

RESOLUTION NO. 23-09-100

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, EXPRESSING OPPOSITION TO
CONSOLIDATION OF JUDICIAL CIRCUITS, SPECIFICALLY THE
CONSOLIDATION OF THE 16TH AND 11TH JUDICIAL CIRCUITS.**

WHEREAS, the Judicial Circuit Assessment Committee (the "Committee") convened on July 14, 2023 and is charged with evaluating whether there is a need to consolidate Florida's judicial circuit courts, within District Courts of Appeal ("DCA") boundaries, considering the following criteria, in accordance with Florida Rules of General Practice and Judicial Administration Rule 2.241(c): effectiveness, efficiency, access to courts, professionalism, public trust and confidence, and additional criteria; and

WHEREAS, the Committee will examine data and information, survey stakeholders, hold public hearings, consider fiscal and operational impacts, and issue findings and recommendations to the Legislature with regard to the consolidation of judicial circuits by December 1, 2023; and

WHEREAS, there are 20 judicial circuits in the State, and each circuit is comprised of one or more counties, and Monroe County is currently in its own judicial circuit – namely, the 16th Judicial Circuit; and

WHEREAS, consolidation will only be considered within DCA boundaries; and

WHEREAS, the Third District Court of Appeal is presently made up of two judicial circuits, Monroe County (16th Circuit) and Miami Dade County (11th Circuit); and

WHEREAS, the judicial circuit profiles in the chart below was provided in the Committee's materials (below in the chart) and demonstrate the vastly different size and operation of each circuit; and

Circuit/County	Filings			Dispositions			Number of Judges		Population	Square Miles
	Circuit	County	Total	Circuit	County	Total	Circuit	County		
11 th Circuit (Miami-Dade)	75,503	728,029	803,532	83,226	757,476	840,702	80	43	2,757,592	1,900
16 th Circuit (Monroe)	3,208	13,819	17,027	3,125	14,370	17,495	4	4	83,961	983

WHEREAS, the Village Council believes consolidating the State's smallest circuit into State's largest circuit will certainly diminish, if not entirely curtail, the effectiveness, efficiency, and access of the circuit's services on behalf of Monroe's constituents; and

WHEREAS, Monroe County's unique geography presents a significant accessibility to courts, as a long chain of islands exceeding 120 miles in length and, as a result, the 16th Judicial Circuit has three (3) courthouses (the Lower, Middle and Upper Keys Courthouses) to address and improve accessibility and to ensure efficiency in the adjudication of cases; and

WHEREAS, consolidation with the 11th Judicial Circuit would be detrimental to the current effectiveness and efficiency of the 16th Judicial court operations and Village residents would be further burdened to have meaningful access to court and court services consistent with due process afforded under our current system; and

WHEREAS, Monroe County is a state-designated Area of Critical State Concern in recognition renowned and robust natural resources from the iconic Key Deer and other protected species on land to the lobster, stone crab and finfish in our waters, all of which require and receive the prioritized protection, attention and focus of local law enforcement and the 16th Circuit's State Attorney and judiciary; and

WHEREAS, current local focus on natural resource protection and coordination of efforts between local law enforcement and the State Attorney would likely not be prioritized in a circuit

serving a large, urbanized county where law enforcement, prosecutorial and judicial resources are focused on other criminal activity; and

WHEREAS, the focus of local law enforcement and Monroe County State Attorney's Office on our protected and vital resources in the Village and Florida Keys also fosters public trust and confidence within our unique geography and demographic community which may be compromised by being consolidated into a larger urban area of Miami-Dade and the 11th Judicial Circuit; and

WHEREAS, voter registration numbers dispel any argument that Monroe voters (including Village voters) will have a meaningful voice in electing their State Attorney, Public Defender and Judiciary should the 2 circuits be consolidated. Monroe's 50,762 registered voters comprise only 3.3% of a combined electorate of 1,532,614 for a consolidated Judicial Circuit due to Miami-Dade's 1,481,852 registered voters. With such a low percentage, Monroe's voters (including Village voters) will be likely be overwhelmed by those of Miami-Dade's in holding the State Attorney accountable for ensuring appropriate prosecution of resource violations; and

WHEREAS, a less robustly protected environment and diminished enforcement of resource violations will inevitably translate into economic losses. Fewer lobster, stone crab, and fin fish will result in loss in revenue and jobs for our local commercial fishing industry (Monroe County's second largest economic sector), will potentially impact local tourism drawn to the Village and Keys as a whole for our natural resources affecting local businesses, and ultimately generate less sales tax for the State; and

WHEREAS, the Village Council has examined the criteria set out in Florida Rule of General Practice and Judicial Administration 2.241 to be considered by the Committee and

believes that the laudable goals of effectiveness, efficiency, access to courts, professionalism, public trust and confidence are protected only by keeping in place our separate circuits, and urges the Committee and Legislature against consolidation of the 11th and 16th circuits for the concerns expressed hereto; and

**NOW THEREFORE BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, AS FOLLOWS:**

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference. The above recitals constitute the legislative findings and intent of the Village Council

Section 2. **Direction to the Clerk.** The Village Clerk is directed to furnish copies of this resolution to:

- A. Honorable Jonathan Gerber and members of the Judicial Assessment Committee;
- B. Representative Jim Mooney; and
- C. Senator Ana Maria Rodriguez

Section 3. **Effective Date.** This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 7th day of September, 2023.

Motion to adopt by Henry Rosenthal. Seconded by Joseph B Pinder III.

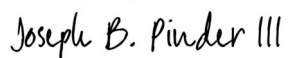
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FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Joseph B. Pinder III	<u>Yes</u>
Vice Mayor Sharon Mahoney	<u>Yes</u>
Councilman Mark Gregg	<u>Yes</u>
Councilwoman Elizabeth Jolin	<u>Yes</u>
Councilman Henry Rosenthal	<u>Yes</u>

PASSED AND ADOPTED THIS 7th DAY OF SEPTEMBER 2023.

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JOSEPH B. PINDER III, MAYOR

ATTEST:

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MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS:

DocuSigned by:

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JOHN J. QUICK, VILLAGE ATTORNEY