



FLORIDA CODE OF JUDICIAL CONDUCT ADDENDUM

ADDENDUM
Application of the Code of Judicial Conduct

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FLORIDA CODE OF JUDICIAL CONDUCT

-- -- ADDENDUM

DATE: January 15, 2023



---- | APPLICATION OF THE CODE OF JUDICIAL CONDUCT

This Code applies to justices of the Supreme Court and judges of the District Courts of Appeal, Circuit Courts, and County Courts.

Anyone, whether or not a lawyer, who performs judicial functions, including but not limited to a civil traffic infraction hearing officer, court commissioner, general or special magistrate, domestic relations commissioner, child support hearing officer, or judge of compensation claims, shall, while performing judicial functions, conform with Canons 1, 2A, and 3, and such other provisions of this Code that might reasonably be applicable depending on the nature of the judicial function performed.

Any judge responsible for a person who performs a judicial function should require compliance with the applicable provisions of this Code.

If the hiring or appointing authority for persons who perform a judicial function is not a judge then that authority should adopt the applicable provisions of this Code.

([Amended Nov. 3, 2005, effective Jan. 1, 2006 (915 So. 2d 145); Jan. 5, 2006 (918 So. 2d 949); June 19, 2014 (141 So. 3d 1172); July 7, 2016, effective Oct. 1, 2016 (194 So. 3d 1015).])

APPENDIX A | CIVIL TRAFFIC INFRACTION HEARING OFFICER

A civil traffic infraction hearing officer:

(1) is not required to comply with Section 5C(2), 5D(2) and (3), 5E, 5F, and 5G, and Sections 6B and 6C.

(2) should not practice law in the civil or criminal traffic court in any county in which the civil traffic infraction hearing officer presides.

([Amended Nov. 3, 2005, effective Jan. 1, 2006 (915 So. 2d 145); Jan. 5, 2006 (918 So. 2d 949); June 19, 2014 (141 So. 3d 1172); July 7, 2016, effective Oct. 1, 2016 (194 So. 3d 1015); amended effective May 21, 2021 (317 So.3d 1090).])

Commentary

Section A. Please see *In re Florida Rules of Practice and Procedure for Traffic Courts—Civil Traffic Infraction Hearing Officer Pilot Program*, 559 So.2d 1101 (Fla.1990), regarding civil traffic infraction hearing officers.



APPENDIX B | RETIRED/SENIOR JUDGE

(1) A retired judge eligible to serve on assignment to temporary judicial duty, hereinafter referred to as "senior judge," shall comply with all the provisions of this Code except Sections 5C(2), 5E, 5F(1), and 6A. A senior judge shall not practice law or serve as a mediator, arbitrator, or voluntary trial resolution judge in a circuit in which the judge is presiding over civil cases as a senior judge, and shall refrain from accepting any assignment in any cause in which the judge's present financial business dealings, investments, or other extra-judicial activities might be directly or indirectly affected.

(2) If a retired justice or judge does not desire to be assigned to judicial service, such justice or judge who is a member of The Florida Bar may engage in the practice of law and still be entitled to receive retirement compensation. The justice or judge shall then be entitled to all the rights of an attorney-at-law and no longer be subject to this Code.

([Amended Nov. 3, 2005, effective Jan. 1, 2006 (915 So. 2d 145); Jan. 5, 2006 (918 So. 2d 949); June 19, 2014 (141 So. 3d 1172); July 7, 2016, effective Oct. 1, 2016 (194 So. 3d 1015); amended effective May 21, 2021 (317 So.3d 1090).])



---- | EFFECTIVE DATE OF COMPLIANCE

A person to whom this Code becomes applicable shall comply immediately with all provisions of this Code except Sections 5D(2), 5D(3) and 5E and shall comply with these Sections as soon as reasonably possible and shall do so in any event within the period of one year.

(If serving as a fiduciary when selected as judge, a new judge may, notwithstanding the prohibitions in Section 5E, continue to serve as fiduciary but only for that period of time necessary to avoid serious adverse consequences to the beneficiary of the fiduciary relationship and in no event longer than one year. Similarly, if engaged at the time of judicial selection in a business activity, a new judge may, notwithstanding the prohibitions in Section 5D(3), continue in that activity for a reasonable period but in no event longer than one year.)

APPENDIX



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Congratulations! You're now **booked up** on the **Appendix** to the Code of Judicial Conduct!

