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POINTS OF INTEREST

JAC'S BIENNIAL NEWSLETTER FOR COURT-APPOINTED AND INDIGENT FOR COSTS ATTORNEYS AND DUE PROCESS VENDORS

A Word From JAC's Executive Director

Welcome to JAC's first Biennial Newsletter for Court-Appointed and Indigent for Costs Attorneys and Due Process Vendors. The purpose of this newsletter is to keep court-appointed and indigent for costs attorneys and due process vendors (such as court reporters, investigators, and experts) up to date without overwhelming you with memos concerning specific changes throughout the year. As you may know, JAC processes over 50,000 court-appointed billing packets each year. Therefore, we have included helpful tips in the newsletter to ensure that your payments are processed quickly. Thank you for taking the time to read the newsletter. It is my hope that it will help us work better together to get your bills paid. As always, please let us know how we can serve you better.

Alton L. "Rip" Colvin, Jr., the Justice Administrative Commission's Executive Director, began his tenure on July 19, 2010. He is both a Certified Public Accountant and Florida Certified Government Finance Officer.



Rip Colvin
JAC Executive
Director

Contract Changes for Fiscal Year 2014/2015

Several provisions of the JAC Agreements for Court-Appointed Attorney Services have been revised as a result of the 2014 Regular Legislative Session and other reasons. First, several provisions in Paragraph II related to Attorney Services have been amended. These changes specify that JAC does not pay for computer equipment including portable flash and hard drives. Moreover, the Agreement will now require that court-appointed attorneys have access to portable drives or other storage media capable of receiving electronic discovery. In many circuits, the current practice is to provide documents and discovery in electronic formats particularly in complex cases involving substantial discovery. The types of hard drives an attorney should have access to will largely depend on the types of cases the attorney is accepting as court-appointed counsel. In particular, attorneys providing representation in complex cases such as RICO or capital death cases should possess one or more portable drives with substantial storage capacity. The size of electronic discovery in such cases is often in gigabytes or larger.

Paragraph II(5) has also been amended to clarify the application of the \$25 administrative fee for failing to timely submit case opening documents. As part of its strategic plan, JAC is transitioning towards online submission of billings. In order to facilitate online submission, cases need to be opened as soon as possible

(Continued on page 4)

2014 Legislative Update

During the 2014 Regular Legislative Session, several bills passed that may have some impact on attorneys and due process providers in private court-appointed and indigent for costs cases. Unless otherwise specified, the bills will go into effect on July 1, 2014, assuming that they become law.

(Continued on page 5)

Inside this issue:

**Contract Changes for
Fiscal Year 2014/2015**

**2014 Legislative
Update**

**Update on Online
Submission**

The JAC Help Desk

**Increase in Court
Reporter Rates**

**Changes to the
Attorney Agreement
for Capital Collateral
Cases**

**Signing the JAC
Invoice/Voucher Cover**

**Tips for Attorneys and
Due Process Vendors**

JAC in Brief

POINTS OF INTEREST

Update on Online Submission of Billings

Our Goal:

Our goal is to increase productivity and efficiency while providing reliable and easy-to-use online case opening and billing systems that attorneys and vendors will be happy to use.

As part of JAC's long-term plan, JAC's IT staff is developing a system for the online submission of billings through JAC's secure website. The system will function in a manner similar to the e-filing system currently utilized by the state court system. An attorney or due process vendor will log into their account on JAC's website, click on the tab designated for online bill submission, identify the appropriate case for the billing, enter the invoice number, and then submit the billing by attaching electronic copies of the necessary documents in .pdf format. Initially, the online billing submission system will be limited to attorney fee billings. However, after the system is tested and further developed, JAC will gradually expand the system to cover all billings submitted by attorneys and due process providers.

An essential component of this system is that attorneys open their cases with JAC as soon as feasible after appointment. An attorney or due process provider will be unable to submit a billing through the online billing submission system until the case is opened with JAC. In order to facilitate the online billing submission system, attorneys will either need to open their appointed cases through the existing online case opening system or by submitting their order of appointment and other case opening documents to:

compliancereview@justiceadmin.org.

JAC is seeking to implement a user friendly and efficient way for attorneys and vendors to submit billings electronically. This transition will be a gradual process to allow for proper testing and implementation of the system and to allow for user input regarding improvements and the process in general. **Once the initial system is in place, user feedback is both encouraged and desired.** With appropriate input from attorneys and due process providers, JAC will be able to continually improve this system to meet their needs. JAC is striving to create a system that will benefit both JAC's customers and staff.

JAC Case Opening System Tips

When using the new case opening system through the secure website, and the upcoming online billing submission system, the following tips and suggestions will assist you in submitting documents to JAC:

- Once documents are submitted online, please do not e-mail or fax documents to JAC. JAC does not desire a paper backup or courtesy copy for online submissions.
- Attorneys should submit case-opening documents, including Orders of Appointment and Charging Documents, within 30 days of the appointment.
- Prior to opening a case, please verify that the case has not been previously opened to avoid duplication.
- Please open cases and submit opening documents for each individual case.
- The order appointing private counsel should address the reason why regional counsel was not appointed to the case or withdrawn from the case. If an attorney receives an order without any such findings, the attorney should inquire before commencing representation.
- When entering the Order of Appointment date, please verify whether the order had a *nunc pro tunc* date. If the order does, use the *nunc pro tunc* date listed on the order when entering the date of appointment.
- Please do not use any name suffixes, i.e. Jr. or III., when entering a judge, defendant, or a parent's name.
- When submitting case opening documents, please submit them as separate files. The Order of Appointment should be submitted separately from the Charging Document. Do not submit case opening documents as a single file. Also, do not submit separate files for each page of a document.
- All case opening documents should be legible and scanned right side up to minimize processing time. Each page of the submission should consist of a full-sized single page of the original document.

Currently, the case opening system is to be utilized only to submit Orders of Appointment and Charging Documents for court-appointed cases. This system should not be used to submit information or documents related to Indigent for Costs cases or documents in response to Audit Deficiency Notices. These documents should be sent to compliancereview@justiceadmin.org.

The JAC Help Desk

The JAC Help Desk is a resource provided to assist attorneys and vendors with their billing concerns and questions related to private court-appointed and indigent for costs cases. The Help Desk responds to between 800 and 1,000 questions per month from approximately 1,700 attorneys and 800 vendors statewide. There are several ways to contact the Help Desk.

E-mail. Communication through e-mail is the most efficient way to submit questions and inquiries. The preferred method is to e-mail the Help Desk through the online form on JAC's website at www.justiceadmin.org (from the JAC homepage, click on [Contact Us](#), then [Help Desk](#)). The form contains fields in which you can provide key information to allow the Help Desk to research your issue and provide an informed and timely response.

In providing information, please be as detailed as possible and include case-identifying information when appropriate. The more information provided, the easier it will be for the Help Desk to resolve your issue expeditiously and accurately. An e-mail or other communication containing detailed information allows for faster responses from the Help Desk.

Voicemail. If you'd like to contact the Help Desk by phone, please call the Help Desk at the phone number listed on JAC's website, currently (850) 488-2415. *Please be aware that you will always be required to leave a voicemail.* To provide efficient and timely customer service, we ask that you leave a clear message detailing your concern(s) and pertinent information so that we can research your issue and provide an informed response. *The message should be as detailed as possible.* A message leaving just a phone number often results in the wasted time and energy associated with phone "tag."

Single Inquiry. E-mails and messages are answered in the order of receipt to ensure that each person receives as timely a response as possible. Please do not send multiple e-mails or leave repeated messages regarding the same issue as this practice may delay responses and can result in wasted effort.

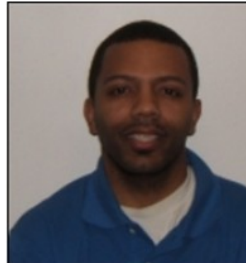
Meet the Help Desk



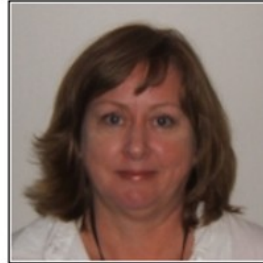
Gabriel Brady



Susan Waltz



Frank Coleman III



Christie Stanton

Increase in Court Reporter Rates

The Legislature approved an increase in court reporter rates for appearance fees. The rate authorized for services rendered on or after July 1, 2014, is \$75 per hour for the first hour and \$25 per hour for each hour thereafter. This rate only applies to depositions held on or after July 1, 2014. The former rates continue to apply to depositions held before that date.

General Tips:

- ◆ Stapling multiple Vouchers together may hinder payment. The mail room does not examine billing packets; therefore, multiple invoices stapled together may be treated as one packet and the tracking number and date stamp are placed only on the visible voucher cover. When an auditor discovers the other invoice(s), they are sent back to the mail room to receive a tracking number and date stamp. Each billing should be individually stapled with a single staple. Any documents attached to the billing should not be separately stapled.
- ◆ The best way to get paid as quickly as possible is to submit a complete and accurate billing packet and avoid notices of audit deficiency. If you do, however, receive an audit deficiency, please make sure that you sign the billing reinstatement at the bottom of the notice and submit it with the requested documents or information to compliance@justiceadmin.org.
- ◆ You must have a Substitute W9 on file with the Department of Financial Services (DFS) before you execute a JAC contract. If you have already completed a Substitute W9 and you have not changed Tax ID numbers, you do not need to complete a new Substitute W9 for the FY 2014-2015 contract.

Contract Changes for Fiscal Year 2014/2015 Continued

(Continued from page 1)

JAC Contract Tips for Court-Appointed Attorneys:

- ◆ Attorneys seeking to be on a court-appointed registry directly apply to the circuits in which they desire to participate in the registry.
- ◆ Attorneys who are not approved by the Chief Judge for a circuit registry may not execute the registry agreement.
- ◆ The JAC Agreement is generally posted in mid-June. Please be aware that you will not be able to execute the Agreement until you have been approved for a circuit registry.
- ◆ When an attorney is approved for a registry, they will receive a notification by e-mail to the address on file with JAC. Please make sure your e-mail is current.
- ◆ JAC does not appoint attorneys to cases. Generally, the trial court appoints attorneys in rotating order pursuant to s. 27.40, F.S.
- ◆ Attorneys should only be appointed to cases after signing a JAC Agreement for Attorney Services.
- ◆ The Agreement is valid through June 30th of each year. The Agreement has to be executed every year.

following appointment. An attorney or due process provider will be unable to submit a billing until the case is opened in JAC's system.

Under the revised provision, an attorney must either open the case (1) using the new case opening system on JAC's secure website or (2) e-mailing the order of appointment and other case opening documents to compliance@justiceadmin.org. This must be done within 90 days of the date of appointment and prior to submitting any motions or billings on the case. This applies equally to billings from due process providers and attorneys.

If an attorney fails to open the case within 90 days of appointment or prior to submission of a motion or billing on the case, then an administrative fee of \$25 may be imposed by JAC against any attorney's fees paid on the case. For example, if a court reporter submits a billing before the attorney opens the case, the attorney is subject to the administrative fee. It is imperative that the attorney provide the order of appointment and charging document (when available and required) within the time frames in order to receive prompt payment.

Second, Paragraph III of the JAC Agreement relating to Compensation has been amended to address statutory changes. Paragraph III(5) has been adjusted to remove language regarding payment of extraordinary fees by the state court system. Paragraph III(10) has been added to clarify application of the new flat fees for RICO cases. These new flat fees will only apply to cases appointed on or after July 1, 2014. Lastly, the Paragraph relating to limited registries has been deleted because the statutory authority for limited registries was repealed this legislative session.

Third, Paragraph XVIII of the JAC Agreement concerning Miscellaneous Provisions has been amended to address new statutory provisions relating to attorneys for children with certain special needs (s. 39.01305, F.S.) and the Cross-Circuit Representation Pilot Program (s. 27.401, F.S.). As to attorneys for children with certain special needs, Paragraph XVIII(2) has been amended to allow for compensation for attorneys appointed under s. 39.01305, F.S. Any right to compensation will be limited to those appointments made pursuant to s. 39.01305, F.S. Also, Paragraph XVIII(10) has been added to implement the new statute. As a precondition to compensation for these types of cases, this Paragraph requires that the order of appointment contain findings consistent with s. 39.01305, F.S. These include a finding that the child qualifies as a child with certain special needs and a finding that there was no *pro bono* counsel available to take the appointment. Also, the Paragraph sets the billable points as the first judicial review following the appointment and then the first judicial review in the second and subsequent years of representation. Currently, the General Appropriations Act sets the flat fee for these appointments at \$1,000 per child per year.

As to the Cross-Circuit Representation Pilot Program, Paragraph XVIII(9) has been amended to require additional findings of conflict required when s. 27.401, F.S., applies. Currently, s. 27.401, F.S., is limited to cases under s. 782.04(2), (3), or (4), arising out of the Tenth and Thirteenth Judicial Circuits. For those cases, the additional offices specified must be appointed prior to the appointment of private court-appointed counsel. JAC will have no authority to pay absent findings of conflict for all offices authorized to provide representation under the Cross-Circuit Representation Pilot Program.

The changes implemented based upon statutory changes are contingent upon the provisions becoming Florida law. In the event the provisions do not become Florida law due to a veto or other reason, then those amendments will not go into effect.

2014 Legislative Update Continued

SB 2510: Court-appointed Counsel

This bill amends s. 27.40, F.S., to eliminate the provisions allowing for a limited registry for private counsel willing to accept a flat fee. Under the prior law enacted during the 2012 Regular Legislative Session, the chief judge for a circuit was authorized to create registries consisting of only those attorneys willing to waive the right to seek extraordinary compensation under s. 27.5304(12), F.S. This bill eliminates that authority. As the Legislature has stricken the authority for such registries, JAC will not be seeking to enforce any waiver to the right to seek extraordinary compensation based upon participation in a limited registry when this bill becomes law considering the legislative repeal of this model.

The bill also creates s. 27.401, F.S., which establishes the Cross-Circuit Conflict Representation Pilot Program in specified Offices of the Public Defender and Criminal Conflict and Civil Regional Counsel. Under this provision, when specified offices are unable to represent a defendant charged with a crime under s. 782.04(2), (3), or (4), F.S., then additional offices must be appointed before a court appoints private court-appointed counsel. Under s. 27.401(2)(a), F.S., if the Office of the Public Defender for the Tenth Judicial Circuit and the Office of Criminal Conflict and Civil Regional Counsel for the Second Region are unable to provide representation, then the Office of the Public Defender for the Thirteenth Judicial Circuit, and then the Office of Criminal Conflict and Civil Regional Counsel for the Fifth Region must be appointed before private court-appointed counsel can be appointed. Under s. 27.401(2)(b), F.S., if the Office of the Public Defender for the Thirteenth Judicial Circuit and the Office of Criminal Conflict and Civil Regional Counsel for the Second Region are unable to provide representation, then the Office of the Public Defender for the Tenth Judicial Circuit, and then the Office of Criminal Conflict and Civil Regional Counsel for the Fifth Region must be appointed before private court-appointed counsel can be appointed.

For those cases subject to the pilot program, the order of appointment must reflect all of these conflicts before private court-appointed counsel will be entitled to compensation. It is the appointed attorney's sole responsibility to verify that the prerequisites for appointment are met before accepting appointment to one of these cases.

The bill also amends s. 27.5304, F.S., in several ways. First, the statutory caps for certain offenses have been raised to allow for increased flat fees for certain offenses set forth in the General Appropriations Act. In addition, the provisions requiring the state courts system to pay for extraordinary fees in criminal cases have been repealed. Instead, JAC will be solely responsible for such payments from specified funds appropriated to JAC.

As set forth in the General Appropriations Act, the flat fees applicable for the 2014-2015 fiscal year will be posted on JAC's website. The changes to flat fees for this fiscal year are as follows:

CAPITAL - 1ST DEGREE MURDER (LEAD COUNSEL)	\$25,000
CAPITAL - 1ST DEGREE MURDER (CO-COUNSEL)	\$25,000
CAPITAL - 1ST DEGREE MURDER (NON-DEATH)	\$9,000
CAPITAL SEXUAL BATTERY	\$4,000
CAPITAL APPEALS	\$9,000
FELONY – LIFE	\$5,000
FELONY - LIFE (RICO)	\$9,000
FELONY - PUNISHABLE BY LIFE (RICO)	\$6,000
FELONY 1ST DEGREE (RICO)	\$5,000

These flat fees go into effect for appointments on or after July 1, 2014.

JAC Contract Tips for Due Process Vendors:

- ♦ Vendors sign a JAC Due Process Agreement to be eligible for direct payment from JAC.
- ♦ The JAC Agreements are generally posted in mid-June. Once the Agreement is posted, an e-mail will be sent to current vendors to the e-mail address on file with JAC. Please make sure your e-mail is current.
- ♦ JAC does not hire or select due process vendors. Any contract for services is with the attorney who retained the due process vendor.
- ♦ When vendors contract with JAC, they may request inclusion in the database posted on JAC's website by checking the box at the end of the Agreement.
- ♦ The Agreement is valid through June 30th of each year. The Agreement has to be executed every year.
- ♦ The Agreement is not circuit specific. Although a vendor may have preferred circuits, the vendor can provide services statewide,

(Continued on page 6)

2014 Legislative Update Continued

Indigent for Costs Tips:

- ◆ When serving JAC with a motion to declare a client indigent for costs, a clerk's application for indigency, an affidavit on attorney's fees, and the charging document should be attached to the motion. Also, send any orders as soon as received. Do not rely on the court to send them to JAC.
- ◆ When obtaining an order to incur costs, please be sure that the order clearly states the client is found 'Indigent for Costs.'
- ◆ The motion to declare the client indigent for costs should indicate the attorney who has executed an IFC Agreement with JAC.
- ◆ When executing voucher covers and submitting documents, it is critical that the documentation indicate the attorney who executed the IFC Agreement.
- ◆ Failure to follow this procedure will likely cause confusion and thereby delay payment to due process providers.
- ◆ If another attorney in a law firm signs a motion or billing (instead of the attorney who executed the IFC Agreement), then this should be clearly indicated. For example, the signing attorney would indicate he or she is signing on behalf of the contracting attorney.
- ◆ The Agreement is valid through June 30th of each year. The Agreement has to be executed every year. If a client is found indigent for costs after June 30th, the attorney must execute the current IFC Agreement before incurring any costs.
- ◆ If you are a registry attorney, you will have to execute a separate contract for registry cases and one for your IFC cases. The registry contract only applies to court-appointed cases.

(Continued from page 5)

The flat fee for Capital Appeals only applies to appeals of a capital case involving a death sentence. The flat fees for RICO cases apply when the Defendant is charged with an offense under the Florida RICO (Racketeer Influenced and Corrupt Organization) Act (Ch. 895, F.S.). The applicable flat fee will be based on the highest offense for which the Defendant is charged in the information even if that charge is not a RICO offense. For example, a RICO defendant charged with robbery with a firearm as a predicate offense would submit a bill for \$6,000 (the Felony - Punishable by Life (RICO) flat fee).

CS/CS/HB 561: Attorneys for Dependent Children with Special Needs

This bill creates s. 39.01305, F.S., and requires the appointment of an attorney to represent a dependent child who meets one or more specified criteria delineated in the bill. Before appointing an attorney for compensation, the court must appoint a *pro bono* attorney who is willing to represent the child without additional compensation, if one is available. The appointing court is required to consult with the Statewide Guardian ad Litem Office (GAL) in attempting to locate a *pro bono* attorney. If a *pro bono* attorney cannot be located or a recommendation is not provided within 15 days, the court is authorized to appoint compensated counsel. An attorney not acting in *pro bono* capacity will be compensated for services and have access to funding for certain costs. The Department of Children and Families is responsible for developing procedures to identify dependent children who qualify for an attorney under the new statute.

As with other court appointments, these appointments will be pursuant to a registry. For this year, JAC, in consultation with GAL will be responsible for creating and distributing the registry of attorneys to represent children with certain special needs. The attorneys approved for this registry will execute the same JAC Agreement for Attorney Services executed by other registry counsel. The application and minimum qualification for inclusion in this registry will be posted on JAC's website. **If you intend to apply for the registry, please submit the application at registries@justiceadmin.org as soon as practicable.**

Pursuant to the 2014-2015 General Appropriations Act, the flat fee for this type of representation is \$1,000 per child per year. Prior to submitting a billing, the attorney should verify that he or she has no conflict to accepting the appointment. For the first year, the fee will be billable after the first judicial review following the date of appointment. For subsequent years, the matter will be billable after the first judicial review following the anniversary date of the appointment. The representation of the child will continue until the attorney is allowed to withdraw, is discharged, or the case is dismissed. Dismissal includes closure of the case as a result of termination of protective supervision or jurisdiction. The billing for the flat fee will be submitted in the same manner as other private court appointments in dependency cases. Similarly, a request for extraordinary compensation will be submitted and handled in the same fashion as other billings seeking extraordinary compensation.

In order to receive compensation for this type of appointment, the order of appointment must reflect that the child meets one of the criteria specified in s. 39.01305, F.S. The authority of the court to appoint compensated counsel is limited to the five categories set forth in the statute. Pursuant to s.39.01305(3), F.S., these categories are limited to a child who:

- (a) resides in a skilled nursing facility or is being considered for placement in a skilled nursing home;
- (b) is prescribed a psychotropic medication but declines assent to the psychotropic medication;
- (c) has a diagnosis of a developmental disability as defined in s. 393.063, F.S.;

(Continued on page 7)

2014 Legislative Update Continued

(Continued from page 6)

(d) is being placed in a residential treatment center or is being considered for placement in a residential treatment center; or

(e) is a victim of human trafficking as defined in s. 787.06(2)(d), F.S.

The order of appointment must also reflect that the court attempted to appoint *pro bono* counsel as required by s. 39.01305(4)(a), F.S. Absent these findings, JAC has no authority to pay private court-appointed counsel in these cases. It is the appointed attorney's sole responsibility to verify that the prerequisites for appointment are met before accepting appointment to one of these cases.

The provision of costs and expenses is pursuant to s. 29.007, F.S., and will be handled in the same fashion as other court-appointed cases. Generally, this requires that a written motion be filed with service on JAC before a court considers the motion. An order entered without proper notice to JAC may be unenforceable because JAC has standing to contest authorization or payment of expenses or costs. Also, before initiating a separate administrative or civil action on behalf of the child, appointed counsel needs to obtain authorization from the court unless consent is obtained by the natural guardian or other authorized person pursuant to the requirements of Florida law.

HB 5303: Counsel in Proceedings for Executive Clemency

This bill deletes provisions in Ch. 27, F.S., concerning the authority of a trial court to appoint counsel in capital clemency proceedings. The bill creates s. 940.031, F.S., which authorizes the Board of Executive Clemency to appoint private counsel to represent a defendant in capital clemency proceedings. The Board will be responsible for maintaining a list of private counsel available for such appointments. Insofar as private court-appointed counsel is concerned, the provisions allowing for court appointment have been eliminated.

Therefore, JAC will no longer be liable for payment of fees and costs for court appointments in clemency proceedings made on or after July 1, 2014. Payment of fees and costs for appointments after July 1, 2014, will be made by the Board of Executive Clemency. JAC will remain responsible for any appointment made after July 1, 2013 for services rendered prior to July 1, 2014.

Changes to the Attorney Agreement for Capital Collateral Cases

The Attorney Agreement for Capital Collateral Cases remains largely the same from last year with a few exceptions. However, two substantive changes have been made to Paragraph II of the JAC Agreement. First, Paragraph II(2) has been amended to clarify that attorneys cannot seek reimbursement for computer equipment including portable flash and hard drives. Second, Paragraph II(6) has been amended to require registry attorneys to own, possess or have routine access to portable hard drives capable of receiving electronic discovery. With the transition toward electronic documents, possession of such devices is a normal cost associated with legal practice in capital and other criminal cases.

Please note that for court appointments from the Capital Collateral Registry after July 1, 2013, the attorney must execute the current JAC Agreement for Attorney Services for Private Capital Collateral Counsel. The option to rely on a prior contract entered with the Department of Financial Services only applies to appointments made prior to July 1, 2013, where the attorney had previously entered into a contract for that case with the Department of Financial Services. If an attorney intends to rely on a prior contract with DFS, it is the attorney's responsibility to provide JAC with an executed copy of that contract.

More General Tips:

- ◆ All motions, including motions for transcripts, investigators, expert witnesses, to declare defendant indigent for costs, and attorney's fees should be submitted to pleadings@justiceadmin.org. This is also where you should submit your orders granting costs and fees.
- ◆ Please provide a proposed order with any motion for costs. For experts and investigators, the order should reflect the amount authorized for the services.
- ◆ If an expert will be compensated at a rate higher than the established rates, the motion and proposed order should reflect those rates.
- ◆ All documents submitted should not be followed up by mail or fax. Please remember to only serve the electronic pleading once via the state's e-filing portal or directly but never both.
- ◆ All case related documents, including orders of appointment, charging documents, dispositional documents, and any audit deficiency response must be submitted to compliancereview@justiceadmin.org.
- ◆ Please remember to attach the audit deficiency response letter to the document(s) you are submitting to resolve the deficiency. Failure to attach the deficiency letter may delay or negate the billing resolution.
- ◆ Process servers: When serving subpoenas to other than an individual's address please include the entity, institution, or business name in the address. This helps the JAC process your billing quicker and avoids needless returns to the process server.



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POINTS OF INTEREST

Signing the JAC Invoice/Voucher Cover for Due Process Vendors

Under the terms of the JAC Agreement for Attorney Services and JAC's Policies and Procedures, attorneys are often called upon to sign the JAC Invoice/Voucher Cover in order to facilitate direct payment to due process providers. When JAC took over responsibility for payment of attorney's fees, due process costs, and related expenses in 2004, JAC established a mechanism by which JAC could make direct payment to due process providers on behalf of private court-appointed counsel and privately retained counsel with indigent for costs clients. As part of this mechanism, attorneys are required to review billing from the due process providers.

Section 215.422, F.S., governs the payment of invoices by the Department of Financial Services (DFS). Under this provision, there are specific requirements that must be met prior to an agency approving an invoice for payment. One of these requirements is that the agency inspect and approve the goods or services provided. Because JAC staff has no direct knowledge regarding whether an attorney received the goods or services listed in a billing from a due process provider, JAC designed the JAC Invoice/Voucher Covers so that the attorney who received the services would provide appropriate certifications to satisfy the requirements of Florida law.

Signing the JAC Invoice/Voucher Cover is not a mere ministerial act. By signing the JAC Invoice/Voucher Cover, the attorney is certifying that "the services provided by the above named vendor were satisfactorily performed and were necessary." The attorney is responsible for verifying the services listed on the JAC Invoice/Voucher Cover. This is particularly important when dealing with billings for transcripts. When an attorney signs the JAC Invoice/Voucher Cover, the attorney is certifying that the transcripts have been received and that the page numbers listed for the transcripts are accurate.

JAC in Brief

The Justice Administrative Commission administratively serves 20 Offices of State Attorney, 20 Offices of Public Defender, 3 Offices of Capital Collateral Regional Counsel, 5 Offices of Criminal Conflict and Civil Regional Counsel, and the Statewide Guardian ad Litem Program; and, provides compliance and financial review of court-appointed attorney fees and due process costs.

The membership of the Justice Administrative Commission consists of two State Attorneys, appointed by the President of the Florida Prosecuting Attorneys Association and two Public Defenders, appointed by the President of the Florida Public Defender Association. Although members may be reappointed, each term spans a period of two years (s. 43.16, F.S.).

Vision: *To be a model of exemplary state government and provide unparalleled services.*

Mission: *To be responsible stewards of taxpayer dollars, while providing the highest quality service to the 49 judicial related entities, private court appointed counsel, and associated vendors we serve, by ensuring compliance with laws, rules, regulations, and best business practices.*

Values: *We take great pride in excellence in service, innovation, adaptability, collaboration, honesty, integrity, accountability, and diversity, as well as respectful and ethical conduct, and fiscal responsibility.*