensation.**~~

~~**(1)(a) Creation.** There shall be created a Unified Committee on Judicial Compensation to address judicial pay and benefits issues.~~

~~**(2)(b) Purpose.** The purpose of the Unified Committee on Judicial Compensation shall be to:~~

~~(A)(1) develop and recommend to the supreme court judicial pay and benefits priorities; and~~

~~(B)(2) advocate for judicial pay and benefits issues approved by the supreme court for inclusion in the annual judicial branch budget request.~~

~~**(3)(c) Membership.** The membership shall include the chief justice of the supreme court, the presidents and presidents-elect of~~

the Conference of District Court of Appeal Judges, the Conference of Circuit Court Judges, and the Conference of County Court Judges, and the chairs and vice-chairs of the District Court Budget Commission and the Trial Court Budget Commission.

**(4)(d) Staffing.** The Office of the State Courts Administrator will provide primary staff support to the committee.