



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

**ADMINISTRATIVE ORDER 2011-106**

**IN RE: SENIOR DISTRICT JUDGE VOTING**

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As entered on July 12, 2008, Administrative Order 2008-21 memorialized this Court's decision to reconcile conflicting statutory authority between Sections 503 and 504 of the Court Security Improvement Act of 2007 regarding the amount of work necessary to be performed by Senior District Judges to be eligible to vote. Administrative Order 2008-23 subsequently corrected a typographical error in the previous order thereby clarifying that Senior District Judges would be eligible to vote if they have performed "in the preceding twelve (12) month period" an amount of work "equal to or greater than the amount of work an average judge in active service on that court would perform in 6 months." The statutory conflict that originally prompted Administrative Orders 2008-21 and 2008-23 has been eliminated with the repeal of Section 504 by the Federal Judiciary Administrative Improvements Act of 2010. Pub. L. No. 111-174, § 2, 124 Stat. 1216 (2010). As a result, without the conflict, Section 503, codified in 28 U.S.C. § 296, exclusively provides for voting rights for Senior District Judges who have "performed *in the preceding calendar year* an amount of work equal to or greater than the amount of work an average judge in active service on that court would perform in 6 months . . . ." Pub. L. No. 110-177, Title V, § 503, 121 Stat. 2534 (2008) (emphasis added). The statutory conflict now having been resolved, it is

**ORDERED AND ADJUDGED** that:

Administrative Orders 2008-21 and 2008-23 are repealed, and pursuant to 28 U.S.C. § 296, those Senior District Judges of the Southern District of Florida who have "performed in the

preceding calendar year an amount of work equal to or greater than the amount of work an average judge in active service . . . would perform in 6 months . . . shall have the powers . . . to participate in appointment of court officers and magistrate judges, rulemaking, governance, and administrative matters" in the United States District Court, Southern District of Florida.

**DONE AND ORDERED** in Chambers in Miami, Miami-Dade County, Florida this 19  
day of December 2011.

  
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FEDERICO A. MORENO  
CHIEF UNITED STATES DISTRICT JUDGE

Copies provided to:

Honorable Joel F. Dubina, Chief Judge, United States Court of Appeals for the Eleventh Circuit  
All Southern District and Magistrate Judges  
Circuit Executive  
Court Administrator • Clerk of Court  
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