A MERIT PLAN FOR SELECTING JUDGES IN FLORIDA

by

Larry C. Berkson

PUBLIC ADMINISTRATION CLEARING SERVICE
UNIVERSITY OF FLORIDA
CIVIC INFORMATION SERIES, NO. 55
1975

"This public document was promulgated at an annual cost of $503.00, or $0.25 per copy, to distribute information to the citizens of Florida."

A MERIT PLAN FOR SELECTING JUDGES IN FLORIDA

by

LARRY C. BERKSON
Assistant Professor of Political Science

PUBLIC ADMINISTRATION CLEARING SERVICE
OF THE
UNIVERSITY OF FLORIDA
CIVIC INFORMATION SERIES, NO. 55
1975

A MERIT PLAN FOR SELECTING JUDGES IN FLORIDA

By Larry C. Berkson

A. INTRODUCTION AND HISTORY

From the earliest origins of American government, the means by which to select judges has been extensively debated. Three general plans have been advanced: election of judges, whether by partisan or non-partisan ballot; appointment by the chief executive or governing body, or a combination of both of the political branches of government; and selection under some sort of "merit" plan. This pamphlet is concerned with the third of these methods.

All thirteen original states provided for appointment rather than election of judges. During the first half of the nineteenth century, however, a rising tide of public animosity against the spoils system developed, culminating in the election of Andrew Jackson to the presidency. In 1832 Mississippi became the first state to provide for the direct election of judges for its entire court system. Fourteen years later New York followed suit and from that time until the admission of Alaska in 1959, every state entering the Union provided for the election of all or most of its judges.

By the close of the nineteenth century disenchantment with the popular electiton of judges began to mount. In his famous address of 1906 to the American Bar Association, Dean Roscoe Pound concluded that "Putting courts into politics, and compelling judges to become politicians, in many jurisdictions has almost destroyed the traditional respect for the bench."[1] Eight years later Professor Albert M. Kales of Northwestern University proposed what is generally considered to be the first "merit system" for selecting judges. Subsequently numerous versions of the plan have been ad-

[1] Roscoe Pound, "The Causes of Popular Dissatisfaction with the Administration of Justice," *Journal of the American Judicature Society*, 46 (August, 1962), 55, 66.

vanced by the American Judicature Society (1914), the American Bar Association (1937), and the President's Commission on Law Enforcement and Administration of Justice (1967).

Esssentially two versions of the merit plan have been adopted by various state legislatures. The most famous, the Missouri Plan (1940), requires the establishment of a nonpartisan nominating board consisting of the Chief Justice of the State Supreme Court, who acts as chairman, three lawyers elected by the State Bar Association, and three laymen appointed by the Governor. None of the members may hold public office or be a party official. They are unsalaried and serve six-year staggered terms. The members of the commission, both lay and legal, must come from each of the three appellate court districts in the state.

The board places advertisements in local newspapers soliciting the names of prospective candidates. Ultimately it nominates three candidates for every vacancy whereupon the Governor selects one. The judge then serves a year's probationary period after which he must run unopposed for election on a nonpartisan ballot. The sole question submitted to the electorate is, "Shall Judge ———— be retained in office?" If a majority votes "yes", he remains in office for six years if he is a circuit judge, and twelve years if he is a lower appellate or Supreme Court judge. If he fails to obtain a majority the nomination and appointment process begins anew.

A second variation of the merit plan has been adopted by California. Under this plan the nomination procedure is reversed. The Governor, rather than a special panel, nominates one individual to fill each vacancy. The candidate must be a member of the California Bar and have not less than five years of legal experience. A Commission on Qualifications, composed of the Chief Justice of the Supreme Court, the presiding judge of the relevant district court of appeals, and the Attorney General of the State, must then confirm the appointment. If approval is granted, the candidate is declared appointed for one year after which he runs

unopposed for election in the same fashion as the candidate under the Missouri Plan.

The American Bar Association and the American Judicature Society, among others, object to labeling the California Plan a variation of the merit plan, and not without good reason. Put simply, once the Governor has announced his choice publically, the Attorney General and the Chief Justice will not veto his choice unless the nominee is clearly unqualified. To do otherwise would precipitate a major political power struggle between the highest state officials. Thus, the Governor is allowed to select whomever he desires, including some rather mediocre individuals.

When Article V of the Florida Constitution was adopted in 1972, it provided for the establishment of judicial nominating commissions to fill vacancies on the Supreme Court, each district court of appeals and each circuit trial court. Each of the twenty-five separate commissions consist of nine members. Three are appointed by the Board of Governors of the Florida Bar. These appointees must be actively engaged in the practice of law with offices within the territorial jurisdiction of the affected court. Another three members are appointed by the Governor; they too must reside in the territorial jurisdiction affected by the court. The final three members are laymen, who are selected and appointed by a majority vote of the other six members of the commission. The commissioners serve four-year staggered terms. Justices and judges are not allowed to be members and no commissioner may be appointed to a judicial office for at least two years following his tenure of duty. When a judicial vacancy occurs the appropriate commission nominates and submits to the Governor the names of three candidates. The Governor in turn appoints one of these to serve as judge until the next election.

For quite some time now, members of the legal community in Florida have pondered whether a merit plan should be adopted not only to fill vacancies, but for the entire selection process. In 1966, for example, former Chief Justice Stephen C. O'Connell and Ernest E. Means, noted the "positive super-

iority" of a merit plan.[2] In the same publication, Attorney J. B. Spence, a graduate of the University of Miami Law School, contended that such a change would be "destructive of the rights of all Florida Citizens."[3] The remainder of this article is devoted to evaluating both sides of the controversy.

B. THE CASE FOR THE MERIT SYSTEM

The arguments favoring adoption of a merit plan may be grouped into three categories: those focusing on the weaknesses of other methods of selection; those noting the national and international trends toward adopting such proposals; and those claiming that where merit plans have been adopted, they have been remarkably successful.

1. Other Plans Have Failed

Judges have been chosen by popular vote since the Jacksonian Revolution. However, it may be argued that the method does not do what it purports; that is, it does not provide for a system where the populous may rationally choose between several candidates for office. In Florida, for example, a large number of judges are initially appointed to fill vacancies occasioned by the death or retirement of an incumbent. Moreover, judges are elected relatively infrequently. The term for circuit judges, judges of the district courts of appeal and the Supreme Court is six years. Most incumbents succeed themselves with little difficulty, often running unopposed. Where contests do take place, they are generally issueless, with all candidates running on platforms which advocate judicial reform, a greater respect for the law, and increased efficiency in the courts. Such lackluster campaigns invariably lead to low voter turnouts.

In light of many shortcomings, numerous other arguments have been advanced to discredit the popular election

[2] Stephen C. O'Connell and Ernest E. Means, "Should Judges Be Selected by Merit Plan?" *Florida Bar Journal*, 40 (November, 1966), 1146, 1159.

[3] *Ibid.*, 1147.

of judges. In the first place, arguments supportive of the method are premised on the assumption that the public is attentive and well-informed. Clearly this is not the case. Few individuals understand the intricacies of court procedure or the role and functions of the judiciary. Even fewer are aware of the credentials and qualifications of relatively unknown candidates. The result is that candidates are often elected on the basis of physique, personality, and demeanor rather than on the basis of ability to perform effectively in the courtroom.

A second shortcoming of the popular election method is that it often discourages the candidacy of exceptionally well-qualified individuals. Many attorneys simply have a philosophical distaste for politics and political campaigning, and thus refrain from seeking office. On the other hand, those without such convictions are often hesitant to campaign for an office from which they may be removed at the next general election. After all, logic dictates that one would not ordinarily leave a successful law practice to accept a temporary, relatively low-paying position.

A major shortcoming of the popular election method is that it compromises the independence of the judiciary. Inherent in the notion of popular elections is a certain degree of accountability and responsiveness on the part of the incumbents to the public. In many instances, the political climate, depending upon its intensity, may affect, or even dictate, the nature of certain critical decisions. This is antithetical not only to the doctrine of the separation of powers, but, more important, it infringes upon the notion of fundamental fairness towards those accused of crime or involved in civil actions. Certainly judges should not be governed by the transient whims of the public.

A fourth shortcoming of this method is that it requires sitting judges to abandon their duties in order to campaign for reelection. In such circumstances, judicial business suffers, which results in negative consequences for the entire judicial system. Perhaps more important is the fact that judges who must campaign, solicit votes, and seek contri-

butions, are often asked for favors once they take office. Thus, they may become involved in questionable if not illegal activities. Recently, for example, the Judicial Qualifications Commission in Florida investigated several charges of this nature involving two of its Supreme Court Justices. Currently, a House Impeachment Committee is weaving its way through numerous testimony involving three Justices. It is alleged that one of these justices has repeatedly responded to the desires of certain pressure groups, campaign contributors and workers. Allegedly he interfered at least three times with cases pending before a circuit court judge.

One variant of selecting judges by popular election is by the partisan ballot, a method utilized in Florida between 1948 and 1972. The method, employed in fourteen states, generally requires judicial personnel to become enmeshed in politics. In fact, some states implicitly expect candidates to contribute a substantial amount of money to the party coffers. For example, one study reports that judges in New York are apparently expected to make party contributions in sums up to $20,000. In such states, a candidate is often selected solely on the basis of his long and faithful party service rather than on the basis of his professional qualifications. Thus, it is necessary for both challengers and incumbents to be responsive to subtle party pressures. These pressures may be particularly acute in the case of a well-publicized political trial. The result may be a trial conducted by a partial, rather than impartial, judge. Such a situation is clearly contrary to the implications of the Sixth Amendment to the United States Constitution.

A second variant of selecting judges by popular election is by the nonpartisan ballot, a method employed in Florida since the adoption of Article V in 1972. It is arguable, however, that there is no such thing as a nonpartisan election. The public, to the extent it may be considered attentive, is generally aware of the candidate's political affiliations. This is borne out by the fact that in heavily Republican or Democratic areas, judges are generally selected from the dominant party.

Nevertheless, the method is utilized in fifteen states including Florida. In this state, a first nonpartisan election is held at the time of the first primary election in September of each year in which a general election is held. If a candidate receives a majority of the votes he is declared nominated. If not, the two candidates receiving the most votes are placed on a ballot in a second primary election which is held the third Tuesday thereafter. The candidates may not participate in any partisan political activities, endorse any candidate, make political speeches other than those in their own behalf, make contributions to, solicit, or accept political funds, or accept or retain a place on any political party committee.

Like the partisan method, the nonpartisan method has a number of shortcomings which have long been recognized. Indeed, as early as 1913 in his address to the American Bar Association, President, and later Chief Justice of the United States Supreme Court, William Howard Taft, labeled it as a failure. More recently, the American Judicature Society has deemed it the worst method of judicial selection in the country. Their evidence suggests that where the nonpartisan method is utilized, a candidate's character, legal ability, experience, and judicial temperament are of little importance. The public is simply unknowledgeable about these factors. On the other hand, the size of a candidate's campaign chest, his television image, or his position on the ballot are particularly crucial. Large sums of money purchase needed exposure and thus enable the physically attractive candidate to gain popular support. Further, political science research suggests that a candidate benefits if his family name is widely recognized and if his name is placed at the top of the ballot.

The second method of selecting judges is by appointment, a procedure employed in Florida to select circuit judges between 1861 and 1942, and Supreme Court Justices between 1861 and 1885. Usually the judicial officer is appointed by the Governor with concurrence of the Senate. In some instances approval must be forthcoming from both Houses of

the Legislature. On rare occasions, such as under the Florida Constitution of 1838, judicial officers were appointed by a concurrent vote of both Houses of the General Assembly. In neither case, however, is there any requirement that the candidates be screened to determine their qualifications as under the merit plan. Perhaps the most detrimental aspect of this method of selection is that it often leads to the appointment of "political hacks" without regard for legal experience and expertise. Essentially the method is a carry-over of the old spoils system, long discredited in this country. Furthermore, so the argument goes, the system destroys judicial independence by tying a judge to his appointer.

2. Trends Favor Adoption

A second argument which may be made for the adoption of a merit plan in Florida is that such action is consistent with national and international trends. Except for parts of Switzerland, the United States is the only democracy in the world where a substantial portion of the total judiciary is selected by popular election. Conversely, such totalitarian regimes as the Soviet Union still employ the electoral method.

In the United States, despite great opposition by well-entrenched politicians, versions of the merit plan have been adopted by legislatures in at least fifteen states (Table 1). Ten of the fifteen states have done so since 1962. Moreover, the six most recent states have adopted plans at both trial and appellate levels.

3. Merit Plans are Successful

The most positive argument in favor of adopting a merit plan is that where employed, they have been widely praised as successful. For example, Governor William Scranton has received numerous accolades for taking the initiative in 1964 to establish such a plan in Pennsylvania. There the legislature had not created a merit system, but by executive decree the Governor established a commission which nominated and

TABLE 1

JURISDICTIONS ADOPTING MERIT PLANS*

JURISDICTION	DATE	EXTENT OF PLAN
Missouri	1940	Appellate and Metropolitan Trial Courts
Alabama	1950	Circuit Court of Jefferson County
Alaska	1958	Appellate, General Trial and Minor Courts
Louisiana	1958	Traffic Court in New Orleans
Kansas	1958	Appellate Courts
Nebraska	1962	Appellate and General Trial Courts
Iowa	1962	Appellate and General Trial Courts
New Mexico	1963	Appellate and General Trial Courts
New York	1964	City Courts
Colorado	1966	Appellate, General Trial and Minor Courts
Oklahoma	1966	Appellate, General Trial and Minor Courts
California	1967	Appellate, General Trial and Minor Courts
Vermont	1967	Appellate, General Trial and Minor Courts
Idaho	1968	Appellate and General Trial Courts
Utah	1968	Appellate and General Trial Courts

*Information compiled from Glenn R. Winters, "Judicial Selection and Tenure—the Missouri Plan," *Illinois Bar Journal*, 58 (March, 1960), 510, 527. Some of the plans have been adopted by statute while others are constitutionally imposed.

submitted the names of candidates to him. The subsequent appointees were of extraordinarily high stature and quality. The procedure has likewise been used successfully by former Mayor Wagner of New York City and former Mayor Currigan of Denver.

In Florida, a similar merit plan has been adopted voluntarily by Democrats Lawton M. Chiles and Richard B. Stone. As United States Senators, it is their prerogative to recommend a candidate for Presidential appointment to federal judgeships in the State. Under their plan, the Florida Bar and each Senator appoints three members to a nominating commission. The nine members screen applicants and send five names to Chiles and Stone who in turn select one. Oddly enough, the first use of the method resulted in the recommendation of a Republican, as if to prove that the process is

going to truly result in the nonpartisan selection of the most qualified personnel.

The major difficulty with these voluntary plans is that they are not binding on future incumbents. It would appear more appropriate to institutionalize the procedure and thus guarantee that judges in every election will be chosen because of their qualifications rather than because of their political contacts. Otherwise, the electorate may be lulled into a false sense of security.

In Missouri, where the merit system has most rigorously been studied, it is clear that the caliber of judges has been raised. The average age of judges has risen from the 40's to the 50's, thus bringing more mature attorneys to the bench.[4] Moreover, appellate judges who have been appointed have had considerably more judicial experience than did their predecessors. Two authorities, Watson and Downing, report that there is general agreement by the Missouri Bar that the Plan has resulted in placing "better" judges on the bench.[5] In particular the Plan has tended to eliminate highly incompetent persons from the state judiciary.

C. THE CASE AGAINST THE MERIT SYSTEM

Perhaps the most frequently expressed objection to the merit system is the fact that it is considered by some to be philosophically repugnant to a democracy. However, the weight of evidence is clearly to the contrary. In the first place, the founders of our democracy provided for the appointment of judges. Such a method is even less democratic than the merit plan, for under it, the electorate is not able to review periodically the activities of an incumbent judge. The only recourse in this situation is impeachment or recall. Neither procedure is frequently utilized because of the extreme complexities in the processes and because there is little chance for success. Conversely under the merit plan,

[4] Richard Watson and Rondal Downing, *The Politics of the Bench and Bar* (New York: John Wiley and Sons, Inc., 1969), p. 344.

[5] *Ibid.*, p. 345.

the people play an active role in the selection of judges. Not only do they elect the governor who appoints the judicial nominee and three members of the commission, but they also have a chance to ratify or reject the appointee at the polls in the subsequent general election. Thus, the merit plan combines the democratic notions of accountability to the electorate with a cautious and skillful method of selecting qualified individuals.

A second argument made against the adoption of a merit plan is that it does not take politics out of the selection process. This is indeed true, for it is nearly impossible to eliminate *all* politics from this procedure. However, the thrust of this criticism diverges from the central purpose of the plan. Specifically, the object of a merit plan is to provide the judiciary with well-qualified judges and not necessarily to remove politics completely from the process. The mere fact that the governor may choose a member of his party for a judgeship does not negate the merits of the plan. Put simply, the governor will be required to appoint a qualified individual, whether from his party or not, rather than be allowed to appoint a political ally who does not have the requisite ability, experience, and temperament.

It is also contended that under the plan, members of the nominating commission will not be representative of the community at large and thus the nominees will not be drawn from all segments of society. It is argued that nominees will be selected from large law firms, a group which is relatively unknowledgeable in criminal law matters and traditionally lacks pragmatic courtroom experience. As the President's Task Force Report on the Courts suggests, in places where the merit plan has been adopted, no such phenomenon has taken place.[6] For example, a study of the Missouri Plan during its first twenty-five years of operation reveals that many of the nominees have been individual practitioners and that a majority of those formerly employed in law firms have come from offices not exceeding three partners. Fur-

[6] *Task Force Report: The Courts* (Washington: U.S. Government Printing Office, 1967), p. 67.

thermore, no judge has been appointed in Missouri who has attended the prestigious Universities of Harvard, Yale, or Columbia, thus dispelling the myth that only "men from fair old Harvard" will be considered for judgeships. Indeed, most of the attorneys elevated to the bench are born and educated in Missouri.

A fourth argument against the adoption of a merit system is that life tenured judgeships will be the ultimate result. This may be true. In Missouri, for example, only one judge failed to win election between 1941 and 1964. However, this phenomenon may simply indicate that competent judges are being appointed and that the process has worked so successfully that the people simply have not had to employ their ultimate weapon, the franchise, to remove one from office.

Noteworthy is the fact that in states which provide for the popular election of judges, the incumbent is as nearly assured of life tenure as he is under a merit plan. For example, a recent study by the Florida Judicial Council reports that county judges seeking to retain office have only been opposed for reelection approximately half the time. Incumbent circuit judges have been opposed for reelection a mere 20% of the time. Thus most judges in the present electoral system serve relatively long periods of tenure and rarely need to campaign against an opponent.

There are also benefits from long tenure. In the first place, the costs of running elections are reduced, thus enabling the poor as well as the rich to seek office. Second, long tenure ensures a relative sense of security. For instance, the well-established attorney who presumably has the requisite experience and capability may be more likely to leave his firm and accept the burdens of public office when it is understood that minor, or even major, political upheavals will not significantly affect his chances for reelection.

Finally it is argued that the popular election method serves to educate the public, while a merit plan does not. Under the electoral method, it is claimed, the issues are discussed by the opposing candidates and the office seeker

has an opportunity to make known the weaknesses of the incumbent's record. However, proponents of this argument have operated from a false premise. As noted earlier, Florida judges and judges in most other states using the elective method, are seldom opposed for reelection. Even in contested elections, campaigns are generally issueless with both candidates running on nearly identical platforms. Only rarely is an incumbent judge's record at issue. Thus, in a vast majority of instances, the present electoral system does not educate the public.

D. CONCLUSION

The strongest opponents of adopting a merit plan in Florida are likely to be, as in Missouri, the plaintiffs and criminal attorneys, especially night law school graduates, and solo practitioners. What is important to keep in mind is that their worst fears have not been realized. The likely proponents of the plan, the defendants and corporation lawyers, simply have not taken control and dominated these systems. Despite this fact, it can be anticipated that there will be a relatively strong lobby group opposing the reform. Perhaps the best way to mitigate the degree of conflict is to arrive at a compromise. The legislature might consider adopting the plan at the appellate levels only. Thus, the selection of trial judges would remain with the electorate. Support for this idea is found in a survey undertaken in Missouri. There the Plan at the appellate level enjoys considerably more support than at the trial level.

In Florida, a merit plan could be implemented by constitutional amendment. The usual procedure is to have the measure adopted by a three-fifths vote of the membership of each House and then have it submitted to the electorate at the next general election. However, if this procedure is utilized, a merit plan would not be operative for the 1976 election. Thus, consideration might be given to the calling of a special election in 1975. Such a procedure is initiated by a three-fourths vote of the membership of each House.

Before concluding this brief article, a note of caution is in order. Despite the overwhelming evidence in support of adopting a merit plan, there remains one important problem to deal with. The legislature or nominating commission must establish criteria for merit. Such a task is not an easy one, for there is little evidence to suggest what factors taken collectively yield "good" judges. Nonetheless, such variables as age, courtroom experience, diversity of legal experience, length of membership in the Florida Bar, temperament and personal reputation should be among those considered.

In sum, the foregoing assessment of the pros and cons on this topic results in a favorable view toward adopting a merit plan in Florida. It is clear that by combining the appointive and elective plans, a better system emerges. Not only have a large number of states recently adopted such plans, but the President's Commission on Law Enforcement and the Administration of Justice, the American Bar Association, and the American Judicature Society have also urged its adoption.

SELECTED READINGS

Below is a list of selected readings on the merit plan not cited in the previous article.

Barber, Kathleen L. "Ohio Judicial Elections—Nonpartisan Premises With Partisan Results," *Ohio State Law Journal,* XXXII (Fall, 1971), 762-89.

Fishman, Marshall H. "Analysis of Methods of Judicial Selection and Tenure," *Suffolk University Law Review,* VI (Summer, 1972), 954-73.

Florida, *Constitution.* For a copy write, Secretary of State, State Capitol, Tallahassee, Florida. See especially Article V on the Judiciary.

Garwood, W. St. John. "Judicial Revision—An Argument for the Merit Plan for Judicial Selection and Tenure," *Texas Tech Law Review,* V (Spring, 1974), 1-35.

Harding, Ray M. "The Case for Partisan Election of Judges," *American Bar Association Journal,* LV (December, 1969), 1162-64.

Hunter, Judge Elmo B. "25 Years Under the Merit Selection Plan," *Florida Bar Journal,* XXXIX (January, 1965), 22-29.

Kaminsky, Martin L. "Judicial Selection: Alternatives to the Status Quo in the Selection of State Court Judges," *St. John's Law Review,* XLVIII (March, 1974), 496-524.

Segal, Bernard G. "Nonpartisan Selection of Judges: Pennsylvania's Experiment," *American Bar Association Journal,* L (September, 1964), 830-34.

Winters, Glenn R. "The Merit Plan for Judicial Selection and Tenure—Its Historical Development," *Duquesne Law Review,* XLIV (Fall, 1968), 61-78.

UNIVERSITY OF FLORIDA
PUBLIC ADMINISTRATION CLEARING SERVICE

Nos. 1-11 Out of Print.

12. *The Florida Constitution of 1885—A Critique.* By M. J. Dauer and W. C. Havard (1955). $1.00.

13. *An Administration Survey of the Greater Gulf Beaches Opposite St. Petersburg.* By W. C. Havard (1955). Out of Print.

14. *Bibliography of Florida Government.* Edited by William F. Larsen (1955). Out of Print.

15. *Report of the Governor's Citizens' Committee.* Edited by Bruce Mason and Penrose Jackson (1956). Out of Print.

16. *The Text of a Model Zoning Ordinance, With Commentary.* By Fred H. Bair, Jr., and Ernest R. Bartley (1958). Out of Print.

17. *Approaches to Water Resources Development in Central and Southern Florida, 1845-1947.* By John M. McGrove (1958). $1.00.

18. *Bayfill and Bulkhead Line Problems—Engineering and Management Considerations.* By Per Brunn and John M. DeGrove (1959). $1.00.

19. *Mobile Home Parks and Comprehensive Community Planning.* By Ernest R. Bartley, Fredrick H. Bair, Jr. (1960). $3.00.

20. *Representative Government and Reapportionment: A Case Study of Florida.* By William C. Havard and Loren Beth (1960). $1.00.

21. *Florida Lakes—Problems in a Water Paradise.* By Frank E. Maloney and Sheldon Plager (1960). $1.00.

22. *Florida City Managers: Profile and Tenure.* By Gladys M. Kammerer and John M. DeGrove (1961). $1.00.

23. *Convergences in the Study of Comparative Public Administration and Local Government (1962).* By Fred W. Riggs. $1.00.

24. *Federal-State Relationships in Interstate Highway Administration. A Case Study of Florida.* By Joseph A. Uveges, Jr, (1963). $1.00.

25. *Ad Valorem Problems in Florida.* By James Welshow (1964). $1.00. Out of Print.

26. *Changing Political Needs and the Budgetary Process in Florida.* By Robert Scott Gilmour (Intro. by Ruth McQuown) (1964). $1.00.

27. *The Political Restructuring of A Community.* By Ruth McQuown, Wililam R. Hamilton and Michael P. Schneider (1964). $1.00. Out of Print.

28. *The Burden of Ad Valorem Real Property Taxes Under Varying Assessment Ratios: A Case Study.* By Robert J. Garrett and Roy L. Lassiter, Jr. (1965). $1.00.

29. *A Study in Role Conflict: The Departmental Chairman in Decisions on Academic Tenure.* By Frederick S. Lane. (1967). $1.00.

30. *Controlling Waterfront Development.* By Sheldon J. Plager and Frank E. Maloney. (1968). $1.00.

31. *Should Florida Adopt the Proposed 1968 Constitution? An Analysis.* By Manning J. Dauer, Clement H. Donovan and Gladys M. Kammerer. (1968). $1.00.

32. *Our Kind of Ombudsman.* A symposium edited by L. Harold Levinson. $1.00. Out of Print.

33. *The Technology and Impact of Evaluation in Mental Health Centers in Florida.* By Bruce A. Rochleau. (1974). $1.50.

Please address request to the Director, Public Administration Clearing Service, University of Florida, Gainesville, Florida.

CIVIC INFORMATION SERIES (Pamphlet Size)

Nos. 1-26 Out of Print.

27. *The Public Administration Clearing Service: A Tenth Year Reappraisal.* By Bruce B. Mason (1958).

28. *Miami's Metropolitan Experiment.* By Gustave Serinc (1958).

29. *Governing Our Metropolitan Communities.* By Harry Kantor (1958).

30. *The Proposed New Florida Constitution: An Analysis.* By Manning J. Dauer (1958).

31. *Florida Voter's Guide.* By K. D. Price and B. B. Mason (1958). Out of Print.

32. *Program Budgeting: An Aid to Understanding.* By Gladys M. Kammerer (1959). Replaced by No. 38.

33. *Florida's Fresh Water Lakes.* By Ney C. Landrum (1959).

34. *County Home Rule.* By Gladys M. Kammerer (1959). Out of Print.

35. *The Reapportionment Amendment of 1959.* By Rondal G. Downing (1959). Out of Print.

36. *The Constitutional Amendments of 1960.* By John M. DeGrove and Wylie Kilpatrick (1960).

37. *Florida Voter's Guide, 1960 Revision.* Out of Print.

38. *Program Budgeting: An Aid to Understanding—1961 Edition.* By Gladys M. Kammerer.

39. *Urban Planning: An Introduction For The Citizen.* By Ernest R. Bartley (1962).

40. *Reapportionment and Other Constitutional Amendments of 1962.* By Ruth McQuown (1962). Out of Print.

41. *The Changing Urban County.* By Gladys M. Kammerer (1963).

42. *Revenue Bonds and a New Cycle for Election of Governor and Cabinet: Constitutional Amendments of 1968.* By Madelyn L. Kofoglis (1963).

43. *Legislative Power to Revise Constitution, Reorganization of Board of Control and Other Constitutional Amendments of 1964.* By Manning J. Dauer and Gladys M. Kammerer (1964).

44. *The Three Hundred Million Dollar Road Bond Amendment and Other Constitutional Amendments of 1965.* By Gladys M. Kammerer (1965).

45. *Florida Voter's Guide, 1966 Revision.*

46. *A New Method for Discipline and Removal of Judges and Other Constitutional Amendments of 1966.* By Gladys M. Kammerer (1966).

47. *A State Department of Local Affairs.* By Gladys M. Kammerer (1969).

48. *Continuing Permission to Issue Revenue Bonds for Higher Education—Constitutional Amendment of 1969.* By Gladys M. Kammerer (1969).

49. *The Florida Legislature. A Bibliography.* By E. Lester Levine and William H. Creamer (1970).

50. *Proposed Amendments to the Florida Constitution, 1970 General Election.* By Manning J. Dauer, Ernest R. Bartley and Thomas C. Marks, Jr. (1970).

51. *Proposed Corporate Income Tax Amendment, Constitution, 1971.* By C. H. Donovan (1971).

52. *Proposed Amendment to the Florida Constitution, March 14, 1972 Election.* By Manning J. Dauer (1972).

53. Proposed Amendments to the Florida Constitution and Bond Issue Referendum, November 7, 1972. By Clement H. Donovan and Manning J. Dauer (1972).

54. Proposed Amendments to the Florida Constitution, November 5, 1974. By Clement H. Donovan, Manning J. Dauer, and Joseph W. Little. (1974).

55. *A Merit Plan for Selecting Judges in Florida.* By Larry C. Berkson (1975).

Please address request to the Director, Public Administration Clearing Service, University of Florida, Gainesville, Florida. Each Civic Information Series pamphlet costs 25¢.

END