

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO.: _____

vs.

DIV.: _____

_____,
Defendant.

JUDGE: _____

_____/

MOTION TO INCUR COSTS FOR FORENSIC SENTENCING EXPERT

COMES NOW the Defendant, by and through the undersigned counsel, and moves to incur costs for a defense forensic sentencing expert for purposes of section 921.1401, Florida Statutes, and in support thereof, shows the following:

1. The Defendant is indigent and the undersigned [was appointed by the Court to represent the Defendant]/[is privately retained and the Court previously found the Defendant indigent for costs]. [PICK WHICHEVER IS APPLICABLE].
2. The Defendant was a juvenile at the time of the offense and is subject to a sentence of life imprisonment.
3. The defense requires the assistance of a forensic sentencing expert for purposes of developing evidence in accordance with section 921.1401, Florida Statutes. The defense requests authorization for up to \$_____ at the rate of \$75 per hour for the services of _____ as the defense forensic sentencing expert in this matter.

WHEREFORE, the defense requests this Court enter an order authorizing the defense to incur costs for a forensic sentencing expert as set forth above.

Respectfully submitted,

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO.: _____

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_____,
Defendant.

JUDGE: _____

_____/

**ORDER AUTHORIZING THE DEFENSE TO
INCUR COSTS FOR FORENSIC SENTENCING EXPERT**

THIS CAUSE having coming before the Court upon the Motion to Incur Costs for Forensic Sentencing Expert in the above entitled cause; and this Court having reviewed the Motion and the response of the Justice Administrative Commission, the Court finds that the defense has shown that the assistance of a forensic sentencing expert for purposes of section 921.1401, Florida Statutes, is necessary for the defense of the case.

IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. The defense is authorized to retain _____ as the defense forensic sentencing expert.
2. The defense is authorized to incur up to \$_____ for forensic sentencing expert services at a rate of \$75 per hour.
3. Should any forensic sentencing expert desire direct payment from the Justice Administrative Commission, the forensic sentencing expert must enter into a contract with the Justice Administrative Commission. The defense and forensic sentencing expert must comply with all policies and procedures of the Justice Administrative Commission related to the submission of billings for direct payment to a due process vendor.

4. The Defendant is liable to pay the amount of any due process costs provided to the defense as directed by section 27.52 and section 938.29, Florida Statutes. If the Defendant is convicted, the Court is responsible for determining the amount of the obligation to be imposed as a lien against the Defendant.

DONE AND ORDERED in _____, _____ County on this _____ day of _____.
