



MEMORANDUM

Date: September 14, 2023

To: Honorable Mayor and Commissioners

From: Ronald Ramsingh
City Attorney

Subject: **The City of Key West's Opposition to Judicial Circuit Consolidation**

Introduction

This Resolution expresses the City's opposition to the proposed consolidation of Monroe County's 16th Judicial Circuit with Miami-Dade's 11th Judicial Circuit.

Background

There are 20 Judicial Circuits in Florida and 67 counties. Generally speaking, smaller counties are consolidated into a circuit due to proximity in location, population size and overall similarities in judicial interests. While Monroe County is adjacent to Miami-Dade County, the 2 have enjoyed separate judicial circuits historically due to the unique geographic nature of the Florida Keys being linear. There was a proposal made by the Judicial Circuit Assessment Committee in July that will consolidate the 16th Judicial Circuit (Monroe County) into the 11th Judicial Circuit (Miami-Dade County). This will likely cause significant logistical issues for Keys residents to have access to courts on the mainland. This issue is even more problematic for residents of Key West, who live the farthest away from Miami-Dade County. Additionally, voters in Monroe County will likely lose any real ability to elect a Public Defender, State Attorney and circuit and county judges who are from the Keys or have any appreciable legal philosophies about legal issues that are unique to the Keys.

Procurement

There are no direct financial implications to the Resolution.

Recommendation

The recommendation of the City Attorney is to pass the attached Resolution to officially communicate to the relevant state agencies and elected officials that the City of Key West objects to this measure.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF KEY WEST, FLORIDA
EXPRESSING OPPOSITION TO CONSOLIDATION OF
JUDICIAL CIRCUITS, SPECIFICALLY THE
CONSOLIDATION OF THE 16TH AND 11TH CIRCUITS;
PROVIDING FOR AN EFFECTIVE DATE**

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 in its own circuit, the 16th Circuit; and

WHEREAS, consolidation will only be considered within DCA boundaries and Monroe County (16th Circuit) is in the same DCA boundary with Miami Dade (11th Circuit), the Third District Court of Appeal; 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/Coun ty	Filings			Dispositions			Number of Judges		Populatio n	Square Miles
	Circuit	County	Total	Circui t	County	Total	Circui t	County		
Circuit 11 (Miami-Dade)	75,503	728,029	803,532	83,226	757,476	840,702	80	43	2,757,592	1,900
Circuit 16 (Monroe)	3,208	13,819	17,027	3,125	14,370	17,495	4	4	61,961	983

WHEREAS, the City Commission 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, The City of Key West's unique geography in Monroe County being the westward most populated island and furthest away from the 11th Circuit presents a significant accessibility to courts issue, as a long chain of islands exceeding 120 miles in length, which is why the 16th Judicial Circuit has a Lower, Middle and Upper Keys Courthouse 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 Key West residents would be further burdened to have meaningful access to court and court services consistent with due process afforded under our current system by having to travel 164 miles and approximately 3.5 hours to the main civil courthouse in the 11th Judicial Circuit; and

WHEREAS, Key West is a state-designated Area of Critical State Concern in recognition renowned and robust natural resources as well as fragile hurricane evacuation times, 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 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 that are not specific to the citizenry of Key West; and

WHEREAS, our local law enforcement and State Attorney's focus on our protected and vital resources in Key West and the 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 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 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's second largest economic sector), will potentially impact local tourism drawn to Key West and the Keys for our natural resources affecting local businesses, and ultimately generate less sales tax for the State; and

WHEREAS, the City Commission has examined the criteria set out in Rule 2.241 Fla. R. Gen. Prac. & Jud. Admin. 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 CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: The above recitals are hereby incorporated into this resolution as restated herein constitute the legislative findings and intent of the Board of County Commissioners of Monroe County, Florida.

Section 2: The Clerk for this Board shall furnish copies of this resolution to:

Judge Gerber and members of the Judicial Assessment Committee
Representative Jim Mooney
Senator Ana Marie Rodriguez

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held
this _____ day of _____, 2023.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____ day of _____, 2023.

Filed with the Clerk on _____, 2023.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Lissette Carey	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK