

State Judges FAQ

1. What are the different types of judges that serve at the state level?

County Court Judges, Circuit Court Judges, Appellate Court Judges, Florida Supreme Court Justices

2. Are state judges elected or appointed?

Both. County court judges and circuit court judges in Florida are elected. The only exception is when a vacancy arises between elections, then the governor can appoint someone to that position. Judges for the District Courts of Appeal and the Florida Supreme Court justices are appointed by the governor. However, they must run in retention elections to stay in office.

3. What are the qualifications for being a state judge?

Florida Statute requires anyone running in an election for county or circuit court judgeships to meet certain requirements. Those requirements include having a law degree from an accredited law school, being a member of the Florida Bar Association for at least 5 years, and residing in the geographical area for which you are running for office. Appellate judges must be Florida Bar members for at least 10 years.

4. Do state judges belong to a political party?

No. Judges are non-partisan. In order to preserve the impartiality of the judges and their rulings, judges do not associate themselves with political parties.

5. If some judges are appointed, and none are associated with political parties, how do we know where they stand on issues?

The job of a judge is to not have opinions on issues or preconceived stances on topics that may come before them in court. Judges must consider just the facts presented and apply appropriate laws without bringing their personal views into it. Florida law actually prohibits judges from making predictions or promises.

6. How long do state judges serve?

All Florida judges/justices serve six-year terms. For elected county and circuit court judges, this means they must run for re-election every six years. For appointed appellate judges and Florida Supreme Court Justices, their names must appear on the ballot every six years for a “yes or no” retention vote. There are no term limits. However, judges/justices at all levels must retire at the age of 75 per the Florida Constitution.

7. What does the job of a state judge entail?

Judges oversee various trials and hearings. In the district and circuit courts (trial courts), judges will facilitate the course of the trial, providing jury instructions if there is one and determining the acceptability of evidence and testimony. The other two levels of state courts are typically appeals courts. Those judges and justices read briefs and listen to oral arguments to decide whether to affirm or reverse the decision of the lower court(s).

8. How do state judges make decisions?

State judges make decisions and issue rulings using a variety of resources. First, they must examine the facts of the case and the arguments presented on all sides. Then, they must consider current state and federal laws, with federal laws having supremacy due to Article VI of the U.S. Constitution. Judges will review past precedence and case law established by prior rulings. Throughout the entire process, the Florida Constitution and the U.S. Constitution must be the ultimate guide of their work.