Supreme Court of Florida

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No. SC2023-1612

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IN RE: AMENDMENT TO FLORIDA RULE OF GENERAL PRACTICE AND JUDICIAL ADMINISTRATION 2.320.

December 14, 2023

PER CURIAM.

The Court, in conjunction with the Florida Court Education Council, is conducting a review of the education program for new appellate judges. As part of that review, the Court is making new appellate judges' participation in Phase I of the Florida Judicial College discretionary rather than mandatory.

We amend, on our own motion, Florida Rule of General Practice and Judicial Administration 2.320 (Continuing Judicial Education) as reflected in the appendix to this opinion.[1] New language is indicated by underscoring in the appendix, and the deletion is indicated by struck-through type. The amendment is

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

effective immediately. Because the amendment was 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.[2]

It is so ordered.

MUÑIZ, C.J., and CANADY, COURIEL, GROSSHANS, FRANCIS,
and SASSO, JJ., concur.
LABARGA, J., dissents with an opinion.

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER
THE EFFECTIVE DATE OF THIS AMENDMENT.

LABARGA, J., dissenting.

I strongly disagree with dropping the requirement that all new

appellate judges "who ha[ve] never been a trial judge or who ha[ve]

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2. All comments must be filed with the Court on or before
February 27, 2024, 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).
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 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.

never attended Phase I of the Florida Judicial College as a

magistrate must also attend Phase I of the Florida Judicial College."

Fla. R. Gen. Prac. & Jud. Admin. 2.320(b)(2).

Original Proceeding – Florida Rules of General Practice and Judicial
Administration

Appendix

RULE 2.320.   CONTINUING JUDICIAL EDUCATION

(a) [No Change]

(b) Education Requirements.

(1) [No Change]

(2) *Minimum Requirements.* Each judge and justice shall complete a minimum of 30 credit hours of approved judicial education programs every 3 years. Beginning January 1, 2012, 4 hours must be in the area of judicial ethics; prior to that date, 2 hours in the area of judicial ethics are required. The portions of approved courses which pertain to judicial professionalism, opinions of the Judicial Ethics Advisory Committee, and the Code of Judicial Conduct can be used to fulfill the judicial ethics requirement. Every judge new to a level of trial court must complete the Florida Judicial College program in that judge's first year of judicial service following selection to that level of court; every new appellate court judge or justice must, within 2 years following selection to that level of court, complete an approved appellate-judge program. Every new appellate judge who has never been a trial judge or who has never attended Phase I of the Florida Judicial College as a magistrate ~~must~~may also attend Phase I of the Florida Judicial College in that judge's first year of judicial service following the judge's appointment. Judges and justices will receive credit for attending these programs. Credit for teaching a course for which mandatory judicial education credit is available will be allowed on the basis of 2 ½ hours' credit for each instructional hour taught, up to a maximum of 5 hours per year.

(3) [No Change]

(c)-(e) [No Change]