

# Supreme Court of Florida

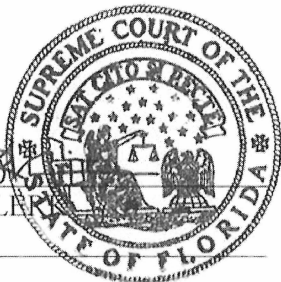
I, JORGE LABARGA, under authority vested in me as Chief Justice of the Supreme Court of Florida under article V, section 2, of the Constitution of Florida and the rules of this Court promulgated thereunder, do hereby assign and designate THE HONORABLE JAMES E. C. PERRY for statewide judicial service, effective January 1, 2017, and which shall expire on September 30, 2018. JUSTICE PERRY is authorized to hear, conduct, try, and determine the causes which shall be presented to the judge as a temporary judge of any court in the State of Florida upon approval by the chief judge of that court and thereafter to dispose of all matters considered by the judge, including issues of fees and costs arising out of said causes, but excluding other matters subsequently raised that are collateral to said causes, during the term of this order. JUSTICE PERRY, under and by virtue of the authority hereof, is hereby vested with all powers and prerogatives conferred by the Constitution and laws of the State of Florida upon a judge of the court to which the judge is assigned.

DONE AND ORDERED at Tallahassee, Florida, on December 1, 2016.

  
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CHIEF JUSTICE JORGE LABARGA  
SUPREME COURT OF FLORIDA

ATTEST:

  
\_\_\_\_\_  
DEPUTY CLERK



Pursuant to Canon 5(F)(2) of the Code of Judicial Conduct, and the requirements under Florida Rule of Judicial Administration 2.320(b)(3), please be advised that senior judges are subject to specific prohibitions if they serve as a mediator, arbitrator, or voluntary trial resolution judge in any case in a circuit in which the senior judge is presiding as a senior judge.

# Supreme Court of Florida

Florida's Constitution vests the Chief Justice with "the power to assign justices or judges, including consenting retired justices or judges, to temporary duty in any court for which the judge is qualified." Fla. Const., Art. V, § 2(b). The Supreme Court of Florida has a long tradition of assigning recently retired Justices to senior service for purposes of completing the work they already had begun on this Court before the dates of their retirement. This practice promotes judicial speed and economy by ensuring that Justices who already have worked on those cases are available to continue to participate in them whenever necessary. Unnecessary delay could occur, for example, in requiring newly appointed Justices to become familiar with the partially completed workload of their predecessors. Opinion preparation is a time-consuming, cumulative process that seldom can be restarted without impeding the goal of judicial speed and economy.

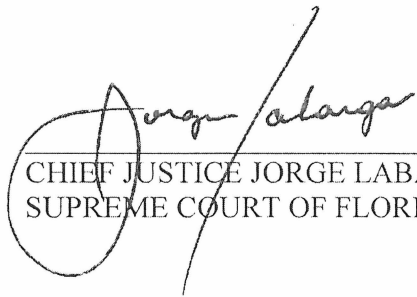
However, it is axiomatic that continued service is not without limit. It must end, for example, where it is in potential conflict with other ventures undertaken by the retired Justice, such as appointment to another court or acceptance of employment with a private law firm. Further, this practice should be limited to the extent it results in a retired Justice continuing in senior service for unnecessarily long periods of time.

THE HONORABLE JAMES E.C. PERRY was previously assigned to senior service on the Supreme Court of Florida through an order entered on December 1, 2016. At the time that the December 1 order was entered, it was not known when a new Justice would be appointed to replace him. That issue now has been resolved. Moreover, THE HONORABLE JAMES E.C. PERRY has expressed his desire that his senior service not be protracted for a lengthy period of

time. Based on these factors, it is determined that the senior service of THE HONORABLE JAMES E.C. PERRY should be further limited.

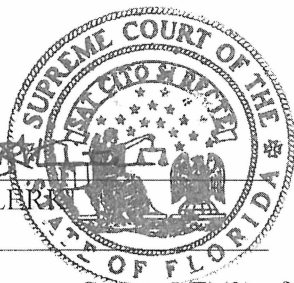
THEREFORE, I, JORGE LABARGA, under authority vested in me as Chief Justice of the Supreme Court of Florida under article V, section 2, of the Constitution of Florida and the rules of this Court promulgated thereunder, do hereby modify that certain order issued on December 1, 2016, assigning THE HONORABLE JAMES E.C. PERRY for senior service, to now provide that his term of service shall end on January 31, 2017.

DONE AND ORDERED at Tallahassee, Florida, on January 11, 2017.

  
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CHIEF JUSTICE JORGE LABARGA  
SUPREME COURT OF FLORIDA

ATTEST:

  
\_\_\_\_\_  
DEPUTY CLERK



Pursuant to Canon 5(F)(2) of the Code of Judicial Conduct, and the requirements under Florida Rule of Judicial Administration 2.320(b)(3), please be advised that senior judges are subject to specific prohibitions if they serve as a mediator, arbitrator, or voluntary trial resolution judge in any case in a circuit in which the senior judge is presiding as a senior judge.