



SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA

Request for Qualifications (RFQ)

STENOGRAPHIC COURT REPORTING SERVICES

RFQ # 17-2019-01

SCHEDULE OF EVENTS:

Advertisement of RFQ:	January 24, 2019
Deadline for Receipt of Questions:	February 7, 2019 (5:00 p.m. EST)
Deadline for Written Responses to Questions:	February 15, 2019
Deadline for Receipt of RFQ:	March 1, 2019 (3:00 p.m. EST)
Posting of Intent to Award RFQ:	March 11, 2019

Note: All Responses to this RFQ must be received and date/time stamped by the Office of the Trial Court Administrator by the deadline. Responses received after the deadline will not be accepted. If mailed, the Office of the Trial Court Administrator accepts no responsibility for ensuring that the Response is date/time stamped prior to the RFQ Response Deadline. If the Office of the Trial Court Administrator determines, in its sole discretion, that it is necessary to change any of these dates and times, it will issue an addendum to this RFQ.

DESIGNATED CONTACT:

Marta Prieto, Court Reporting Services Manager
Broward County Courthouse
Room 19170
201 S.E. 6th Street
Fort Lauderdale, Florida 33301
mprieto@17th.flcourts.org

DEFINITIONS:

The term "RFQ" as used herein means Request for Qualifications.

The term "OTCA" as used herein means the Office of the Trial Court Administrator.

The term “Court” as used herein means the Seventeenth Judicial Circuit Court of Florida.

The term “Contractor” as used in this RFQ means a successful Respondent who has entered into a contractual relationship with the Court.

The term “Broward County” as used herein means the Broward County Judicial Complex in Fort Lauderdale, Florida, where judicial proceedings are held.

The term “CART” as used in this RFQ means Communication Access Realtime Translation and is defined by the National Court Reporters Association as “the instant translation of the spoken word into English text using a stenotype machine, notebook computer and realtime software. The text appears on a computer monitor or other display.”

The term “Respondent” as used in this RFQ means an individual or firm submitting a response to this RFQ outlining his or her or its qualifications to provide stenographic court reporting services.

PURPOSE

The purpose of this Request for Qualifications (herein referred to as “RFQ”) is to request qualifications from court reporting firms (herein referred to as “Respondent”) interested in providing stenographic court reporting services funded at public expense for court proceedings in the Seventeenth Judicial Circuit Court of Florida beginning on or about April 1, 2019. The Seventeenth Judicial Circuit is comprised only of Broward County. It is the Seventeenth Judicial Circuit Court’s intent to establish a contractual relationship with a stenographic court reporting firm, or firms, to provide services in certain specific areas not otherwise covered by the Court’s employees who provide court reporting services. The purpose of stenographic court reporting for the courts is to ensure due process by creating a verbatim record of words spoken in court, allowing for the preservation of those words so that, when necessary, they can be timely and accurately transcribed.

Respondents may submit responses for the provision of stenographic court reporters, as outlined in the Scope of Services and the Compensation sections below. This RFQ is for the provision of contractual services mentioned herein. The Court may award multiple contracts pursuant to this RFQ.¹

¹ The Court currently has a contractual relationship with two court reporting firms for the services set forth in this RFQ. These court reporting firms are not required to submit a response to this RFQ. Through this RFQ the Circuit is only seeking to add additional contractors to ensure that there are an adequate number of court reporters available to cover court proceedings.

SCOPE OF SERVICES:

1. The OTCA is accepting written proposals from qualified vendors to provide stenographic court reporting services pursuant to Florida Rule of Judicial Administration 2.535, Seventeenth Judicial Circuit Administrative Orders 2011-22-Gen and 2018-63-Gen (or as may be amended, modified, or superseded), and any other applicable Florida statute(s), court rule(s), or administrative order(s) that pertain to court reporting services.
2. The successful Respondent(s) will be required to execute a contract with the Court to provide court reporting services as set forth herein. The service period will commence on or about April 1, 2019, and will be for three (3) years (corresponding with the State of Florida fiscal year), with the option of one contract renewal for a period of up to three (3) additional years, as further explained in Number 2 of the General Conditions Section of this RFQ.
3. Furnish all labor, necessary stenographic equipment, and all other necessary equipment to provide stenographic court reporting services.
4. The Court reserves the sole right to determine a Respondent's ability to perform in accordance with the specifications, terms, and conditions of this RFQ.
5. Contracts will be awarded to Respondents for the provision of stenographic court reporting services that include, but are not limited to, the following types of court proceedings:
 - a. Circuit Criminal
 - b. Contempt matters as required by law
 - c. Transcription Services on an as required basis
 - d. Other proceedings as directed by the judiciary

The chief judge may designate any judicial proceeding to be electronically recorded in lieu of a stenographic court reporter.

6. The awarded contractor(s) shall further agree to the following:
 - a. Transcripts that comply with Florida Rule of Judicial Administration 2.535, and all other applicable Florida Rules of Court and administrative orders; and
 - b. Retention of notes, records, and transcripts in accordance with requirements of Rule 2.430, Florida Rules of Judicial Administration; and
 - c. A verbatim record of legal proceedings and accurate translations and/or transcripts in a format acceptable to the Seventeenth Judicial Circuit Court and the Florida Supreme Court; and
 - d. Timely distribution of requested transcripts; and
 - e. Careful maintenance of files and records as required by the Florida Rules of Judicial Administration or law; and
 - f. Compliance with Florida Rule of Judicial Administration 2.420, regarding the public access to and protection of judicial branch records; and
 - g. Any and all other requirements of this RFQ and specifications.

7. Respondent is solely responsible for reading and completely understanding the requirements and specifications of the items or services herein and the following to include, but not be limited to, state and federal laws, rules, and administrative orders of the Florida Supreme Court and the Seventeenth Judicial Circuit Court, as currently in effect or as may be amended, modified, or superseded.
8. The awarded contractor(s) shall be responsible for ensuring compliance with the State of Florida public records laws.
9. Pursuant to Florida Rule of Judicial Administration 2.535(d), the chief judge of the Court shall be the owner of all the records and electronic records reported or produced for the Court by the contractor(s).
10. Proceedings will take place in the Broward County Main Judicial Complex, located at 201 S.E. 6th Street, Fort Lauderdale, Florida 33301, and any other place or facility within the circuit where judicial proceedings may be held.
11. The court reporter services Contract or any portion thereof shall not be assigned, subcontracted, or transferred except as allowed in the RFQ specifications, response thereto, and the awarded Contract without the prior express written consent of the Court.
12. The Court in no way implies or guarantees any minimum expenditure or number of cases as part of this RFQ or any resultant Contract.
13. As specified in this RFQ, the Respondent(s) is required to furnish qualified court reporters, staffing, management, administrative and supervisory control as necessary, equipment, computer equipment, printers and paper. Computer equipment shall include real-time capability.
14. The awarded contractor(s) are responsible for supplying its own equipment for proceedings covered under the resultant Contract with no additional costs to the Court or the State of Florida, including connecting tables and any other equipment needed for real-time reporting in accordance with Supreme Court guidelines. The Court will only provide equipment for the judge and defendant(s). The attorneys will provide their own equipment.
15. The awarded contractor(s) shall submit invoices and attendance sheets for each reporter signed by the assigned division judge no later than the 10th of each month for the services provided during the preceding month.

MINIMUM QUALIFICATIONS:

1. **Respondents** must meet the following minimum qualifications:
 - a. Respondent shall have engaged in the provision of stenographic court reporting services for a minimum of the last three (3) years.

- b. Respondent shall currently employ or contract with, or demonstrate the ability to employ or contract with, enough stenographic reporters and administrative staff to service the needs of the judges to which they commit to provide coverage.
 - c. Respondent shall currently employ, or demonstrate the ability to employ, at least one experienced real-time stenographic court reporter with related hardware, not limited to counsels' tables and the judge's bench, and software to meet the requirements of the Supreme Court for Capital Cases and the ADA. The reporter shall have a Certified Realtime Reporter (CRR) certification.
 - d. Respondent shall have the ability to provide transcripts on disks (DVD or CD), e-mail, floppies, flash drives, or other electronic media, and as condensed transcripts.
 - e. Respondent shall have the ability to transmit transcripts electronically as set forth in Florida Rule of Judicial Administration 2.525.
2. **Stenographic court reporting staff of the Respondent** shall meet the following minimum qualifications:
- a. Reporters shall be proficient in reading, writing, and speaking the English language, and shall have extensive knowledge of legal terminology; court practices and procedures; transcript preparation; and professional responsibility.
 - b. Shall comply with state standards if the State of Florida implements certification requirements for circuit court reporters, and if implemented, shall maintain the required certification(s) at their own expense.
 - c. Possess a certificate in stenographic court reporting from an accredited stenographic court reporting school or college, or demonstrate, through at least five (5) original letters of recommendation from judges and/or attorneys, experience (including courtroom experience) and abilities to perform duties as required herein.
 - d. Have at least three (3) years of verifiable stenographic court reporting experience, including at least two (2) years of courtroom experience as determined by the Circuit.
 - e. Be a Computer-Aided Transcript (CAT) reporter if scheduled for real-time stenographic court reporting.
 - f. Shall use steno-machines provided by Respondent that are capable of accommodating computer-aided transcription (CAT) if scheduled for real-time stenographic court reporting.
 - g. Possess a certificate of proficiency or Registered Professional Reporter (RPR) or a Certificate of Merit from the National Shorthand Reporters Association or possess a certification from any other governmental agency, which in the discretion of the Court evidences at least equivalent skills.

- h. Shall be capable of transcribing, editing, and producing typed transcripts as needed, having full responsibility for technical accuracy.
 - i. Shall be capable of producing accurate transcripts consistent with established standards of accuracy.
 - j. Shall be skilled, knowledgeable, and dedicated to achieving and maintaining a high level of professionalism.
 - k. Shall be Notaries Public.
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COMPENSATION:

- 1. Respondent(s) that are awarded a contract pursuant to this RFQ must agree to and will be compensated for transcripts pursuant to Administrative Orders 2011-22-Gen and 2018-63-Gen, as may be amended, modified, or superseded. *See* Attachments B and C.
 - 2. **Appearance Fees for Stenographic Court Reporters in Circuit Court:**
 - a. A session is either 8:30 a.m. to 12:00 p.m. or 1:30 p.m. to 5:00 p.m.
 - b. The rate per session is \$110.00.
 - c. Additional Rate: \$8.00 per quarter hour for time prior to 8:30 a.m., between 12:00 p.m. and 1:30 p.m., or after 5:00 p.m.
 - 3. **Appearance Fees for Real-Time Stenographic Reporters:**
 - a. A session is either 8:30 a.m. to 12:00 p.m. or 1:30 p.m. to 5:00 p.m.
 - b. The rate per session is \$160.00.
 - c. Additional Rate: \$12.00 per quarter hour for time prior to 8:30 a.m., between 12:00 p.m. and 1:30 p.m., or after 5:00 p.m.
 - 4. The Court's performance and obligation to pay for services outlined in this RFQ or any resultant Contract are contingent upon the availability of State funds lawfully appropriated to fulfill the requirements of this RFQ or any resultant Contract. The Court's performance and obligation to pay for services outlined in this RFQ or any resultant Contract are also contingent upon final spending approval from the Chief Justice of the Florida Supreme Court.
 - 5. The Court may request additional court reporting services under this RFQ at any time. The contractor(s) will be compensated for such additional services as mutually agreed by the parties, in writing.
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GENERAL CONDITIONS

1. The Seventeenth Judicial Circuit Court reserves the right to award one or more contracts to provide the required services to qualified responders, as deemed to be in its best interest. The awarded contractor(s) may not currently be an employee of any agency or branch of the State of Florida. Any awarded contractor(s) shall provide the services required herein strictly under a contractual relationship and is not, nor shall be, construed to be an employee of the Court, the Florida State Courts System, or the State of Florida. Prior to signing any resulting contract(s), the contractor must register to do business with the State with the Department of Financial Services.
2. Prior to commencing work, the successful Respondent(s) will be required to sign a written contract incorporating the specifications and terms of this RFQ and the response thereto. Any contract awarded as a result of this RFQ shall be for a period of three (3) years, beginning on or about April 1, 2019, and terminating June 30, 2022. One contract renewal for a period of up to three (3) additional years may be allowed upon the mutual consent of the contractor(s) and the Court. The renewal option shall be exercised only if the work of the contractor is satisfactory to the Court and all original contract terms, conditions, and prices remain the same.
3. As an independent contractor, the awarded contractor(s) shall pay any and all applicable taxes required by law; shall comply with all pertinent Federal, State, and local laws, including, but not limited to, the Fair Labor Standards Act, The Americans with Disabilities Act, the Federal Civil Rights Act, and any and all relevant employment laws. The contractor(s) shall be responsible for all income taxes, FICA, and any other withholdings from its employees, or subcontractors' wages or salaries. Fringe benefits, if applicable, shall be the responsibility of the contractor(s), including, but not limited to, health and life insurance, mandatory social security, retirement, liability/risk management coverage, and workers and unemployment coverage.
4. Any resultant contract, among other things, will be bound by the current Florida State Courts System General Contract Conditions for Services, incorporated herein as if fully recited in this RFQ, which can be found at <http://www.flcourts.org/administration-funding/contract-conditions-for-services.stml>.
5. The contractor(s) shall not be exclusively bound to the Court and may provide court reporting services to other private and public entities as long as there is no conflict of interest.
6. The *Florida State Courts System Fraud Policy*, found at <http://www.flcourts.org/administration-funding/contract-conditions-for-services.stml>, is incorporated herein as if fully stated in this RFQ.
7. Office space for purposes of managing contract services or otherwise fulfilling duties pursuant to the scope of work will not be provided by the Court. Office furnishings, supplies, or other equipment will not be provided by the Court. The Court will not pay for

any training, continuing education expenses, or professional association dues on behalf of the contractor(s).

SUBMITTAL INSTRUCTIONS AND REQUIREMENTS FOR RESPONSE:

1. Instructions:

- a. Responses must be typed on white letter-size paper and each element of the RFQ shall be addressed in a clear, concise manner. Each element shall be labeled and indexed. RFQ shall be individually bound.
- b. One (1) original, marked “ORIGINAL”, and four (4) copies, each marked “COPY”, are required of each RFQ. The RFQ shall be submitted as designated herein by the advertised deadline in a sealed package clearly marked on the outside of the package:

**“RFQ, COURT REPORTING SERVICES”
DUE: 5:00 p.m. EST, March 1, 2019**

- c. RFQs may be delivered in person or mailed to:

Marta Prieto, Court Reporting Services
Broward County Courthouse
Room 19170
201 S.E. 6th Street
Fort Lauderdale, Florida 33301

- d. Any RFQ received after 5:00 p.m. EST, on March 1, 2019, will not be considered for award.

2. Materials: All of the following information must be submitted in response to this RFQ:

- a. *Respondent Information:* Respondent shall submit a brief introduction indicating your interest in providing stenographic court reporting services for the Seventeenth Judicial Circuit Court, along with the following:

- i. Respondent’s official business name; address (physical and mailing, if different); telephone and fax number(s); e-mail address(es); type of business, such as sole proprietorship, partnership or corporation, including the State of incorporation;
- ii. Name of owner(s);
- iii. FEID number or social security number (SSN#);
- iv. Length of time in business;
- v. Location(s) of business operations;
- vi. Qualifications and experience of corporate officer(s) and/or key personnel;

- vii. Number of court reporter staff;
 - viii. Description of support staff;
 - ix. Current financial statement; and
 - x. Proof of insurance.
- b. *Professional Resume*: Respondent shall submit a brief resume that includes a list of Respondent's court reporting experience.
- c. *Statements*:
- i. *Statement of Project Understanding*: Respondent shall submit a statement indicating an understanding of the project and the requirements thereof.
 - ii. *Respondent Qualifications Statement*: Respondent shall submit a statement indicating that Respondent and its staff meet the minimum qualifications outlined in the Minimum Qualifications Section herein. Respondent must attach to the statement all supporting documentation and evidence of meeting the qualifications requirements set forth herein.
 - iii. *Compensation Statement*: Respondent shall submit a statement indicating that Respondent understands and agrees to be compensated as set forth in the Compensation Section of this RFQ.
- d. *Technology Plan*: Respondent shall submit a description of CAT and other computer equipment that would be used in the performance of duties, including hardware, software, and backup and support services.
- e. *Grievance Plan*: Respondent shall submit a description of how complaints concerning fees, errors, tardiness, etc. against individual reporters or the firm are handled by the firm.
- f. *Quality Assurance*: Respondent shall submit the following: the firm's statement of commitment to quality assurance; the firm's capability and plan to guarantee the appearance of court reporters for proceedings; the firm's plan(s) for hiring, training, continuing education, and performance evaluations of employees.
- g. *Staff Roster*: Respondent shall submit a completed Staff Roster (attached and incorporated herein as Attachment "A") listing all of Respondent's staff members that would potentially be providing court reporting services. Staff will be required to undergo annual background checks prior to covering court proceedings and will provide completed authorization for background check forms to the Court for processing.
- h. *References*: Respondent shall submit the name, address, and telephone number of at least three (3) clients for whom similar services are performed.

- i. *Conflict Disclosure*: Respondent shall submit the name(s) of any employee or officer of the Florida State Courts System who owns, directly or indirectly, an interest of 5% or more in the firm. Respondent must also submit the name(s) of any employee, officer, or agent of the firm that has any conflict of interest associated with this project.
 3. Costs of Response Preparation: All costs associated with preparation and submission of a response to this RFQ are fully the responsibility of the Respondent.
 4. **All documents, information or material submitted will become a judicial branch record subject to public access.**
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INQUIRIES AND ADDENDA

Any questions or requests for additional information regarding this RFQ shall be in writing and directed to the person listed in the Designated Contact Section of this RFQ. Questions must be received by the deadline set forth in the Schedule of Events Section of this RFQ. If necessary, clarifications or additional information shall be issued by OTCA. Any clarification or additional information that may substantially affect the outcome of this RFQ will be provided in the form of a written addendum and will be placed on the Court's website at <http://www.17th.flcourts.org/>. The Court will not be bound by any verbal or written information that is not contained within this RFQ or contained in written addenda issued by the OTCA. It is the Respondent(s) responsibility, prior to submitting a Response to this RFQ, to determine if addenda were issued. If addenda were issued, Respondent(s) must make such addenda part of any submitted Response.

RESOLUTION OF GRIEVANCE:

Any Respondent who is aggrieved in connection with this RFQ or award of a contract may seek resolution of the grievance by contacting Kathleen R. Pugh, Esq., Trial Court Administrator.

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

Order Number 2011-22-Gen

**ADMINISTRATIVE ORDER AS TO REPORTING OF PROCEEDINGS
REQUIRED BY LAW OR RULE OF COURT OR AT PUBLIC EXPENSE**

- (a) The 17th Judicial Circuit utilizes electronic and digital recording of proceedings as required by law or rule of court.
- (b) The cost of providing services to users of the court system has increased since 2003 with public funds being spent for the utilization of electronic, or digital, or video recording or the transcription of same.
- (c) In accordance with the authority granted to the chief judge pursuant to Florida Rules of Judicial Procedure 2.215 and 2.535, it is ordered:
 - (1) Definitions. The terms as used throughout this Administrative Order shall have the following meaning.
 - (A) "Electronic and digital recording" is the capture of proceedings either electronically, digitally, or by video.
 - (B) "Court Reporter" is an individual qualified to operate a stenographic machine to take notes of proceedings and thereafter produce a transcript. It shall also include an individual who listens to and produces a transcript of an electronic and digital recording of a proceeding.
 - (C) "Court reporting agency" is a business entity which provides court reporters through a contract with the circuit to make a verbatim record of proceedings and prepare transcripts of proceedings.
 - (D) "Digital Court Reporter" is an individual who operates electronic and digital recording equipment for proceedings.
 - (E) "Official court record" shall be either the electronic and digital recording or the stenographic notes of the proceeding prior to a transcript being typed of the proceedings. If a transcript of the electronic and digital recording or the stenographic notes is prepared upon filing with the Clerk of Court it shall be the official court record.
 - (F) "Proceeding" is all criminal proceedings, juvenile proceedings, and any other matter before a judge or general magistrate or hearing officer when a verbatim record is required by law or rule of court, but does not include any communications which are protected by the attorney client privilege, or work product privilege, or are otherwise not part of the public proceeding before the judge or general magistrate or hearing officer and are private in nature. If there are in camera or side bar matters heard by the presiding judge, those proceedings are part of the proceeding, but are exempt from public access, and shall only be available to the court, party to the action, and the attorney

- for the party as otherwise set forth herein. All proceedings shall be captured by electronic and digital recording unless otherwise exempted herein.
- (G) "Transcript" is the typed verbatim record by a court reporter of the electronic and digital recording of a proceeding or the stenographic notes of a proceeding.
- (H) "Verbatim record" includes all forms in which information of proceedings is received and stored.
- (2) Establishment of Court Reporting Services.
- (A) An office titled Court Reporting Services is established and will be under the auspices of the Trial Court Administrator. The purpose of Court Reporting Services is to provide electronic and digital recording of proceedings required by law or rule of court and to provide transcripts of said proceedings. There shall be a Director of Court Reporting Services.
- (B) The Director shall direct and manage the affairs of all electronic and digital reporting and shall implement policies and procedures for the effective administration of the program.
- (C) The Director shall report to the Trial Court Administrator or designee for day-to-day operations. The Chief Judge or designee shall establish qualifications for Court Reporting Services staff to insure qualified court reporters or digital court reporters with the ability to record proceedings, transcribe proceedings, and certify the correctness of the transcript.
- (3) Electronic and Digital Recording of Proceedings.
- (A) When proceedings are being recorded as the official court record, the digital court reporter monitoring the recording shall immediately notify a designated in-court official when the quality of the recording is doubtful. The proceedings shall be suspended until the equipment is operating properly.
- (B) The digital court reporter shall maintain a detailed, accurate, legible record of all proceedings recorded on any media for electronic and digital recordings. All recording media shall be properly identified, together with the recording log, and will be stored for a period of time as prescribed by the Rules of Judicial Administration by Court Reporting Services.
- (4) Capital cases.
- (A) When the State of Florida prosecutes a case seeking the death penalty, where available, the court reporter shall use "real-time" technology.
- (B) Upon an appeal of the trial court capital case proceedings, and service of a designation to the court reporter, transcripts shall:
- (i) be prepared as required by the Florida Rules of Appellate Procedure; and
 - (ii) be prepared as required by an Administrative Order or policy/procedure required by the appellate jurisdiction; and

- (iii) be in consecutively numbered volumes not to exceed two hundred (200) pages per volume; and
 - (iv) have each page consecutively numbered; and
 - (v) have the first page of each volume with an index which contains the names of the witnesses, list of items offered into evidence, list of items entered into evidence, with the page numbers where each is located.
 - (C) Transcripts of capital cases where the death penalty is imposed are a priority and the court reporter shall use all available methods of production to expedite same for filing in the appellate proceedings.
 - (D) When transcripts of capital cases where the death penalty is imposed are ordered and due, the court reporter shall not appear at any proceeding until the transcript is prepared and delivered as required by law, court order, or rule of court.
- (5) Unified Family Court.
- (A) All proceedings before general magistrates and/or hearing officers shall be by electronic and digital recording even if a court reporter is retained by a party to the case. An attorney or a party may retain the services of a court reporter if he or she does not want the proceeding to be by electronic and digital recording.
 - (B) Proceedings before judges shall be by electronic and digital recording only as required by law or rule of court.
- (6) Transcription of electronic and digital proceedings.
- (A) Court Reporting Services and court reporters shall prepare transcripts of proceedings to meet deadlines as established by law, court order, or rule of court.
 - (B) Any party having an interest in a court action may order a transcription of any electronic and digital recording on file, or request a copy of the original electronic and digital recording. Only Court Reporting Services may prepare the transcript as the official court record from an electronic and digital recording.
 - (C) If the proceeding is confidential and exempt from public access pursuant to law or rule of court and the party requesting the transcription is not an attorney, party of record, or court staff in the performance of his or her duties, the requesting party must secure an order granting the request for the transcription or copy of the proceeding from the presiding judge.
 - (D) Written requests for transcription or copy of any electronic and digital recording shall be sent to Court Reporting Services and shall designate with particularity that portion of the proceeding which is to be transcribed. The request must include:
 - (i) style of case; and

- (ii) date of proceedings; and
- (iii) name of presiding judge or general magistrate or hearing officer; and
- (iv) location where recording occurred; and
- (v) information with regard to the portion requested if not the entire proceeding.

(7) Appellate transcription of electronic and digital proceedings.

- (A) Court Reporting Services is represented by Court Administration's Office of General Counsel when any pleadings or papers are filed with a court having appellate jurisdiction.
- (B) As required by R. Regulating Fla. Bar 4-4.2, a copy of the designation served upon Court Reporting Services pursuant to Fla. R. App. P. 9.200(b) or any other paper filed with the appellate court, shall be served upon Court Administration's Office of General Counsel at Broward County Courthouse, Room 880A, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301.
- (C) In the event a party serving a designation to Court Reporting Services does not receive an acknowledgement as contemplated by Fla. R. App. P. 9.200(b), the party shall contact Court Administration's Office of General Counsel to determine the status of the acknowledgment.

(8) Transcription costs for electronic, digital, or video proceedings by Court Reporting Services.

- (A) All privately ordered transcripts require an initial 50% deposit and the balance is due upon receipt. No transcript shall be released by Court Reporting Services until payment has been made in full.
- (B) Payment for privately ordered transcripts shall be made payable to the State of Florida by attorney trust account check, money order, or official bank check.
- (C) Rates for Court Reporting Services.

Delivery Time	Number	Cost per page
24 hours (overnight)	Original and two (2)	\$ 7.50
	Each additional copy	\$ 1.10
Three (3) business days	Original and two (2)	\$ 6.50
	Each additional copy	\$ 1.10
Six (6) business days	Original and two (2)	\$ 5.50
	Each additional copy	\$ 1.10
Ten (10) business days	Original and two (2)	\$ 5.00
	Each additional copy	\$ 1.10
Appeals	Original and two (2)	\$ 5.00
	and disks Each additional copy	\$ 1.10

The cost for a copy of compact disk, which is not transcribed, is \$25.00.

- (D) At the time of delivery of a transcript Court Reporting Services shall certify that it is a "true and correct stenographic record from the electronic and digital recording of the proceeding."
 - (E) If any dispute arises as to whether the transcript accurately reflects the electronic and digital recording, the attorneys and/or parties shall first attempt to resolve the matter with the Director of Court Reporting Services or designee. If the attorneys and/or parties are not able to resolve the matter with the Director of Court Reporting Services, then the matter shall be resolved by the presiding judge.
- (9) Court Reporter Qualifications.
- (A) A court reporter appearing for a proceeding in a circuit court must have the ability to provide a current stenographic dictionary in a digital format which sets forth his or her manner of writing verbatim records to every court reporting agency on whose behalf he or she appears.
 - (B) A court reporter appearing for a proceeding in a circuit court must have the ability to provide an ASCII disk of all transcribed proceedings.
 - (C) A court reporter must have the ability to produce a transcript as required by law and rule or court which is accurate.
- (10) Retention of records.
- (A) All verbatim records shall be maintained for the period of time required by the Florida Rules of Judicial Administration in effect at the time the record was made. The court reporter, court reporting agency, and Court Reporting Services have the obligation to maintain the verbatim records.
 - (B) The Clerk of Court shall maintain all verbatim records in his custody and possession as required by the Florida Rules of Judicial Administration.
 - (C) A court reporting agency shall secure from every court reporter that appears on behalf of the court reporting agency at a proceeding all verbatim records and thereafter maintain custody and control of same.
 - (D) The court reporter at least yearly or upon other request of the court reporting agency who secured his or her services for a proceeding shall provide a current stenographic dictionary in a digital format which sets forth his or her manner of writing verbatim records.
 - (E) The court reporter shall provide to the court reporting agency on whose behalf he or she appeared, on a monthly basis, a translated disk of all circuit criminal and juvenile proceedings, along with an ASCII disk of all transcribed criminal and juvenile proceedings.

- (11) Contact Information for Court Reporters.
- (A) All court reporters, as an officer of the court, appearing in a Broward County or 17th Judicial Circuit court shall provide the following at the time of each appearance:
- (i) his or her full name; and
 - (ii) the name of the court reporting agency contracting with the court reporter; and
 - (iii) his or her address at which pleadings or papers can be served; and
 - (iv) his or her telephone number at which he or she may be reached.
- (B) The Clerk of Court shall place the contact information with regard to the court reporter in the court file.
- (C) A court reporter shall have a continuing duty to provide a current address and telephone number to the court reporting agency on whose behalf he or she appeared to record the proceeding as long as he or she is required to maintain the verbatim record.
- (12) In the event a court reporter or court reporting agency fails to provide a transcript, upon motion filed by any party, the presiding judge may issue an order for rule to show cause why the court reporter or court reporting agency shall not be held in contempt. Unless otherwise set forth in the order for rule to show cause the proceeding shall be a civil contempt hearing.
- (13) Notices shall be posted in every courtroom, chambers, or hearing room where proceedings are recorded by electronic, or digital, or video equipment that any and all conversations may be recorded. If an attorney, litigant, or any other individual present at the hearing does not want his or her conversation recorded, he or she should exit the location of the hearing, or mute the microphone, or ask the presiding judge to make other arrangements to preclude the contents of the conversation being captured by electronic, digital, or video equipment.
- (14) This Administrative Order shall not preclude the judge, attorneys of record, and parties from all consenting to the proceedings being "off the record."
- (15) This Administrative Order vacates and supersedes Administrative Order 2008-16-Gen.

DONE AND ORDERED in chambers at Fort Lauderdale, Broward County, Florida on April 20, 2011.

s/Victor Tobin
Victor Tobin, Chief Judge

Attachment "C"

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

Administrative Order No. 2018-63-Gen

ADMINISTRATIVE ORDER ESTABLISHING PROCEDURE FOR APPOINTMENT OF COUNSEL IN CRIMINAL AND CIVIL PROCEEDINGS AND ESTABLISHMENT OF DUE PROCESS SERVICE PROVIDER RATES

(a) Section 27.40, Florida Statutes, sets forth the duties and responsibilities of the Chief Judge in establishing a registry of attorneys, to be provided to the Clerk of the Court, for appointment of counsel as authorized by law. Such duties and responsibilities include the authority to restrict the number of attorneys on the registry.

(b) In accordance with the authority vested in the Chief Judge by Article V, section 2(d) of the Florida Constitution, sections 43.26 and 27.40, Florida Statutes, and Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED**:

(1) APPOINTMENT TO REGISTRY. The selection, approval, and continuation of attorneys on the Registry is a privilege, not a right and is dependent upon qualifications, training, and other factors as determined solely by the Chief Judge. The number of appointments an attorney receives is subject to the number of cases filed, the number of cases for which the Office of Public Defender (Public Defender) or Office of Criminal Conflict and Civil Regional Counsel (Regional Counsel) cannot provide representation, and the number of attorneys on the Registry. Attorneys will be added to the Registry on a quarterly basis based on the State of Florida's fiscal year, which is July 1 to June 30. Applications to be added to the Registry must be submitted no later than the first of the month preceding the start of each quarter (i.e., June 1, September 1, December 1, and March 1). Applications received after this date will not be considered until the following quarter. Applications can be located on the following webpage of the Seventeenth Judicial Circuit: www.17th.flcourts.org/court-appointed-attorneys/. Each attorney approved to be added to the Registry is responsible for entering into any and all Agreements required by the Justice Administrative Commission (JAC). The Chief Judge will advise the JAC and Clerk of the Court (Clerk) of the names of the

attorneys approved to be on the Registry. Attorneys' names will not be sent to the Clerk for addition to the Registry until the Chief Judge is notified by the JAC that the attorney has executed any and all required agreements with the JAC.

(2) NOTICES.

(A) Unless otherwise noted herein, any notice required to be provided under this Administrative Order shall be sent in writing to the designated email addresses below:

- (i) Notice to the Chief Judge shall be sent to isc@17th.flcourts.org.
- (ii) Notice to the Clerk shall be sent to CACS@browardclerk.org.
- (iii) Notice to the JAC shall be in the manner required by the JAC.
- (iv) Notice to the Administrative Judge of the Probate Division shall be sent to isc@17th.flcourts.org.

(B) Notices between the Chief Judge and Clerk shall be in an electronic format.

(C) The e-mail addresses of judges, general magistrates, and court administration employees are exempt from public access and shall not be disclosed by the Clerk to any individual who is not employed by the Clerk.

(3) GENERAL REQUIREMENTS.

(A) The attorney must be a member of The Florida Bar in good standing.

(B) The attorney must have either a principle office in Broward County, Florida or a permanent physical office location in Broward County, Florida to meet with clients.

(C) The attorney must have either a telephone number with an area code for Broward County, Florida, or a toll-free number for the receipt of telephone calls from clients.

(D) The attorney must provide notice to the Chief Judge, Clerk, and JAC of any change in address, telephone number or e-mail address, and must also provide notice to the Clerk if the attorney is unavailable to accept appointments for any

period of time. If the attorney is appointed to a case which is confidential or exempt from public access pursuant to rule of court or statute, the attorney shall advise the JAC in writing that the name of the client, pleadings/papers, or progress docket is confidential or exempt from public access and must be redacted prior to any public dissemination.

(E) The attorney must notify the Chief Judge if he or she is under investigation by The Florida Bar, under a criminal investigation, or has pending criminal charges. Upon delivery of the notice, the attorney will be immediately suspended from the Registry for all future appointments pending the outcome of The Florida Bar investigation, criminal investigation or criminal charges, and subsequent review by the Chief Judge of the outcome. The Chief Judge is the sole decision-maker if the attorney is to be reinstated to or removed from the Registry. The Chief Judge has the authority to suspend or remove an attorney from the Registry even if the attorney fails to provide notice.

(F) The attorney must notify the Chief Judge if he or she is held in contempt by a court of competent jurisdiction. Upon delivery of the notice, the attorney will be immediately suspended from the Registry for all future appointments pending review by the Chief Judge of the circumstances surrounding the contempt. The Chief Judge is the sole decision-maker if the attorney is to be reinstated to or removed from the Registry. The Chief Judge has the authority to suspend and/or remove an attorney from the Registry even if the attorney fails to provide notice.

(G) An attorney approved to be added to the Registry may not reassign or subcontract a case on which the attorney has been appointed to another attorney or allow another attorney to appear at a critical stage of the case to which the attorney has been appointed.

(4) ADDITIONAL PROBATE DIVISION REQUIREMENTS. In addition to the general requirements set forth in Paragraph (2) above, attorneys approved for Probate Division categories must comply with the following requirements.

(A) All private attorneys on any Probate Division Registry category are required to maintain in full force and effect malpractice insurance with a liability limit of at least \$300,000.00 during any period of time the attorney is on the Registry. The attorney must submit proof of legal malpractice insurance being in full force and effect within ten (10) days of the expiration of any policy during the fiscal year to

the Chief Judge. Failure to provide proof within ten (10) days of the expiration of any policy will result in an immediate suspension from the Registry until proof of insurance is provided. If the attorney fails to provide proof within thirty (30) days of the policy expiration, the attorney will be removed from the Registry and required to reapply if he or she seeks reinstatement to the Registry.

(B) The initial Continuing Legal Education (CLE) for private attorneys seeking appointments for Adult Protective Services, Developmentally Disabled Adults, Emergency Temporary Guardianships, and Incapacity is ten (10) hours of guardianship, mental health, or elder law topics in the twelve (12) months preceding application and appointment to the Registry. Acceptable CLE courses shall include advance directives, legislative updates, mental health, capacity, any and all aspects of elder law, and courses of other similar nature but shall not include estate planning, mediation training, family law matters, or arbitration training.

(C) Private attorneys receiving appointments on a fiscal year basis, which is defined as July 1 to June 30, for Adult Protective Services, Developmentally Disabled Adults, Emergency Temporary Guardianships, and Incapacity are required to complete six (6) hours of CLE in the areas of elder law, guardianship, or mental health. Acceptable CLE courses shall include advance directives, legislative updates, mental health, capacity and courses of other similar nature but shall not include estate planning, mediation training, family law matters, or arbitration training. The private attorney must provide proof no later than June 15 of each year that the attorney remains on the Registry that he or she has met the annual CLE requirement to the Administrative Judge of the Probate Division. Failure to provide proof will result in an immediate suspension from the Registry until proof of CLE is provided. If the attorney fails to provide proof by September 1, the attorney will be removed from the Registry and required to reapply if he or she seeks reinstatement to the Registry.

(D) Private attorneys receiving appointments for Baker Act, Marchman Act, or Admission of Inmate to Mental Health Facility cases are required to attend any course presented by the Department of Children and Families or Department of Corrections, as applicable and available, with regard to these areas. The attorney must provide proof within ninety (90) days of the course that he or she did attend. Failure to provide proof will result in an immediate suspension from the Registry until proof of attendance is provided. If the attorney fails to provide proof within

six (6) months after notice of the deficiency the attorney will be removed from the Registry and required to reapply if he or she seeks reinstatement to the Registry.

(5) REMOVAL FROM THE REGISTRY.

(A) An attorney may be removed from the Registry if he or she:

(i) Resigns. The attorney shall immediately send notice to the JAC as required by the JAC. The notice shall specifically state those categories from which the attorney is resigning. A copy of the notice shall be provided by the attorney to the Chief Judge and Clerk and shall be relied upon, at the time of receipt, for the removal of the attorney from the Registry as set forth in the notice. A copy of the notice shall be delivered to the Chief Judge by e-mail to isc@17th.flcourts.org. The copy to the Clerk should be delivered to CACS, Room 18130, Broward County Courthouse, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301 and via email to CACS@browardclerk.org. If an attorney later decides he or she wants to be reinstated to the Registry, the attorney must submit a new application to be considered by the Chief Judge.

(ii) Fails to comply with terms of contract with the JAC. The Chief Judge may provide notice to an attorney of any failure to comply with the terms of the contract with the JAC and provide the attorney with an opportunity to respond prior to removal from the Registry.

(iii) Fails to notify the Chief Judge, Clerk, and JAC of any change in status. The removal may be temporary until such time as the attorney notifies the Chief Judge, Clerk, and JAC or may be permanent, in the discretion of the Chief Judge, based upon the nature of the change of status. The Chief Judge shall advise the Clerk if any attorney is removed from the Registry.

(iv) Fails to attend hearings, except for good cause as determined by the presiding judge or general magistrate. The Chief Judge shall advise the Clerk if any attorney is removed from the Registry.

(v) Fails to maintain a valid e-mail address for communication with the Chief Judge, Clerk and JAC. The Chief Judge shall advise the Clerk if any attorney is removed from the Registry.

(vi) Fails to enter into any and all agreement(s) and addendums to agreement(s) as required by the JAC on or before the last weekday of August for each fiscal year the attorney is eligible for inclusion on the Registry. Entering into any and all agreements and addendums to agreements as required by the JAC is solely the responsibility of the attorney. The Chief Judge shall advise the Clerk if any attorney is removed from the Registry.

(vii) Fails to enter into any and all other agreement(s) and addendums to agreement(s) as required by JAC within thirty (30) days of a request by the JAC. The Chief Judge shall advise the Clerk if any attorney is removed from the Registry.

(viii) Has his or her contract terminated by the JAC.

(ix) Terminates his or her contract with the JAC.

(x) Reassigns or subcontracts a case to another attorney, or allows another attorney to appear at a critical stage of the case to which the attorney has been appointed.

(xi) Fails to comply with any provision of this Administrative Order.

(B) If an attorney is disbarred or suspended, has surrendered his or her license to practice law in this State, or is not a member in good standing with The Florida Bar, the attorney must promptly notify the Chief Judge in writing. The Chief Judge has the authority to remove an attorney from the Registry who (1) is disbarred or suspended, (2) has surrendered his or her license to practice law in this State, or (3) is not in good standing with The Florida Bar, even if the attorney fails to provide notice. An attorney removed for any reason set forth in this paragraph, upon reinstatement to The Florida Bar, will be required to submit a new application to be considered by the Chief Judge for reinstatement to the Registry.

(C) At any time an attorney is removed from and later reinstated to the Registry, the attorney will be placed at the bottom of the list for rotation for the category for which the attorney is eligible to receive appointments.

(6) SELECTION OF ATTORNEY FROM REGISTRY.

(A) The judge or general magistrate shall advise the Clerk that a name of an attorney from the Registry is required on a case when Regional Counsel is not authorized by law to provide representation or an order is entered granting his withdrawal. The judge or general magistrate shall provide the Clerk with the name of the individual for whom counsel is being appointed, the case number, and type of case. Upon such notification, the Clerk shall provide the judge with the name of a Registry attorney.

(B) An attorney from the Registry shall be selected for the respondent in all Chapter 744 proceedings unless the judge advises the Clerk the respondent is indigent.

(C) The attorney appointed to a case has an obligation to ensure:

- (i) the Public Defender cannot accept the case pursuant to law; or
- (ii) the Public Defender has filed a motion to withdraw and an order of withdrawal has been entered by the presiding judge; **and**
- (iii) Regional Counsel cannot accept the case pursuant to law; or
- (iv) Regional Counsel has filed a motion to withdraw and an order of withdrawal has been entered by the presiding judge.

If the attorney cannot ascertain the above information, the attorney shall set the matter for a status conference before the presiding judge with notice to the Public Defender and/or Regional Counsel, as applicable.

(D) It shall be the responsibility of the judge to determine if an attorney is eligible for appointments in a Registry category prior to notifying the Clerk of an order of appointment not in rotating order. By way of example, it shall be the responsibility of the judge to determine if the attorney representing the parent in the dependency proceedings is eligible to represent the parent in termination of parental rights proceedings.

(E) The Clerk shall, within one (1) business day of entry of the order of appointment mail a copy of the order to the Public Defender, Regional Counsel, or private attorney. If time is of the essence it shall be the responsibility of the judge to notify the attorney of his or her appointment to represent a defendant, parent, or respondent.

(F) Attorneys shall be selected in strict rotation of the Registry, unless the presiding judge makes a finding of good cause on the record for appointing an attorney not in strict rotation.

(G) The following shall be considered good cause for selecting an attorney not in strict rotation of the Registry, including but not limited to:

(i) The attorney was previously appointed to represent the client in another case. This shall include cases which are simultaneously pending or filed after the initial representation and the Public Defender and Regional Counsel cannot provide representation.

(ii) Florida Statutes or Florida rules of court require an immediate hearing and the attorney next in rotation fails to respond to telephone calls. The judicial assistant for the judge making the appointment shall allow a minimum of one (1) hour to contact the attorney as provided by the Clerk. If the attorney does not return the telephone call within one (1) hour or declines the case, the judicial assistant shall contact the Clerk and request the name of the attorney next on the Registry for that category of cases. This procedure shall continue until such time as an attorney accepts the appointment. **This provision only applies to Emergency Temporary Guardianship proceedings and Parental Notification Waiver proceedings.**

(iii) Florida Statutes or Florida rules of court require the appointment of the previously appointed attorney.

(H) If the Clerk is advised an attorney is appointed out of order, the Clerk shall update the Registry to ensure that the attorney is placed at the bottom of the Registry category in which the case was assigned.

(7) LIST OF ATTORNEYS ON REGISTRY. The Clerk shall provide to the Chief Judge a copy of the Registry on the first business day of each month in an electronic format(s) as determined by the Chief Judge.

(8) SCHEDULING OF ATTORNEYS FOR DEPENDENCY SHELTER HEARINGS.

(A) The Clerk shall schedule attorneys on a quarterly basis to attend the scheduled hearings for dependency shelter hearings. The quarters are based on the State of Florida's fiscal year, which is July 1 to June 30, and the quarters are as follows: July to September (first quarter); October to December (second quarter); January to March (third quarter); and April to June (fourth quarter).

(B) The Administrative Judge for Unified Family Court or his or her designee will notify the Clerk as to the dates, times, and locations of the shelter hearings at least thirty (30) days prior to the start of each quarter.

(C) The Clerk shall select two (2) names of private attorneys from the Dependency Registry, assign a dummy case number for the purpose of selecting names from the Dependency Registry and otherwise schedule private attorneys to appear on weekdays which are not court holidays or days on which the court is otherwise closed. The Clerk shall provide an electronic copy of the schedule to the judges presiding at the shelter hearings, the judicial assistants for the judges presiding at the shelter hearings, the private attorneys on the Dependency Registry, and Regional Counsel no later than the third (3rd) business day of the month preceding the start of each quarter.

(D) Appointments of private attorneys from the Dependency Registry shall not be on a first come, first serve basis. The Clerk's Shelter list shall designate one attorney as the first attorney, and the other attorney as the second attorney. The first attorney on this list shall be given the first appointment for which a Dependency Registry attorney is needed, the second attorney shall be given the second appointment, the first attorney the third appointment, and so on. The attorneys shall be rotated between the first position and second position for each successive scheduled date to assure an equitable distribution of appointments of private attorneys from the Dependency Registry.

(E) If an attorney scheduled to appear at the Shelter hearings cannot appear at the time of the Shelter hearing, the scheduled attorney may trade their designated date with another attorney from the Dependency Registry, who the scheduled attorney shall designate to appear in their place. There shall be no substitutions for a non-appearing attorney as Dependency Registry attorneys are only permitted to trade scheduled dates. The attorneys must provide advance notice to the Clerk of the trade. Notice shall include the names of the attorneys and the dates which have been traded.

(F) When an attorney from the Dependency Registry is appointed for a parent at a Shelter hearing, the Clerk shall update the Dependency Registry to reflect the attorney's appointment for a dependency case and place the attorney at the bottom of the Dependency Registry for dependency appointments.

(G) The procedures as outlined for Shelter hearings is to provide parents and children with an expedited process to determine if a child should remain out of his or her home.

(9) SCHEDULING OF ATTORNEYS FOR EMERGENCY TEMPORARY GUARDIANSHIP HEARINGS.

(A) The Clerk shall schedule private attorneys on a quarterly basis to attend the scheduled hearings for emergency temporary guardianship hearings. The quarters are based on the State of Florida's fiscal year, which is July 1 to June 30, and the quarters are as follows: July to September (first quarter); October to December (second quarter); January to March (third quarter); and April to June (fourth quarter).

(B) The general magistrates for the probate division shall advise the Clerk at least thirty (30) days prior to the commencement of each quarter the dates, times, and locations of the emergency temporary hearings.

(C) Upon securing the information as to the dates, times, and locations of the emergency temporary guardianship hearings, the Clerk shall schedule private attorneys to appear at the date, time, and location of the emergency temporary guardianship hearings. The Clerk shall select one (1) name of a private attorney from the Registry who is approved for emergency temporary guardianship hearings, assign a dummy case number for the purpose of selecting names from the

Registry and otherwise schedule private attorneys to appear at the emergency temporary guardianship hearings.

(D) The Clerk shall provide an electronic copy of the proposed schedule to the private attorneys who shall have five (5) business days to accept the date and time to appear for emergency temporary guardianship hearings. If the private attorney fails to accept the date and time, he or she shall not be scheduled for that date and the Clerk shall select another private attorney from the Registry.

(E) If an attorney, after accepting, is unable to appear at the scheduled date and time, the attorney shall notify the Clerk who shall select another attorney from the Registry.

(F) At the time of finalizing the emergency temporary guardianship hearing schedule, or upon changes to the schedule, the Clerk shall provide an electronic copy to the probate division judges, the judicial assistants for the probate division judges, the general magistrates for the probate division, the administrative assistants for the general magistrates for the probate division, and the private attorneys. The Clerk shall also post a copy of the schedule in his or her office for the probate division.

(G) Upon the filing of the emergency petition and incapacity petition, the Clerk shall update the Registry to reflect the attorney's appointment and drop the attorney to the bottom of the Registry categories for emergency temporary guardianship proceedings and incapacity proceedings.

(10) FEES.

(A) Fees for private attorneys shall be those as established by statute or the General Appropriations Act, whichever shall apply at the time of appointment.

(B) It is the responsibility of the attorney to maintain any and all records required by the JAC to receive compensation at the conclusion of the case to which the attorney is appointed.

(C) The private attorneys scheduled for or appearing at dependency shelter hearings are not entitled to receive fees unless an order of appointment is entered

by the judge appointing the attorney to the dependency case at the time of the shelter hearings.

(D) The private attorneys scheduled for emergency temporary guardianship hearings are not entitled to receive fees unless a case is filed with the Clerk wherein a determination of incapacity and appointment of an emergency temporary guardian is sought.

(E) If an attorney seeks fees in excess of those established by statute or the General Appropriations Act, whichever shall apply at the time of appointment, the attorney shall comply with all statutory requirements.

(F) If an attorney withdraws from the case and intends to seek a portion of the flat fee for representation of the defendant, parent, or respondent, the attorney shall file a motion in the case with service upon the JAC and the subsequently appointed attorney. The attorney subsequently appointed shall, at the conclusion of the case, provide notice to the prior attorney that the case is concluded so that:

- (i) both attorneys can file any and all appropriate requests for fees with the JAC; and
- (ii) both attorneys can file a motion before the presiding judge for an allocation of the flat fee.

(G) It shall be the responsibility of the withdrawn attorney to set the motion for hearing before the presiding judge with notice to the JAC and the subsequently appointed attorney.

(H) If the respondent in a Chapter 744 proceeding is not determined indigent by the Clerk, then the attorney appointed from the Registry shall be entitled to fees and costs pursuant to Chapter 744 and is not required to file a motion for extraordinary fees.

(11) APPOINTMENT OF A NON-REGISTRY ATTORNEY.

(A) A non-Registry attorney may be appointed if:

- (i) There are no attorneys on the Registry for a category of cases requiring appointment of counsel; or

- (ii) All attorneys on the Registry for a category of cases have withdrawn or declined the appointment of the case; or
- (iii) All attorneys on the Registry for a category are precluded by statute or rule of court from accepting any additional appointments.

(B) The presiding judge shall set forth in the order of appointment that the Public Defender and Regional Counsel are unable to represent the individual and one of the reasons from paragraph (11)(A) of this Administrative Order.

(C) The attorney appointed shall be ordered to execute any and all Agreements required by the JAC to be compensated and for payment of due process expenses.

(D) The Clerk shall, within one (1) business day of entry of the order of appointment, send a copy to the private attorney. If expedited notice of the appointment is required, the judicial assistant or general magistrate shall provide verbal notice to the private attorney.

(12) COMPLAINTS.

(A) Any interested person may advise the presiding judge, in writing, of any matter set forth in section 27.40(9), Florida Statutes. Upon receipt of the written document with regard to any matter set forth in section 27.40(9), Florida Statutes, the presiding judge shall set the matter for hearing with notice to the attorney, individual for whom the attorney was appointed to represent, the individual who notified the court, and any other attorney who has made an appearance in the case. At the conclusion of the hearing, the presiding judge shall enter an order which includes a recitation of facts as well as whether the attorney should be suspended or removed from the Registry for a specific period of time. A copy of the written complaint and order shall be provided to the Chief Judge at the conclusion of the hearing. The Chief Judge shall make the final decision as to whether a private attorney is temporarily or permanently removed from the Registry.

(B) Any judge presiding over a matter in which an attorney has been appointed to represent a party may advise the Chief Judge, in writing, of any matter concerning the adequacy of the attorney's representation, including any violation of this Administrative Order, and the Chief Judge or his or her designee shall promptly inquire into the circumstances. Upon receipt of the information and subsequent

inquiry, the Chief Judge shall be the sole decision-maker as to whether the attorney is suspended from the Registry for a period of time or removed from the Registry.

(13) APPELLATE CASE REGISTRY REQUIREMENTS.

(A) *Criminal Division.* The Clerk and judge shall confer to determine if the private attorney selected has the qualifications as set forth herein to represent the defendant on appeal. The judge can require the private attorney selected by the Clerk to provide proof of meeting the requirements as set forth herein prior to entering the order of appointment. If the determination is made the private attorney does not meet the requirements as set forth herein to represent the defendant on appeal, the private attorney should not be appointed with the reason noted by the judge, so that the attorney remains at the top of the Registry category for the next appointment. The necessity of the judge and Clerk conferring as to the appointment of a private attorney is required as the Appropriation categories, Registry categories, and qualifications may differ, and it is the responsibility of the judge to ensure that a qualified private attorney is appointed.

(i) *Misdemeanor*

Registry Category: Appellate

Appropriations Category: Misdemeanor Appeals

Length of Bar Membership: 2 years

CLE Requirement: 10 hours of CLE in appellate law **OR** 5 hours of CLE in appellate law and 5 hours of CLE in criminal law for the last reporting cycle or current reporting cycle

Experience: 3 criminal appeals **OR** 5 criminal trials

(ii) *Second and Third Degree Felony*

Registry Category: Appellate

Appropriations Category: Felony Appeals

Length of Bar Membership: 2 years

CLE Requirement: 10 hours of CLE in appellate law **OR** 5 hours of CLE in appellate law and 5 hours of CLE in criminal law for the last reporting cycle or current reporting cycle

Experience: 3 criminal appeals **OR** 5 criminal trials

(iii) *Non-Capital Appeals*

Registry Category: Appellate

Appropriations Category: Felony Appeals

Length of Bar Membership: 3 years

CLE Requirement: 10 hours of CLE in appellate law for the last reporting cycle or current reporting cycle

Experience: 5 criminal appeals **OR** 10 criminal trials (The 10 criminal trials shall be defined as at least 5 felony trials and 3 criminal appeals.)

(iv) ***Death Penalty Appeals***

Registry Category: Appellate - Capital

Appropriations Category: Capital Appeals

Length of Bar Membership: 5 years

CLE Requirement: 12 hours of CLE in defense of capital cases at least every 24 months

Appellate or Criminal Practice Percentage: 33%

Experience:

A. 5 years of experience in criminal law **AND** prepared a brief for an appeal for at least 1 case which had a sentence of death imposed **AND** experience as lead counsel in the appeal of at least 3 felony convictions, in federal or state court, of which at least 1 was an appeal of a murder conviction; **OR**

B. Lead counsel in the appeal of at least 6 felony convictions in federal or state court, of which at least 2 were appeals of a murder conviction

(v) ***Involuntary Commitment of Sexually Violent Predators and Complex Appeals***

Registry Category: Appellate

Appropriations Category: Civil Appeal

Length of Bar Membership: 4 years

CLE Requirement: 10 hours of CLE in appellate criminal law for the last reporting cycle or current reporting cycle

Appellate Experience: 5 criminal appeals, at least 3 of which are non-capital appeals

Appellate or Criminal Practice Percentage: 33%

(B) ***Dependency Division.*** The Clerk and judge shall confer to determine if the private attorney selected has the qualifications as set forth herein to represent the

party appealing. The judge can require the private attorney selected by the Clerk to provide proof of meeting the requirements as set forth herein prior to entering the order of appointment. If the determination is made the private attorney does not meet the requirements as set forth herein to represent the party appealing, the private attorney should not be appointed with the reason noted by the judge and an indication why, so that the private attorney remains at the top of the Registry category for the next appointment. The necessity of the judge and Clerk conferring as to the appointment of a private attorney is required as the Appropriation categories, Registry categories, and qualifications may differ, and it is the responsibility of the judge to ensure that a qualified private attorney is appointed.

(i) ***Dependency and Termination of Parental Rights***

Registry Category: Appellate-Dependency

Appropriations Category: Dependency Appeals; TPR Appeals

The Appropriations category used will depend on the type of appeal.

Length of Bar Membership: 2 years

CLE Requirement: 3 hours of dependency CLE for the last reporting cycle or current reporting cycle

Appellate, Dependency or Family Practice Percentage: 25%

Appellate Experience:

A. 3 years of experience in dependency or appellate law **AND** lead counsel in at least 3 contested dependency trials **AND** 3 contested termination of parental rights trials; **OR**

B. Demonstrate knowledge through the practice of family law

(ii) ***Parental Notification Waiver***

Registry Category: Appellate-Dependency

Appropriations Category: Civil Appeal

Length of Bar Membership: 5 years

CLE Requirement: review of the ACLU materials with a statement of same on the application

Experience: A minimum of 5 constitutional law appeals. In addition, attorneys shall be familiar with the youth, privacy and constitutional issues relating to reproductive rights.

(iii) ***Children/Families in Need of Services***

Registry Category: Appellate-Dependency

Appropriations Category: Civil Appeal

Length of Bar Membership: 2 years

CLE Requirement: 3 hours of dependency CLE for the last reporting cycle or current reporting cycle

Appellate, Dependency or Family Practice Percentage: 25%

Appellate Experience:

A. 3 years of experience in dependency or appellate law **AND** lead counsel in at least 3 contested dependency trials **AND** 3 contested termination of parental rights trials; **OR**

B. Demonstrate knowledge through the practice of family law

(C) *Juvenile Delinquency Appeals.* The Clerk and judge shall confer to determine if the private attorney selected has the qualifications as set forth herein to represent the minor child on appeal. The judge can require the private attorney selected by the Clerk to provide proof of meeting the requirements as set forth herein prior to entering the order of appointment. If the determination is made the private attorney does not meet the requirements as set forth herein to represent the minor on appeal, the attorney should not be appointed with the reason noted by the judge and an indication why, so that the private attorney remains at the top of the registry category for the next appointment. The necessity of the judge and Clerk conferring as to the appointment of a private attorney is required as the Appropriation categories, Registry categories, and qualifications may differ, and it is the responsibility of the judge to ensure that a qualified private attorney is appointed.

(i) *Misdemeanor*

Registry Category: Appellate

Appropriations Category: Juvenile Delinquency Appeals

Length of Bar Membership: 2 years

CLE Requirement: 10 hours of CLE in appellate law **OR** 5 hours of CLE in appellate law and 5 hours of CLE in criminal law for the last reporting cycle or current reporting cycle

Experience: 3 criminal appeals **OR** 5 criminal trials

(ii) *Second and Third Degree Felony*

Registry Category: Appellate

Appropriations Category: Juvenile Delinquency Appeals

Length of Bar Membership: 2 years

CLE Requirement: 10 hours of CLE in appellate law **OR** 5 hours of CLE in appellate law and 5 hours of CLE in criminal law for the last reporting cycle or current reporting cycle
Experience: 3 criminal appeals **OR** 5 criminal trials

(iii) ***First Degree and Life Felony Appeals***

Registry Category: Appellate

Appropriations Category: Juvenile Delinquency Appeals

Length of Bar Membership: 3 years

CLE Requirement: 10 hours of CLE in appellate law for the last reporting cycle or current reporting cycle

Experience: 5 criminal appeals **OR** 10 criminal trials (The 10 criminal trials shall be defined as at least 5 felony trials and 3 criminal appeals)

(14) CRIMINAL DIVISION REGISTRY REQUIREMENTS. Each of the following Criminal Division Registry categories shall also be used for the appointment of counsel, based upon the charge for which the appointment is required: Violation of probation and/or violation of community control (Appropriations Category: Violation of Probation-Misdemeanor (includes VOCC); contempt proceedings (Appropriations Category: Contempt Proceedings); extradition (Appropriations Category: Extradition); 3.850 and 3.800. (Appropriations Category: Post conviction - 3.850 and 3.800).

(A) ***Misdemeanor and Criminal Traffic***

Registry Category: Misdemeanor

Appropriations Category: Misdemeanor; Criminal Traffic

Length of Bar Membership: 1 year

CLE Requirement: 10 hours of criminal law CLE for the last each reporting cycle or current reporting cycle

Trial Experience: 3 state or federal jury or nonjury trials

(B) ***Third Degree Felony***

Registry Category: Third Degree Felony

Appropriations Category: Felony - 3rd Degree

Length of Bar Membership: 2 years

CLE Requirement: 10 hours of criminal law CLE for the last reporting cycle or current reporting cycle and demonstrated compliance with Fla. R. Crim. P. 3.113.

Trial Experience: Minimum of 5 criminal jury trials

(C) ***Second Degree Felony***

Registry Category: Second Degree Felony

Appropriations Category: Felony - 2nd Degree

Length of Bar Membership: 2 years

CLE Requirement: 10 hours of criminal law CLE for the last reporting cycle or current reporting cycle and demonstrated compliance with Fla. R. Crim. P. 3.113.

Trial Experience: Minimum of 7 criminal jury trials, 2 of which must be felony trials

(D) ***First Degree Felony***

Registry Category: First Degree/Life Felony

Appropriations Category: Felony - 1st Degree

Length of Bar Membership: 5 years

CLE Requirement: 10 hours of criminal law CLE for the last each reporting cycle or current reporting cycle and demonstrated compliance with Fla. R. Crim. P. 3.113.

Trial Experience: 15 Criminal trials, 10 of which shall be jury trials and at least 5 of the jury trials in felony cases

Criminal Practice Percentage: 50%

(E) ***Life Felony***

Registry Category: First Degree/Life Felony

Appropriations Category: Felony - Life; Felony - PBL

Length of Bar Membership: 5 years

CLE Requirement: 10 hours of criminal law CLE for the last reporting cycle or current reporting cycle and demonstrated compliance with Fla. R. Crim. P. 3.113.

Trial Experience: 15 Criminal trials, 10 of which shall be jury trials and at least 5 of the jury trials in felony cases

Criminal Practice Percentage: 50%

(F) ***Capital Sexual Battery***

Registry Category: Capital Sexual Battery

Appropriations Category: Capital Sexual Battery

Length of Bar Membership: 5 years

CLE Requirement: 10 hours of criminal law CLE for the last reporting cycle or current reporting cycle and demonstrated compliance with Fla. R. Crim. P. 3.113.

Trial Experience: 15 Criminal trials, 10 of which shall be jury trials and at least 5 of the jury trials in felony cases

Criminal Practice Percentage: 50%

(G) ***First Degree Murder (Death Penalty waived at time of appointment)***

Registry Category: First Degree/Life Felony

Appropriations Category: Felony - Life

Length of Bar Membership: 5 years

CLE Requirement: 10 hours of criminal law CLE for the last reporting cycle or current reporting cycle and demonstrated compliance with Fla. R. Crim. P. 3.113.

Trial Experience: 15 Criminal trials, 10 of which shall be jury trials and at least 5 of the jury trials in felony cases

Criminal Practice Percentage: 50%

(H) ***Capital (Death Penalty not waived at the time of appointment)***

(i) **Lead Counsel**

Registry Category: Capital

Appropriations Category: Capital - 1st Degree Murder (Lead Counsel)

Length of Bar Membership: 5 years

Additional Requirements: Fla. R. Crim. P. 3.112; Fla. R. Crim. P. 3.113.

Trial Experience: Lead trial counsel in no fewer than 9 state or federal jury trials of serious and complex cases which were tried to completion, as well as prior experience as lead defense counsel or co-counsel in at least 2 state or federal cases tried to completion in which the death penalty was sought. In addition, of the 9 jury trials which were tried to completion, the attorney should have been lead counsel in at least 3 cases in which the charge was murder; or

alternatively, of the 9 jury trials, at least 1 was a murder trial and an additional 5 were felony jury trials.

Criminal Practice Percentage: 50%

(ii) **Co-Counsel**

Registry Category: Capital Co-Counsel

Appropriations Category: Capital – 1st Degree Murder (Co-Counsel)

Length of Bar Membership: 3 years

Additional Requirements: Fla. R. Crim. P. 3.112; Fla. R. Crim. P. 3.113.

Trial Experience: Lead counsel or co-counsel in no fewer than 3 state or federal jury trials of serious and complex cases which were tried to completion, at least 2 of which were trials in which the charge was murder; or alternatively, of the 3 jury trials, at least 1 was a murder trial and 1 was a felony jury trial

Criminal Practice Percentage: 50%

(I) ***Involuntary Civil Commitment of Sexually Violent Predator Cases (Chapter 394, Part V)***

Registry Category: Jimmy Ryce

Appropriations Category: Baker Act/Mental Health-Ch. 394, F.S.

Length of Bar Membership: 5 years

CLE Requirement: 10 hours of criminal law CLE for the last reporting cycle or current reporting cycle

Trial Experience: 15 Criminal trials, 10 of which shall be jury trials and at least 5 of the jury trials in felony cases

Criminal Practice Percentage: 50%

(15) DEPENDENCY DIVISION REGISTRY REQUIREMENTS

(A) ***Dependency***

Registry Category: Dependency;

Appropriations Category: Dependency

The Dependency Registry category shall be used by the Clerk when scheduling attorneys to appear at Shelter Hearings.

Length of Bar Membership: 1 year

CLE Requirement: 3 hours of dependency CLE for the last reporting cycle or current reporting cycle

Family or Dependency Practice Percentage: 25%

Trial Experience: 30 hours of hearing time representing a parent or child. The hearing hours shall consist of at least 6 shelter hearings, 3 dependency hearings, and 1 termination of parental rights hearing

(B) ***Termination of Parental Rights Cases (Chapter 39 and 63 Proceedings)***

Registry Category: Termination of Parental Rights

Appropriations Category: Termination of Parental Rights - Ch. 39, F.S.; Termination of Parental Rights – Ch. 63, F.S. The selection of an appropriations category is dependent on the chapter under which the action is filed.

Length of Bar Membership: 2 years

CLE Requirement: 3 hours of dependency CLE for the last reporting cycle or current reporting cycle

Family or Dependency Practice Percentage: 25%

Trial Experience: 10 dependency trials **OR** 1 year of dependency experience

(C) ***Parental Notification Waiver Cases***

Registry Category: Judicial Waiver

Appropriations Category: Parental Notification of Abortion Act

Length of Bar Membership: 2 years

CLE Requirement: review of the ACLU materials with a statement of same on the application

Trial Experience: Minimum of 5 criminal or civil trials **OR** 5 adjudicatory/evidentiary hearings. In addition, attorneys shall be familiar with the youth, privacy and constitutional issues relating to reproductive rights. The attorney should also have an interest in working with teens.

(D) ***Children/Families in Need of Services Cases***

Registry Category: Dependency

Appropriations Category: CINS/FINS - Ch. 984, F.S.

Length of Bar Membership: 1 year

CLE Requirement: 3 hours of dependency CLE for the last reporting cycle or current reporting cycle

Family or Dependency Practice Percentage: 25%

Trial Experience: 30 hours of hearing time representing a parent or child. The hearing hours shall consist of at least 6 shelter hearings, 3 dependency hearings, and 1 termination of parental rights hearing

(E) ***Emancipation***

Registry Category: Dependency

Appropriations Category: Emancipation

Length of Bar Membership: 1 year

CLE Requirement: 3 hours of dependency for the last reporting cycle or current reporting cycle

Family or Dependency Practice Percentage: 25%

Trial Experience: 30 hours of hearing time representing a parent or child. The hearing hours shall consist of at least 6 shelter hearings, 3 dependency hearings, and 1 termination of parental rights hearing

(F) ***Children with Special Needs***

Registry Category: Children with Special Needs

Appropriations Category: Guardian Ad Litem

Length of Bar Membership: 2 years

CLE Requirement: 3 hours of dependency CLE for the last reporting cycle or current reporting cycle

Family or Dependency Practice Percentage: 25%

Trial Experience: 10 dependency trials **OR** 1 year of dependency experience

(16) JUVENILE DELINQUENCY REGISTRY REQUIREMENTS. Each of the following Juvenile Delinquency Division Registry categories shall also be used for the appointment of counsel, based upon the charge for which the appointment is required: violation of probation and/or violation of community control (Appropriations Category: Violation of Probation [VOCC] Juvenile Delinquency).

(A) ***Misdemeanor***

Registry Category: Juvenile-Misdemeanors

Appropriations Category: Juvenile Delinquency - Misdemeanor

Length of Bar Membership: 1 year

CLE Requirement: 10 hours of criminal law CLE for the last reporting cycle or current reporting cycle

Trial Experience: 5 adjudicatory hearings **OR** 3 criminal jury trials one of which is a second degree felony or higher

(B) ***Third Degree Felony***

Registry Category: Juvenile-Third Degree Felony

Appropriations Category: Juvenile Delinquency - 3d Degree

Length of Bar Membership: 3 years

CLE Requirement: 10 hours of criminal law CLE for the last reporting cycle or current reporting cycle

Trial Experience: 5 adjudicatory hearings **OR** 3 criminal jury trials with at least 1 a second degree felony or higher

(C) ***Second Degree Felony***

Registry Category: Juvenile-Second Degree Felony

Appropriations Category: Juvenile Delinquency - 2nd Degree

Length of Bar Membership: 3 years

CLE Requirement: 10 hours of criminal law CLE for the last reporting cycle or current reporting cycle

Trial Experience: 5 adjudicatory hearings **OR** 3 criminal jury trials with at least 1 a second degree felony or higher

(D) ***First Degree or Life Felony***

Registry Category: Juvenile-First Degree and Life Felony

Appropriations Category: Juvenile Delinquency - 1st Degree

Felony; Juvenile Delinquency - Felony Life

The selection of an appropriations category is determined by the charge for which the minor is tried or pleads.

Length of Bar Membership: 3 years

CLE Requirement: 10 hours of criminal law CLE for the last reporting cycle or current reporting cycle

Criminal Practice Percentage: 50%

Trial Experience: 5 adjudicatory hearings **OR** 3 criminal jury trials with at least 1 a second degree felony or higher

(17) **PROBATE DIVISION REGISTRY REQUIREMENTS.**

(A) ***Adult Protective Services***

Registry Category: Probate-Adult Protective Services

Appropriations Category: Adult Protective Services- Ch. 415, F.S.

CLE Requirement: 10 hours of CLE for topics including guardianship, mental health, or elder law for the last reporting cycle or current reporting cycle

Trial Experience: Minimum of 10 cases representing a respondent in APS proceedings and/or developmentally disabled adult proceedings and/or incapacity proceedings

(B) ***Developmentally Disabled Adults***

Registry Category: Probate-Developmentally Disabled Adults

Appropriations Category: Developmentally Disabled Adult

CLE Requirement: 10 hours of CLE for topics including guardianship, mental health, or elder law for the last reporting cycle or current reporting cycle

Trial Experience: 10 cases representing a respondent in APS proceedings and/or developmentally disabled adult proceedings and/or incapacity proceedings

(C) ***Emergency Temporary Guardianships***

Registry Category: Probate - Emergency Temporary Guardianship

Appropriations Category: Guardianship-Emergency-Ch. 744, F.S.

Probate - Emergency Temporary Guardianship Registry category shall be used by the Clerk when scheduling attorneys to appear at emergency hearings before the general magistrates or if there is a Petition for Emergency Temporary Guardianship to be heard at a time other than established for emergency temporary guardianship hearings.

CLE Requirement: 10 hours of guardianship CLE for the last reporting cycle or current reporting cycle

Trial Experience: Minimum of 10 cases representing a respondent in APS proceedings and/or developmentally disabled adult proceedings and/or incapacity and/or emergency temporary guardianship proceedings (may also include 10 cases representing a guardian or proposed guardian in developmentally disabled adult proceedings or Chapter 744 proceedings)

(D) ***Guardianship Incapacity, Extraordinary Proceedings, and Restoration***

Registry Category: Incapacity

Appropriations Category: Guardianship - Ch. 744, F.S.

CLE Requirement: 10 hours of guardianship CLE for the last reporting cycle or current reporting cycle

Trial Experience: 10 cases representing a respondent in APS proceedings and/or developmentally disabled adult proceedings and/or incapacity and/or emergency temporary guardianship proceedings (may also include 10 cases representing a guardian or proposed guardian in developmentally disabled adult proceedings or Chapter 744 proceedings)

(E) ***Medical Procedures***

Registry Category: Probate-Baker Act

Appropriations Category: Medical Procedures-Section 394.459(3), F.S.

Experience: Education or training with regard to mental health issues

(F) ***Mental Health***

Registry Category: Probate-Baker Act

Appropriations Category: Baker Act/Mental Health-Ch. 394, F.S.

CLE Requirement: online course at

<http://mhlp.fmhi.usf.edu/training/tdetail.cfm?id=47>

with a copy of the certificate of completion

Experience: Education or training with regard to mental health issues

(G) ***Substance Abuse***

Registry Category: Probate - Marchman Act

Appropriations Category: Marchman Act/Substance Abuse - Ch. 397, F.S.

Experience: Education or training with regard to substance abuse issues

(H) ***Tuberculosis***

Registry Category: Probate-Tuberculosis

Appropriations Category: Tuberculosis - Ch. 392, F.S.

Experience: Education or training with regard to tuberculosis

(I) ***Admission of Inmate to Mental Health Facility***

Registry Category: Department of Corrections Mental Health

Appropriations Category: Admission of Inmate to Mental Health Facility

Experience: Education or training with regard to mental health issues

(18) DUE PROCESS PROVIDER RATES.

(A) The due process provider rates for costs incurred on or after July 1, 2010 shall comply with the due process provider rates as established by the Legislature. The private attorney shall also comply with all requirements of the JAC for approval of costs and payment of costs.

(B) The due process provider rates for the period of time October 1, 2007 to June 30, 2010 were:

(i) ***Expert Witness Fees***

<u>Category</u>	<u>Fee Rate</u>
Downward Departure Examination	\$400.00 per examination and report
Expert Witness	\$150.00 per hour
Expert Witness – Out of Court	\$110.00 per hour

<u>Category</u>	<u>Fee Rate</u>
Expert Witness – Waiting to Testify at Court Proceeding or Deposition	\$70.00 per hour
Expert Witness – Travel	\$60.00 per hour
Expert Witness	\$1,580.00 per case
Insanity Evaluations	\$150.00 per hour
Investigators	\$38.00 per hour
Investigators	\$840.00 per case
Medical Doctors – Deposition and In Court	\$150.00 per hour
Medical Doctors – Out of Court	\$130.00 per hour
Other Pre-Trial Expert – In Court	\$100.00 per hour
Other Pre-Trial Expert – Out of Court	\$77.00 per hour
Psychological (Competency) Examination	\$250.00 per examination
Psychologist – In Court	\$140.00 per hour
Psychologist – Out of Court	\$130.00 per hour
Psychologist – Waiting to Testify at Court Proceeding or Deposition	\$85.00 per hour

(ii) ***Interpreters***

Creole \$35.00 per hour, one (1) hour minimum and

French	\$8.75 for each quarter hour thereafter \$50.00 per hour, one (1) hour minimum and \$12.50 for each quarter hour thereafter.
Portuguese	\$50.00 per hour, one (1) hour minimum and \$12.50 for each quarter hour thereafter.
Sign	\$50.00 to 75.00 per hour, two (2) hour minimum and travel expenses, and \$18.75 for each quarter hour thereafter
Spanish	\$35.00 per hour, one (1) hour minimum and \$8.75 for each quarter hour thereafter
Other	\$50.00 per hour, two (2) hour minimum and \$12.50 for each quarter hour thereafter

(iii) ***Court Reporters***

(a) Appearance Fees

<u>Time Period</u>	<u>Fee</u>
Transcription of recorded investigative statements, discovery, or reports	1 to 5 recorded items \$25.00 Each additional recorded item \$5.00
8:30 a.m. until noon	\$100.00
1:30 p.m. until 5:00 p.m.	\$100.00
Not scheduled for 8:30 a.m. to noon or 1:30 p.m. until 5:00 p.m.	\$30.00 per hour with a 2 hour minimum
Real time from 8:30 a.m. until noon	\$150.00
Real time from 1:30 p.m. until 5:00 p.m.	\$150.00
Real time not scheduled for 8:30 a.m. to noon or 1:30 p.m. until 5:00 p.m.	\$45.00 per hour with a 2 hour minimum

(b) Transcripts and ASCII Disk of Transcript

<u>Delivery Time</u>	<u>Number</u>	<u>Cost per page</u>
24 hours (overnight)	Original and 2	\$ 7.50
	Each additional copy	\$ 1.10
3 business days	Original and 2	\$ 6.50
	Each additional copy	\$ 1.10
6 business days	Original and 2	\$ 5.50
	Each additional copy	\$ 1.10
10 business days	Original and 2	\$ 5.00
	Each additional copy	\$ 1.10

Appeals	Original and 2 disks	\$5.00
Non certified (a transcript prepared by an individual other than the court reporter taking the proceeding)	Original and 2	\$4.00
Recorded investigative statements, discovery, or reports - same day	Original and 1	\$7.85
Recorded investigative statements, discovery, or reports - 24 hours (overnight)	Original and 1	\$5.10

<u>Delivery Time</u>	<u>Number</u>	<u>Cost per page</u>
Recorded investigative statements, discovery, or reports - 10 business days	Original and 1	\$2.75
Recorded investigative statements, discovery, or reports - 3 business days	Original and 1	\$4.15
	Each additional copy	\$1.00

(C) The due process provider rates for the period of time July 1, 2004 to September 30, 2007 were those as established by the Indigent Services Committee.

(19) REFERENCES. Any and all references to the Chief Judge, Clerk, Administrative Judge, judge, general magistrate, Public Defender, or Regional Counsel shall include his or her designee.

(20) This Administrative Order vacates and supersedes Administrative Order 2018-40-Gen.

DONE AND ORDERED in chambers in Fort Lauderdale, Broward County, Florida on this 18th day of July, 2018.

/s/ Jack Tuter
 Jack Tuter, Chief Judge