

A reply to criticism of Florida's judges

By [President of local trial lawyer group](#) Tue, Sep 29, 2015 @ 3:52 pm

I am writing on behalf of the Jacksonville Chapter of the American Board of Trial Advocates in response to the guest column that unfairly attacked Florida judges.

We are a national organization made up of equal numbers of plaintiff and defense civil trial lawyers.

The authors cited a recent survey of corporate legal counsel and other senior executives of companies with annual revenues of at least \$100 million. The participants were asked to take a 15-minute survey discussing general views of various state court systems.

The survey results did not include any actual findings that Florida judges are unfair or that our state court system is broken. Rather, the authors chose to take this opportunity to unfairly criticize Florida judges by arguing that lawyers have a “monopoly on how judges are selected” and suggesting that judicial decisions are politically influenced. These allegations are completely without merit.

Florida’s Constitution provides the method by which judicial vacancies are filled in our state courts. The governor appoints members to 27 separate Judicial Nominating Commissions throughout our state. The commissions then select nominees to fill any judicial vacancy in Florida.

Eligible applicants are then interviewed by the commissions and thereafter several are recommended to the governor for consideration. The governor then selects a worthy candidate to fill a judicial vacancy.

Florida trial court judges may run for re-election once their terms expire. However, Florida law does not allow judicial candidates to use any political party affiliation in connection with a judicial election. Our appellate judges are not elected but are subject to periodic merit retention elections.

This entire process is designed to be nonpartisan and to ensure we have impartial, balanced and fair judges in Florida. The authors’ suggestion that Florida’s judges are unduly influenced by political special interests is unwarranted.

This unfair attack is misleading to the readers and does a disservice to our outstanding and hardworking trial and appellate court judges in Florida.

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