



Merit Retention & Mandatory Retirement of Justices of the Supreme Court

[Merit Retention](#)
[Merit Retention FAQs](#)
[Mandatory Retirement](#)
[Information on the Current Justices](#)

Merit Retention

Merit retention is a system of selecting Justices established by the voters when they amended the Florida Constitution in the 1970s. Under merit retention, the Governor appoints new Justices from a list of three to six names submitted by a Judicial Nominating Commission. The Governor must select from the list. Once appointed, Justices eventually must face the voters in a "yes" or "no" vote as to whether they should remain on the bench.

New Justices face their first merit retention vote in the next general election that occurs more than one year after their appointment. If not retained in office, the Justice will be replaced in the same manner appointed. Justices' merit retention races are conducted on a statewide basis.

If retained, the Justice serves a six-year term beginning in early January following the merit retention election. The Justices then will again face an up or down vote in the general election occurring just before the six-year term expires. If not retained in office, the Justice will be replaced through the Judicial Nominating Commission system.

All terms of Justices end in early January of the year following their merit retention elections.

Merit Retention FAQs

Q: What are the Justices' party affiliations, if any?

A: A Florida statute passed by the legislature, [Section 105.701](#), makes it illegal for any person to use a party affiliation in connection with a judicial election. The penalty is up to \$1,000 per violation. All judicial races are required to be nonpartisan under this law.

Q: How have the Justices voted in cases?

A: A complete record of their votes in cases can be found on the [Opinions Page](#) of this website.

Q: Can I watch videos of the Justices at work?

A: Yes. All of the Court's arguments are webcast live and also are archived at its [Gavel to Gavel](#) website.

Q: What are the Justices' stands on particular issues such as abortion and the death penalty?

A: [Canon 7](#) of the Code of Judicial Conduct forbids the Justices from saying how they will decide future cases, because they must remain truly impartial. However, their votes in prior cases are available on the [Opinions Page](#).

Q: How can I learn more about the Justices backgrounds?

A: [Biographies](#) of the Justices are available on this website.

Q: How did Florida decide to use the merit retention election system?

A: In the mid-1970s, Florida's voters overwhelmingly approved a constitutional amendment requiring that the merit retention system be used for all appellate judges. This vote came after the public became concerned about abuses that occurred because of the earlier system of contested elections.

Q: Where can I find results from prior merit retention elections?

A: The Florida Division of Elections maintains a searchable [Database](#) of prior election results since 1978. Note that merit retention elections only occur during the General Elections in even-numbered years if any Justices are nearing the end of their terms.

Mandatory Retirement

The Florida Constitution establishes a **mandatory retirement age** for Justices that occurs on or after their 70th birthdays. The exact date of retirement depends upon when the 70th birthday occurs. If it occurs during the first half of a Justice's six-year term, then the mandatory retirement age is the same as the birthday. If the 70th birthday occurs in the second half of a Justice's six-year term, then the Justice can remain on the bench until the full term expires.

Information About Current Justices

[BARBARA J. PARIENTE](#)

- Took office 1997
- *Mandatory retirement 2019*

[R. FRED LEWIS](#)

- Took office 1999
- *Mandatory retirement 2019*

[PEGGY A. QUINCE](#)

- Took office 1999
- *Mandatory retirement 2019*

[CHARLES T. CANADY](#)

- Took office 2008
- *Merit retention vote 2016*

[RICKY POLSTON](#)

- Took office 2008
- *Merit retention vote 2016*

[JORGE LABARGA](#)

- Took office 2009
- *Merit retention vote 2016*

[JAMES E.C. PERRY](#)

- Took office 2009
- *Mandatory retirement 2017*