

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

GENERAL ORDER NO. 1

Before GODBOLD, Chief Judge, RONEY, TJOFLAT, HILL, FAY, VANCE,
KRAVITCH, JOHNSON, HENDERSON, HATCHETT, ANDERSON, and CLARK,
Circuit Judges.

BY THE COURT:

The circuit judges in regular active service of Unit B of the United States Court of Appeals for the Fifth Circuit, in their capacities as the circuit judges who would be the circuit judges in regular active service of the Eleventh Circuit Court of Appeals beginning October 1, 1981, and who collectively would constitute that court, acting pursuant to § 2(a)(1) and (3) of Public Law 96-458, 96th Congress, did on February 19-20, 1981, fix the number of circuit judges to serve on the Judicial Council of the Eleventh Circuit at all circuit judges in regular active service and fix the number of district judges to serve on the said Judicial Council at three.

Subsequently, a majority of district judges of the circuit in regular active service, and a majority of circuit judges of the circuit in regular active service, and a majority of all judges of the circuit in regular active service, adopted the following recommendations of a joint committee of circuit and district judges:

- District judge membership on the Judicial Council shall be on a geographical basis, with one member each from the states of Georgia, Florida and Alabama.
- The district judge Judicial Council member from each state shall be designated by the chief district judge in that state
- The district judge member may be, but is not required to be a chief district judge.
- The term of office for the district judge members shall be three years, with staggered initial terms, i.e., one for one year, one for two years, one for three years, the order of staggering the terms to be determined by lot.

-- In the event of vacancies by death, retirement, resignation, senior status, or any other reason, the chief district judges of the state involved may collectively make a recommendation for filling the vacancy to the chief judge of the circuit prior to the time the chief judge of the circuit discharges his statutory duty under § 2(a)(6) of replacing a member of the Council.

-- A district judge member may not succeed himself, provided however that the district judge Council member selected for a one-year period shall be eligible to serve an additional three-year successive term and that the district judge Council member selected for a period of two years shall be eligible to serve an additional three-year successive term. The district judge member selected for an initial three-year period shall not be eligible to serve a successive term.

-- Neither the district judge representative to the Judicial Conference of the United States nor the president of the District Judges' Association shall be a member of the Council solely by virtue of his office, but either or both may serve as members of the Council if designated by the chief district judges of the state wherein each resides.

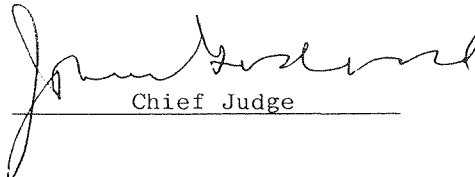
Pursuant to the foregoing procedures the chief district judges from the respective states reported that the initial district judge members of the Council would be:

Alabama: Chief Judge Frank McFadden (1 year term)
Georgia: Chief Judge Anthony Alaimo (3 year term)
Florida: District Judge William Terrell Hodges (2 year term)

The circuit judges in regular active service of the Eleventh Circuit have on October 1, 1981, ratified and confirmed the action previously taken by them in fixing the number of circuit judges and the number of district judges to be members of the Judicial Council.

It is, therefore, ORDERED that the Judicial Council of the Eleventh Circuit from and after October 1, 1981, shall consist of the judges, circuit and district, selected in the manner and for the terms, as hereinabove described. Public Law 96-458 having been complied with by timely actions taken before, and forthwith after, the Eleventh Circuit has come into existence, the Council may schedule meetings at such time as called by the chief judge beginning October 1, 1981.

DONE this the 1st day of October, 1981



Chief Judge