

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY,
FLORIDA

ADMINISTRATIVE ORDER NO.:
04-41-S
SUPERSEDES 04-22-S

**IN RE: COMPENSATION FOR COURT-APPOINTED CONFLICT ATTORNEYS IN
 JUVENILE DELINQUENCY CASES IN SEMINOLE COUNTY (OCTOBER 1,
 2004 - JUNE 30, 2005)**

WHEREAS, court-appointed counsel are entitled to reasonable compensation, White v. Board of County Commissioners of Pinellas County, 537 So. 2d 1376 (Fla. 1989); Makemson v. Martin County, 491 So. 2d 1109 (Fla. 1986), cert. denied, 479 U.S. 1043 (1987); Sheppard & White, P.A. v. City of Jacksonville, 827 So. 2d 925 (Fla. 2002);

WHEREAS, in order to provide for the orderly appointment and compensation of court-appointed counsel in Seminole County for the period beginning October 1, 2004 and ending June 30, 2005, and to disseminate the fee schedule adopted by the Eighteenth Judicial Circuit's Article V Indigent Services Committee for court-appointed counsel;

WHEREAS, sections 27.40, 27.42, and 27.5304, Florida Statutes, effective July 1, 2004, provide that the Article V Indigent Services Committee shall develop a schedule of standard fees for court-appointed attorneys in various categories of cases; and

WHEREAS, in accordance with the July 20, 2004, August 17, 2004, and September 15, 2004 decisions of the Article V Indigent Services Committee for the Eighteenth Judicial Circuit;

NOW, THEREFORE, it is ORDERED:

1. This Administrative Order constitutes "Attachment A" to the uniform contract approved by the Justice Administrative Commission for conflict attorney services in juvenile delinquency cases. For services performed from October 1,

2004 until June 30, 2005, or unless unilaterally amended by the Article V Indigent Services Committee, whichever occurs first, the terms as outlined in this Administrative Order are in effect.

QUALIFICATIONS

2. Registry of Attorneys for Juvenile Delinquency Cases: For any Attorney to be considered by the Indigent Services Committee ("ISC") for placement on the Registry for Juvenile Delinquency Cases, he or she must apply, and shall certify his/her years of experience in practicing criminal law.

ATTORNEY'S FEES

3. Attorney's Fees: Conflict cases at the trial level are to be appointed from the registry of attorneys for juvenile delinquency cases, for compensation of \$650 per felony case and \$250 per misdemeanor case.

DUE PROCESS COSTS

4. Expert Fees:
 - A. Medical Doctors:
 1. \$175.00 for the first hour or less and \$36.25 per quarter hour thereafter for out-of-court services which include, but are not limited to, initial review of records, testing, writing reports, depositions and other appropriate services.
 2. \$175.00 for the first hour or less and \$42.50 per quarter hour thereafter for in-court testimony.
 3. \$85.00 per hour while waiting to testify at court appearances. \$72.50 while waiting to testify at depositions.
 4. \$72.50 per hour for travel time.
 - B. Other Experts:
 1. \$131.00 for the first hour or less and \$32.75 per quarter hour thereafter for out-of-court services which include, but are not limited to, initial review of records, testing, writing reports, depositions and other appropriate services.
 2. \$158.00 for the first hour or less and \$39.50 per quarter hour thereafter for in-court testimony.
 3. \$79.00 per hour while waiting to testify at court appearances. \$65.50 while waiting to testify at depositions.
 4. \$65.50 per hour for travel time.

- C. Maximum Hours Paid: The following are the maximum number of hours that will be paid for expert fees, unless the court determines in an evidentiary hearing that extraordinary circumstances exist which require the maximum hours to be exceeded in that specific case:
1. First Degree Felony cases - 15 hours maximum
 2. Second Degree Felony cases - 10 hours maximum
 3. Third Degree Felony cases - 5 hours maximum
 4. Misdemeanor, Traffic, Juvenile cases - 3 hours maximum
5. Investigator Fees:
- A. Rate: \$50 per hour (for all investigators including mitigation specialists)(all criminal cases)
- B. Maximum Hours: The following are the maximum number of hours that will be paid for investigator fees, unless the court determines in an evidentiary hearing that extraordinary circumstances exist which require the maximum hours to be exceeded in that specific case:
1. First-degree felony cases - 25 hours maximum
 2. Second degree felony cases - 15 hours maximum
 3. Third degree felony cases - 10 hours maximum
 4. Misdemeanor, traffic, juvenile cases: 5 hours maximum
6. Court Reporter Fees:
- A. Appearance Fees:
- | | |
|--------------------|------------|
| Standard Reporting | \$40.00/hr |
| Weekend/Holiday | \$60.00/hr |
| Real-Time | \$50.00/hr |
| No Show/No Notice | \$40.00/hr |
- B. Transcripts:
- | | |
|-----------------------|---------|
| Original (per page) | \$3.50 |
| Each Copy (per page) | \$1.75 |
| ASCII DISK (per disk) | \$25.00 |
- C. Daily Copy:
- | | |
|----------------------|--------|
| Original (per page) | \$6.00 |
| Each Copy (per page) | \$3.25 |
- D. Expedited Copy:
- | | |
|----------------------|--------|
| Original (per page) | \$4.50 |
| Each copy (per page) | \$1.90 |
- E. Other Transcripts/Real-Time:
- | | |
|-----------------------------------|--------|
| Certified daily copy (per page) | \$6.00 |
| Uncertified daily copy (per page) | \$3.00 |

- F. Shipping: Actual amount expended.
7. Interpreter Fees:
 Spanish & French-Certified \$45/hr
 Not certified, registered for the State exam \$35/hr
 Other Languages Up to \$65/hr
8. Psychological/Competency Evaluation Fees:
 Evaluation \$150/hr
 Testifying \$200/hr
 Waiting to testify \$75/hr
 Out of County Travel \$75/hr
9. Process Service Fees:
 A. Fees for Process Service within Florida: Maximum rate of \$25.00 per service or attempted service.
 B. Fees for process service outside of Florida-apply what is actually billed.
10. Miscellaneous Expenses: (general expenses where maximum rates exist):
 A. Travel Expenses:
 1. Mileage is paid for out-of-circuit travel at the rate of \$.29 per mile.
 2. Tolls and parking expenses are paid with proper receipts.
 3. Per diem is paid per state policy.
 4. For other travel expenses such as airfare, hotel, car rental that requires receipts, the attorneys, experts, investigators and any other applicable persons must seek the most reasonable prices.
 B. Photocopies: 15 cents per copy.
- DONE AND ORDERED this 4TH day of October, 2004.

JAMES E.C. PERRY
 JAMES E.C. PERRY
 CHIEF JUDGE

DISTRIBUTION:

All Circuit and County Judges (Seminole County)
 Court Administration (Brevard and Seminole Counties)
 Clerk of Court (Seminole County)
 State Attorney (Seminole County)
 Public Defender (Seminole County)
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