

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA IN AND FOR MONROE COUNTY

ADMINISTRATIVE ORDER: 2.062

IN RE:

COMPENSATION OF COURT
APPOINTED COUNSEL IN
EXCESS OF STATUTORY LIMITS

WHEREAS, Florida Statute Section 27.5304(3) provides that the Court retains primary authority and responsibility for determining the reasonableness of all billings for attorney's fees, costs, and related expenses, subject to statutory limitations, and that private court-appointed counsel is entitled to compensation upon final disposition of a case; and

WHEREAS, there are cases which require extraordinary and unusual effort by court-appointed counsel, and in which counsel seek compensation that exceeds the limits prescribed by Section 27.5304; and

WHEREAS, Florida Statute Section 27.5304(12) requires that counsel seeking compensation which exceeds the statutory limit file a motion with the Chief Judge for an order approving payment of attorney's fees in excess of these limits; and

WHEREAS, the statute further requires that following the receipt of a motion to exceed the statutory fee limits, the Chief Judge or a designee, shall hold an evidentiary hearing; and

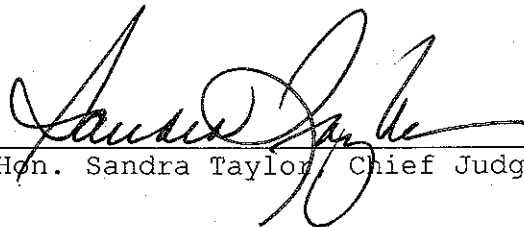
WHEREAS, the presiding judge is in a superior position to determine whether the case required extraordinary and unusual efforts, it is therefore

ORDERED that the following process be followed in cases involving motions for compensation in excess of the statutory limits:

1. The presiding judge is hereby designated by the Chief Judge to hold evidentiary hearings pursuant to Florida Statute Section 27.5304(12)(b), and to enter written orders detailing his or her findings identifying the extraordinary nature of the time and efforts which warrant exceeding the statutory fee established for the case type.

2. Court appointed counsel shall file a copy of the original motion seeking compensation in excess of the statutory limits with both the Chief Judge and presiding judge, and follow the notice and service provisions set forth in Florida Statute Section 27.5304(12)(c) pertaining to the Justice Administrative Commission.
3. The presiding judge shall provide the Chief Judge with a copy of his or her written order approving compensation.

DONE AND ORDERED this 27 day of Nov., 2007, at Key West, Monroe County Florida.



Hon. Sandra Taylor, Chief Judge