

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

**ADMINISTRATIVE ORDER NO. :
04-42-B AMENDED
SUPERSEDES 04-42-B**

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

WHEREAS, it is necessary to provide for the orderly appointment and compensation of court-appointed counsel in juvenile delinquency cases in Brevard County for the period of October 1, 2004 until 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 in juvenile delinquency cases;

WHEREAS, sections 27.40, 27.42, and 27.5304, Florida Statutes, effective July 1, 2004, provide that the Article V Indigent Services Committee shall establish a registry of attorneys in private practice to represent clients in cases requiring court appointment of counsel and 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:
 - A. Up to two juvenile delinquency contracts will be offered at the rate of \$36,000 per year for representation in 60 juvenile delinquency cases at the trial level. The maximum to be paid is \$9,000 every three months.
 - B. Other conflict cases at the trial level are to be appointed from the general registry of attorneys for juvenile delinquency cases and are to be paid a flat fee of \$500 per case per appointment, unless the Attorney is appointed on multiple cases pertaining to the same juvenile defendant, then the Attorney is to receive \$500 for the first case appointment, and then \$250 for each additional subsequent case appointment made within thirty days of the initial case appointment as long as the initial case is still pending.

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 per hour 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 on a case, 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)
 - B. Maximum Hours: The following are the maximum number of hours that will be paid for investigator fees on a case, 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	\$30.00/hr
Weekend/Holiday	\$45.00/hr
Real-Time*	\$50.00/hr

* 1-1/2 hour minimum per initial appearance
 - B. Transcripts - Standard:

Original for pleas only (per page)	\$3.50
Original (includes 1 copy/per page)	\$4.50
Additional Original Reprints (per page)	\$1.00
ASCII DISK (per disk)	\$5.00
E-TRANSCRIPT (per transmission)	\$10.00

C. Transcripts - Expedited:

1. Delivery on or before the next work day after the order:

Original for pleas only (per page)	\$6.00
Original (includes 1 copy/per page)	\$7.00
Additional Original Reprints (per page)	\$1.00

2. Delivery after one but within three work days of the order:

Original for pleas only (per page)	\$4.50
Original (includes 1 copy/per page)	\$5.50
Additional Original Reprints (per page)	\$1.00

D. Uncontested Divorces - General Master:

Appearance plus transcript* \$35.00

* not paid from public expense flat fee

E. Shipping - Actual amount expended.

7. Interpreter Fees:

Arabic	\$90.00/hr (2 hr min.)
Brazilian Portuguese	\$75.00/hr (2 hr min.)
Cantonese	\$90.00/hr (2 hr min.)
Czechoslovakian	\$100.00/hr (2 hr min.)
Dutch	\$100.00/hr (2 hr min.)
French	\$75.00/hr (2 hr min.)
German	\$90.00/hr (2 hr min.)
Greek	\$100.00/hr (2 hr min.)
Haitian Creole	\$75.00/hr (2 hr min.)
Hungarian	\$100.00/hr (2 hr min.)
Indonesian	\$100.00/hr (2 hr min.)
Italian	\$80.00/hr (2 hr min.)
Japanese	\$90.00/hr (2 hr min.)
Korean	\$90.00/hr (2 hr min.)
Mandarin Chinese	\$90.00/hr (2 hr min.)
Polish	\$100.00/hr (2 hr min.)
Russian-Ukrainian	\$90.00/hr (2 hr min.)
Serbo-Croatian	\$100.00/hr (2 hr min.)
Spanish*	\$40.00/hr (1 hr min.)
Tagalo	\$100.00/hr (2 hr min.)
Thai	\$90.00/hr (2 hr min.)
Turkish	\$100.00/hr (2 hr min.)

Vietnamese \$90.00/hr (2 hr min.)
Sign Language \$70.00/assignment (2 hr):
\$35.00 half hr thereafter

Language Line \$2.50 - \$4.50/minute
*Spanish is a 2-hour minimum when going to Titusville or
the Sharpes Detention Center.

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 15th day of October, 2004.

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

Distribution:

All Circuit and County Judges (Brevard County)
Court Administration (Brevard and Seminole Counties)
Clerk of Court (Brevard County)
State Attorney (Brevard County)
Public Attorney (Brevard County)
Sheriff (Brevard County)
Bar Association (Brevard County)
Law Library (Brevard County)
County Attorney (Brevard County)