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HEADLINE: GROUP SEEKS TO
ELIMINATE SOME ELECTED
JUDGESHIPS;
BUT PUBLIC WOULDN'T SEE
NOMINATING PROCESS

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BODY:

Judicial nominating commissions in every Florida county would get more power to decide who becomes a judge, under a recommendation sent to the Legislature by a special courts task force.

But the public would still be kept in the dark about how those commissions decide which names to submit to the governor for a judicial appointment.

A 23-member task force established by the Legislature to review Florida's judicial system approved its final report on Monday.

One of the group's recommendations is to eliminate the election of county and circuit judges and instead have the governor make all judicial appointments. The governor would

make that choice from a list of candidates provided by the nine-member judicial nominating commissions.

Judges would then face a merit retention vote every six years. Voters would decide whether the judge should be retained in office, but would not be deciding between candidates for the job. That process is already used for appeals court judges and supreme court justices.

Other key recommendations include raising the mandatory retirement age for judges from 70 to 72 years and requiring that anyone seeking a county or circuit judgeship be a lawyer for at least 10 years.

A majority of the task force members want to open the judicial commissions' deliberations to the public. But the proposal fell one vote shy of the three-fifths needed to make it an official recommendation.

Opponents argued that opening the meetings would have a chilling effect on the applicants and the commission.

"No one will say anything bad," said Arturo Alvarez, a Miami attorney on the task force. "The kind of candor you need you don't get in that kind of a public setting."

But most elected officials on the task force endorsed the idea.

"Open government has been a hallmark of Florida policy for 20 years. We should err on side of the public's right to know," said Rep. John Cosgrove, D-Miami, a member of the task force who sits on the House Judiciary Committee.

"If you're not willing to say something where the world can hear it, it probably shouldn't be said," added Sen. Peter

Weinstein, vice chairman of the Senate Judiciary Committee.

The internal workings of judicial nominating commissions have come under scrutiny in recent weeks. There have been charges that members of the Palm Beach County group tried to manipulate a judicial appointment as payback for their appointment to the commission.

Gov. Lawton Chiles has appointed a three-member panel to investigate those allegations.