



POINTS OF INTEREST

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

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A Word from JAC's Executive Director

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Happy New Year from the Justice Administrative Commission (JAC)! I hope you find this latest edition of JAC's ***Points of Interest*** newsletter for Court-Appointed and Indigent for Costs attorneys and Due Process Vendors, helpful and informative. Included is information about updates to *MyJAC*, your JAC billing portal, and other pertinent information.



Alton L. "Rip" Colvin, Jr.

Updates to *MyJAC*

JAC is implementing several improvements to assist attorneys and due process vendors (court reporters, interpreters, investigators, and expert witnesses) when registering, contracting, and submitting invoices to *MyJAC*. These improvements are meant to save you time and ensure your bills are accurately and promptly processed for payment.

Submission of Orders

JAC is pleased to announce that **court-appointed attorneys can now upload attorney fee orders in *MyJAC***. This improvement will help you submit your fee orders sooner and ensure that JAC can process your payment accurately and promptly because it no longer waits in a queue with other requests to be processed.

When submitting attorney fee orders, attorneys will amend the invoice in *MyJAC* using the invoice's JAC Tracking Number (ODN). Please note that you are not required to update the invoice amount (when amending the invoice) to match the attorney fee order because JAC will make any necessary adjustments during the audit process. As a result, effective immediately, any attorney fee orders emailed by a court or clerk of



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court's office will not be processed by JAC because the orders must be uploaded into *MyJAC*. Moreover, after March 1, 2023, all attorney fee orders emailed by an attorney to pleadings@justiceadmin.org also will not be processed.

Also, coming soon, Court-Appointed and IFC attorneys will be able to submit orders authorizing due process costs for services of court reporters, investigators, mental health and other experts, and mitigation specialists using the “*Submit Additional Case Opening Documents*” in *MyJAC*. This section will include a drop-down menu listing the various types of orders. Please note that Orders authorizing attorney reimbursement of due process costs must be uploaded as “Other Orders.”

Entering Dependency/TPR Disposition Dates

When billing for representing Dependency and Termination of Parental Rights (TPR) cases, attorneys are now required to enter the case's disposition date in *MyJAC*. This change ensures increased accuracy and more efficient processing and payment of bills. To assist you, JAC has posted guidelines to ensure you are entering the correct disposition date when submitting a bill:

<https://www.justiceadmin.org/faq/Training%20Modules/Dependency%20Disposition%20Guide%20for%20Attorneys%20-%202023.pdf>.

Court Reporter Billing

MyJAC will soon be updated to help improve the court reporter billing process for appearance fees and transcripts. The changes will tentatively go into effect February 1, 2023. When billing for appearance fees, court reporters will be required to include the name and status of all persons (deponents) listed in the Notice of Taking Depositions. *MyJAC* will soon include a drop-down menu to select the deponent's status as either appeared, cancelled, rescheduled, or no show. When billing for transcripts, court reporters will be required to include the date of the deposition. These changes will ensure increased accuracy and more efficient processing and payment of bills.

To assist vendors with the specific requirements for each invoice type, JAC has posted a guide and checklists for appearance fees, transcripts and listening fees on its website for reference. They can be found at:

- Guide to Court Reporter Billing at:
<https://www.justiceadmin.org/FAQ/Training%20Modules/Guide%20to%20Court%20Reporter%20Billing%202022.pdf>;
- Checklist for Court Reporters Billing Appearance Fees at:
<https://www.justiceadmin.org/FAQ/Training%20Modules/Checklist%20for%20Court%20Reporters%20Billing%20Appearance%20Fees%202022.pdf>;
- Checklist for Court Reporters Billing Transcripts at:
<https://www.justiceadmin.org/FAQ/Training%20Modules/Quick%20Checklist%20for%20Court%20Reporters%20Billing%20Transcripts%208-2022.pdf>; and



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- Listening Fee Checklist at:

<https://www.justiceadmin.org/FAQ/Training%20Modules/Checklist%20for%20Court%20Reporter%20Listening%20Fees%20for%20Recorded%20Statements%202022.pdf>.

These *MyJAC* updates are designed to ensure increased accuracy and more efficient processing and payments of your bills. If you have any questions about these changes, please contact JAC's Online Support Team for assistance.

Setting Hearings with JAC Legal

If JAC Legal requests a hearing on a motion for attorney fees, due process costs, or related expenses, the matter must be set for a hearing. Notices of Hearing must be served on JAC Legal with:

- at least ten (10) business days' notice for a motion for ordinary (flat fee) attorney fees, a motion for due process costs, or a motion to declare a defendant indigent for costs; and
- at least twenty (20) business days' notice for a motion for extraordinary attorney fees.

Generally, if the attorney provides JAC Legal with the requisite notice, the hearing time does not need to be cleared as long as JAC Legal can appear remotely (i.e., telephone or videoconference) during normal business hours (8:30 a.m. to 5:00 p.m.). Please note that providing JAC Legal sufficient notice does not always guarantee JAC Legal's availability. If JAC Legal has a conflict, the attorney will be promptly notified and a different hearing date will be requested.

If an attorney intends to set a hearing with less than the requisite notice, the hearing time must be cleared with JAC Legal **prior** to setting the hearing by sending a request to pleadings@justiceadmin.org. To expedite this process, it is helpful if the subject line of the email clearly indicates the request to set a hearing with **short notice** so that JAC Legal can respond expeditiously.

Any Notice of Hearing must be served via pleadings@justiceadmin.org. Please do not send the notices to JAC using any other method including the Florida Courts E-Filing Portal. When providing the Notice of Hearing, please include the: (1) Zoom or Microsoft Teams link; (2) direct telephone number that JAC is to call; or (3) if the Court will call JAC. JAC's toll-free number is (866) 355-7902. If a hearing is canceled, please provide prompt notice to JAC Legal that the hearing is canceled so that JAC attorneys do not appear unnecessarily for a hearing.



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One area of confusion is that some circuits use the Judicial Automated Calendaring System (JACS) also known as the Judicial Calendar System. Please know that clearing the hearing date with the JACS is **not** clearing the date with JAC.

Billing for Hearing Time

In extraordinary fee bills, a common objection is that the attorney is billing for more than one hour for a routine hearing. Paragraph XI(9) of the JAC Registry Contract provides that an attorney must provide a detailed explanation for any request in excess of one hour for routine hearings such as calendar calls, status conferences, pretrial conferences, and judicial reviews in Ch. 39, F.S., cases. Absent an explanation, the attorney waives the right to any compensation in excess of one hour.

When billing more than an hour for a routine hearing, it is helpful to include additional information justifying the amount of time billed such as indicating the actual time spent in hearings, client or other conferences, and wait-times. Inclusion of this information will often resolve JAC's concerns during the bill's initial review stage and avoid this potential objection.

As a general rule, providing additional detail in extraordinary fee bills is helpful. Many of JAC's line-item objections arise because the bill lacks sufficient information for JAC to assess the reasonableness of the services billed. Avoiding generic descriptions such as trial preparation and reviewed discovery is helpful. Additionally, if multiple services are provided on the same date, including the time spent on each task is necessary.

Keeping an accurate and detailed hourly accounting of the time spent is a prerequisite to seeking compensation in excess of the flat fee per s. 27.40(7)(b), F.S., and the JAC Registry Contract. To facilitate keeping such records, attorneys will want to invest in an electronic timekeeping program. Additional information about such resources is available at *LEGALfuel*, the Practice Resource Center of The Florida Bar at <https://www.legalfuel.com/>.