

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2008-21
FILED by WJ D.C.

IN RE: SENIOR DISTRICT JUDGE VOTING

JUL 12 2008

STEVEN M. LAR/MORE
CLERK U. S. DIST. CT.
S. D. of FLA. - MIAMI

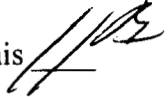
On January 7, 2008, the Court Security Improvement Act of 2007 (PL 110-177, January 7, 2008, 121 Stat. 2534) became law. Sections 503 and 504 of that Act respectively amend 28 USC § 296 and 28 USC § 631 pertaining to the voting rights of Senior District Judges who have retired from regular active service under 28 USC § 371(b). The amendment adds language to Section 28 USC § 296 indicating that any senior judge who has performed work “equal to or greater than the amount of work an average judge in active service on that court would perform in 6 months” shall be entitled to “participate in the appointment of court officers and magistrate judges, rulemaking, governance, and administrative matters.”

All of the Senior District Judges of the Southern District who continue to draw new cases or to try cases provide an indispensable service to their colleagues on the bench and the public as a whole. Those contributions are most important to the continued efficient functioning of this District and are appreciated by the active District Judges of the Southern District. But absent any clear Congressional expression on the subject, a majority of the District Judges have decided that they are constrained to enforce the provisions of Section 503 as written. Therefore, it is

ORDERED AND ADJUDGED that:

Pursuant to Section 503 of the Court Security Improvement Act of 2007, those Senior District Judges who have performed in the preceding six (6) month period an amount of work “equal to or greater than the amount of work an average judge in active service on that court

would perform in 6 months” shall have full voting rights as to the appointment of court officers and Magistrate Judges, rulemaking, governance and administrative matters, in the United States District Court, Southern District of Florida.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County Florida, this 

day of July, 2008.


FEDERICO A. MORENO
CHIEF UNITED STATES DISTRICT JUDGE

Copies Furnished to:

Hon. J. L. Edmondson, Chief Judge, Eleventh Circuit
All Southern District and Magistrate Judges
James Gerstenlauer, Circuit Executive
Steven M. Larimore, Court Administrator • Clerk of Court
Linda Datko, Circuit Librarian