



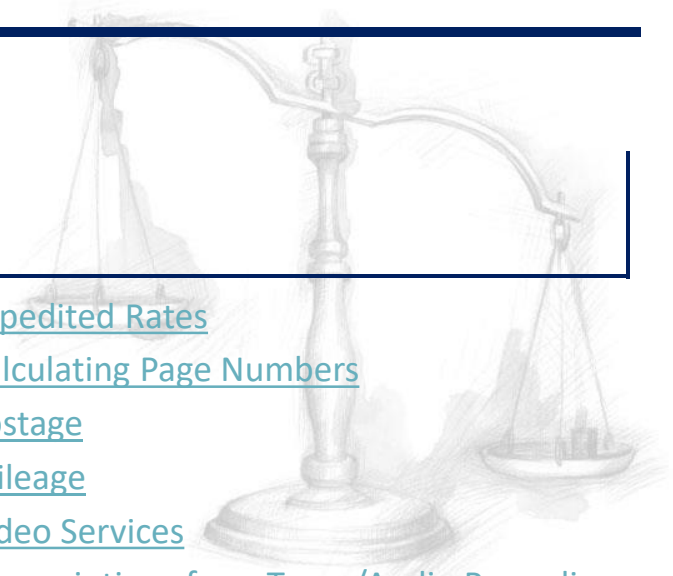
**JUSTICE ADMINISTRATIVE
COMMISSION**



Guide to Court Reporter Billing

**How to obtain court reporter services and
to submit court reporter bills to JAC**

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Introduction:

- This training module is intended to be an aid for the billing process.
- For additional information, please review the JAC contracts, JAC Policies & Procedures, and the Frequently Asked Questions.
- This module delineates the requirements for a court reporter to enter into a contract with JAC, as well as the billing process to be followed.

Direct Payment:

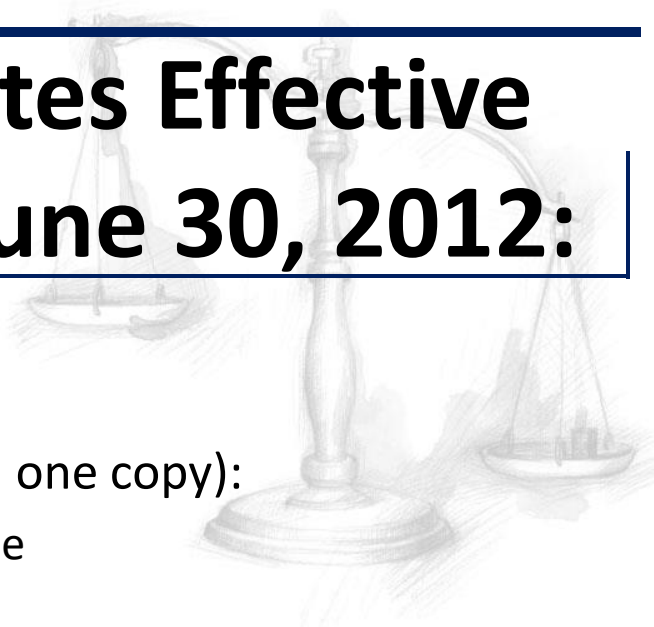
- Court reporters who desire direct payment from JAC will need to enter into a contract. JAC makes direct payment only to court reporters who have executed a contract with JAC.
- The current contracts are available at https://www.justiceadmin.org/court_app_counsel/agreementscontracts.aspx#dpvendor
- If a court reporter does not have a contract with JAC and is unwilling to enter into a contract, then the attorney will need to pay the court reporter and seek reimbursement from JAC.

Rates for Court Reporting Services Compensated Through JAC:

- The rates for court reporting services depend on the date the service was rendered by the court reporting firm.
- For services rendered prior to July 1, 2010, the rates set by the local Indigent Services Committee apply. For services rendered on or after July 1, 2010, the uniform statewide rates apply.
- In determining the applicable rate for a transcript, as a general rule, the date that the transcript was ordered determines the applicable rate.
 - If the transcript was ordered prior to July 1, 2010, then the ISC rates apply.
 - If the transcript was ordered on or after July 1, 2010, then the statewide rates apply.

Uniform Statewide Rates Effective July 1, 2010 through June 30, 2012:

- Deposition Appearance Fees:
 - 1st hour: \$50; thereafter \$25 per hour.
- Deposition Transcript Fee (original and one copy):
 - 10 business day delivery: \$2.95 per page
 - 5 business day delivery: \$5 per page
 - 24 hours delivery: \$7 per page
 - Additional copies: \$1 per page
- Appellate/Hearing Transcript Fee (original and up to two copies):
 - 10 business day delivery: \$3.95 per page
 - 5 business day delivery: \$6 per page
 - 24 hours delivery: \$8 per page
 - Copies (when original previously ordered): \$1 per page



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Uniformed Statewide Rates Effective July 1, 2010 through June 30, 2012:

- Transcription from tapes or audio recordings (other than depositions or hearings):
 - Either \$35 per hour listening fee, or \$3 per page, whichever is greater
- Video Services:
 - \$100 per hour per location

When a defense attorney orders a transcript, the court reporter shall bill either the number of pages for the transcript or the applicable appearance or listening fee, whichever is greater.

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Uniform Statewide Rates Effective July 1, 2012 through June 30, 2014:

- Deposition Appearance Fees:
 - 1st hour: \$50; thereafter \$25 per hour.
- Deposition Transcript Fee (original and one copy):
 - 10 business day delivery: \$4.00 per page
 - 5 business day delivery: \$5.50 per page
 - 24 hours delivery: \$7.50 per page
 - Additional copies: \$.50 per page
- Appellate/Hearing Transcript Fee (original and up to two copies):
 - 10 business day delivery: \$5.00 per page
 - 5 business day delivery: \$6.50 per page
 - 24 hours delivery: \$8.50 per page
 - Copies (when original previously ordered): \$.50 per page

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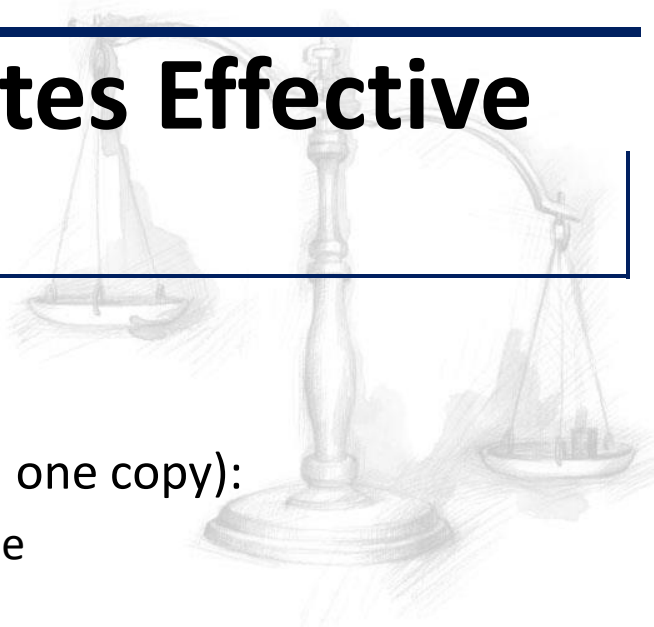
Uniform Statewide Rates Continued Effective June 30, 2012 through June 30, 2014:

- Transcription from tapes or audio recordings (other than depositions or hearings):
 - Either \$35 per hour listening fee, or \$3 per page, whichever is greater
- Video Services:
 - \$100 per hour per location (2 hour minimum)

When a defense attorney orders a transcript, the court reporter shall bill either the number of pages for the transcript or the applicable appearance or listening fee, whichever is greater.

Uniform Statewide Rates Effective July 1, 2014:

- Deposition Appearance Fees:
 - 1st hour: \$75; thereafter \$25 per hour.
- Deposition Transcript Fee (original and one copy):
 - 10 business day delivery: \$4.00 per page
 - 5 business day delivery: \$5.50 per page
 - 24 hours delivery: \$7.50 per page
 - Additional copies: \$.50 per page
- Appellate/Hearing Transcript Fee (original and up to two copies):
 - 10 business day delivery: \$5.00 per page
 - 5 business day delivery: \$6.50 per page
 - 24 hours delivery: \$8.50 per page
 - Copies (when original previously ordered): \$.50 per page



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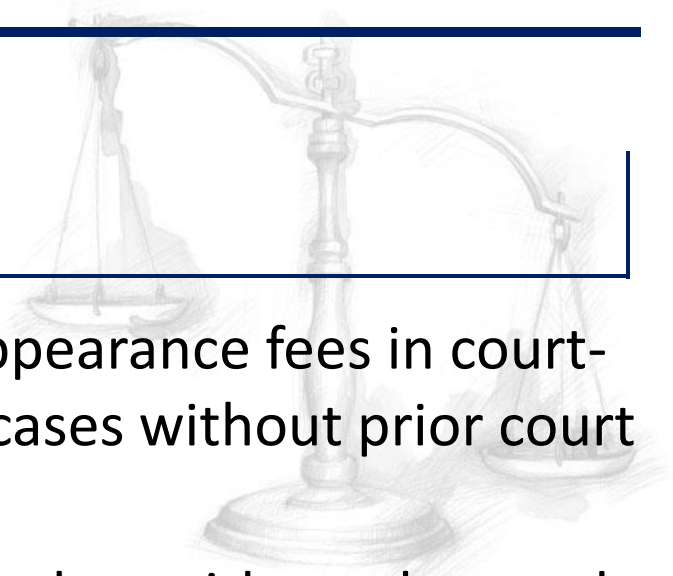
Uniform Statewide Rates Continued Effective July 1 2014:

- Transcription from tapes or audio recordings (other than depositions or hearings):
 - Either \$35 per hour listening fee, or \$3 per page, whichever is greater
- Video Services:
 - \$100 per hour per location (2 hour minimum)

When a defense attorney orders a transcript, the court reporter shall bill either the number of pages for the transcript or the applicable appearance or listening fee, whichever is greater.

Appearance Fees:

- Generally, JAC may pay bills for appearance fees in court-appointed and indigent for costs cases without prior court authorization.
- As long as the deposition may be taken without the need for prior court approval, JAC does not need an order authorizing payment of appearance fees.
- In those instances where prior court approval is required, the attorney or court reporter may need to supply JAC with the court order authorizing the taking of depositions.



Calculating the Appearance Fees Under the Uniform Rates:

- For purposes of calculating the amount of an appearance fee for deposition involving multiple witnesses, the amount is calculated per session, not per witness; however, all witnesses listed on the Notice of Taking Deposition should be accounted for on the court reporter's detailed invoice including deponents who were a no show, cancelled, rescheduled etc.
 - The first hour is compensated at a rate of \$75 per hour.
 - Each hour thereafter is compensated at a rate of \$25 per hour.

Calculating the Appearance Fees Under the Uniform Rates Continued:

- If there is an unbilled break exceeding an hour and the same court reporter returns following the break, the court reporter may bill the \$75 per hour for the first hour following the break.

For example, if the defense had depositions from 8:00 AM to 11:00 AM and from 1:30 PM to 4:30 PM, then the court reporter could bill \$125 for the first session and \$125 for the second session.

Digital Recording of Depositions:

- The uniform statewide rates imply that most depositions shall be conducted using digital recording technology. Stenographic reporting should only be used in those instances where due process requires it. Generally, this should primarily occur in capital cases in which the state is seeking death.
- Digital reporting allows for the deposition to be transcribed by a court reporter or transcriptionist other than the reporter that attended the depositions when necessary.

Certificate of Non-Appearance

- The cost of any certificate of appearance or non-appearance is covered by the appearance fees.
- There is no additional fee authorized to issue such certificates.



Obligation to Provide Recording/Notes:

- If a court reporter is unable or unwilling to prepare a transcript for a deposition for which JAC has paid an appearance fee, then the court reporter will need to turn over a copy of any recordings, stenographic notes, computer files, or other documents related to transcribing the deposition to the attorney or another court reporter designated by the attorney.
- The cost of providing a copy of any recordings, stenographic notes, computer files, or other documents related to transcribing the deposition is incorporated into the appearance fees paid to the court reporter. No additional fees will be paid to provide these copies.

Transcripts Under the Uniform Statewide Rates:

- JAC may pay for the cost of preparing a transcript of a deposition only if the attorney secures a court order finding that preparation of the transcript is necessary. When transcripts are authorized, JAC will pay for one original and one copy only. The order should reflect the name of the witness and the date of the deposition. An order may authorize transcripts for more than one witness.
- A generic order authorizing transcripts prior to the taking of depositions ***will not suffice*** for payment purposes. For example, language in the order of appointment authorizing private court-appointed counsel to order “necessary” transcripts does not suffice.

Transcripts Under the Uniform Statewide Rates Continued:

- As a general rule, the determination of whether a transcript is necessary should not be made until after the deposition has been conducted.
- The order authorizing the transcript(s) must be included in the billing packet for the transcript(s). The failure to include the order authorizing transcripts may result in delays in payment.
- Before commencing work on a transcript, a court reporter may wish to verify that the attorney has obtained an order authorizing the transcript or is in the process of obtaining such an order.

Appellate Transcripts:

- For appellate transcripts, the designation of the record may be utilized in lieu of a court order authorizing transcripts.
- The rate for appellate transcripts includes an original and two copies and any necessary electronic copies. If additional copies beyond two are required, the rate for the additional copies are \$.50 per page.
- The clerk of court or designee may sign the JAC Invoice Voucher Cover indicating receipt of the appellate transcript.



Exhibits and Electronic Copies:

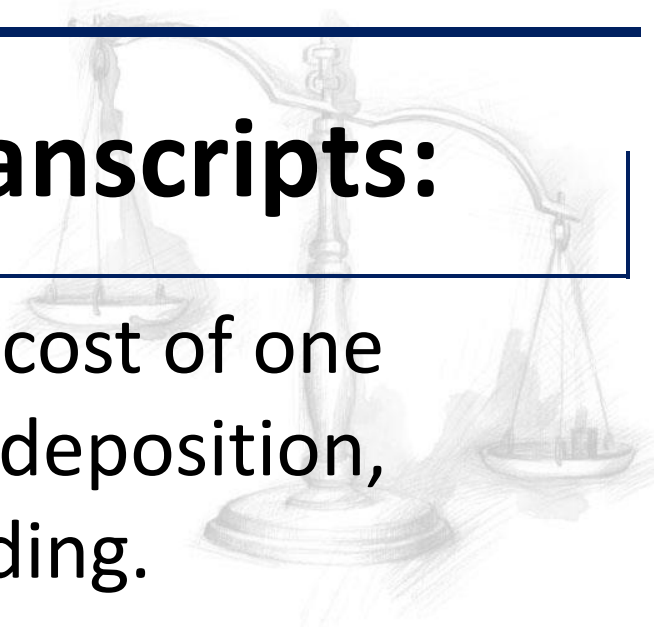
- If exhibits or other documents need to be attached to a deposition transcript, the rate for black and white copies of those documents is \$0.15 per page.
- Rates for color copies or charges for scanning exhibits will need to be approved by a court order indicating the need for color copies and scanning exhibits.
- Fees for electronic copies or emailing transcripts are generally not authorized. The rate for hearing transcripts includes the costs of preparing electronic copies as mandated by the rules of the court.

Cancellations/Failure to Appear:

- If a deposition is canceled at the last minute due to no fault of the attorney, then JAC will pay the first hour appearance fees. When an attorney does not timely notify a court reporter of a canceled deposition, then the attorney would be responsible for any cancellation fee.
- If a witness fails to appear, JAC pays for the first hour appearance fee or a reasonable amount of wait time depending on the circumstances.
- JAC pays for the actual time the court reporter was present. The billing should reflect work done from the scheduled start time through the actual finish time, regardless of how much time was scheduled.

Multiple Original Transcripts:

- JAC may only pay for the cost of one original transcript of any deposition, hearing, or other proceeding.
- Once an original has been paid from any source whatsoever, any future copies shall be at the rate paid for a copy of a transcript even if the transcript is designated as an original.



Multiple Original Transcript Examples:

- If there is a case involving several co-defendants and more than one attorney requests a transcript of the deposition of a witness, then JAC would only pay the rate for an original in one case (assuming the original rate was not previously paid). The rate for any other transcripts would be the copy rate even if an original was requested.
- If both parents appeal the result of a termination of parental rights case, JAC would not pay for two originals of the appellate transcripts (assuming both parents were represented by private court appointed counsel). JAC would only pay the copy rate as to the second transcript. Similarly, JAC would only pay the copy rate if one of the parents was represented by regional counsel and regional counsel previously paid for an original.

Expedited Rates:

- Under the statewide rates, there are three tiers of rates:
 - Regular
 - 5 day expedited, and
 - 24 hour expedited.
- To obtain expedited rates for transcripts, the attorney is required to serve JAC with a motion justifying expedited rates and, after JAC responds to the motion, an order authorizing expedited rates. The attorneys cannot obtain an order authorizing expedited rates without specifically requesting expedited rates.
- In order for JAC to pay expedited rates for any transcript, an order authorizing expedited rates must be provided. The motion must specify the necessity for expedited rates



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Expedited Rates Continued:

- JAC generally pays for expedited rates in those circumstances where a transcript could not be obtained at regular rates if the attorney had acted diligently. For example, JAC would not contest payment of expedited transcripts for a witness disclosed and deposed on the eve of trial.
- If the need for expedited transcripts is the result of attorney neglect, then JAC would likely contest payment of expedited rates. For example, if the attorney delayed ordering the transcript of a witness deposed well before trial until the week of trial, JAC would likely contest paying expedited rates.
- When the need for expedited transcripts is a result of attorney neglect, then the attorney may be responsible for paying the difference between the regular and expedited rates.

Calculating Page Numbers:

- In determining the number of pages to be billed, JAC pays for the following: a title page; index, appearance and/or contents page(s); the transcription of the testimony of the proceeding or deposition; one errata sheet for a deponent or witness; and necessary court reporter certification page(s) at the conclusion of the transcript.
- JAC does not pay for pages containing word indexes, summaries, or similar information unless specifically required by court rule.
- All transcripts must meet the formatting requirements set forth in Fla. R. Jud. Admin. 2.535(f).
- Notice of Inspections should be submitted via *MyJAC*.

Postage:

- For transcripts prepared in circuit, postage is not authorized.
- For transcripts prepared outside the circuit, JAC will reimburse for postage or other common carrier charges (such as UPS or FedEx). The court reporter will need to provide proof of the amount of postage (such as a receipt or a copy of the envelope showing the amount of postage).
- Where postage is authorized, JAC only pays the actual amount of postage. JAC does not pay for any shipping or handling fees beyond actual postage.

Mileage:

- As a general rule, JAC does not object to mileage reimbursement for court reporters traveling to rural circuits where there are no court reporters available to provide services. JAC is likely to object to mileage charges for court reporters to travel to another circuit where there are local court reporters available to provide services in that circuit.
- Mileage must exceed 50 miles one way before mileage is authorized. If using a privately owned vehicle, the official Department of Transportation (DOT) highway mileage from point of origin to destination (city to city) must be used.
 - <http://fdotewp1.dot.state.fl.us/CityToCityMileage/>
- Map mileage claimed cannot exceed that shown on the DOT Official Highway Mileage chart. If city to city mileage is not provided through DOT, a traveler may use an internet source such as www.mapquest.com. The traveler must enter the address for departure and destination address and provide a printout as supporting documentation for the travel voucher.
- A request for reimbursement of mileage must be through the travel voucher issued by the Department of Financial Services. Both the court reporter (as the traveler) and the attorney (as the supervisor) must sign the travel voucher.



Video Services:

Depositions

- Except in those instances where a deposition is required to be videotaped, a court order is required authorizing the videotaping of the deposition. The primary instance in which a court order is not required is the taking of a deposition of a child under the age of 18. Other videotaped depositions, including depositions to perpetuate testimony, must be authorized by court order.
- Except in exceptional circumstances, a deposition should not be attended by a court reporter and be videotaped. The videotape constitutes an electronic record from which a transcript can be prepared if one is needed at a later date.
- The fee for videotaping a deposition includes any fee to provide the attorney with a copy of the video of the deposition whether on videotape or other format. JAC is not authorized to pay any additional fees to provide a copy of the video to the attorney.

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Video Services Continued:

Videoconferencing

- This rate also applies to videoconferencing. The rate is \$100 per hour per location (2 hour minimum after 7/1/2012). In most instances, this should involve two locations so the rate would be \$200 per hour. Any instance of videoconferencing must be approved by court order.
- The hourly rate includes the reasonable time to setup and takedown the video equipment. For billing purposes, the minimum fee is two hours. After the second hour, the services should be billed in tenths of an hour. This applies to videotaped depositions and videoconferencing.

Transcription from Tapes or Audio Recordings

- For audio recordings (other than deposition and hearing transcripts), the vendor may seek either the applicable per page rate or the applicable listening fee hourly rate. A vendor cannot bill both the per page rate and the listening fee hourly rate.
- When a court reporter seeks payments on an hourly basis for audio recordings (other than deposition and hearing transcripts), he or she should bill actual time. The court reporter is not entitled to bill an entire hour for a portion of an hour. Services performed beyond a full hour point should be billed in tenths of an hour. For example, services that begin at 10 AM and end at 11:15 AM would be billed at 1.3 hours. See

https://www.justiceadmin.org/court_app_counsel/ChartForBillingInTenths.pdf

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Transcription from Tapes or Audio Recordings Continued:

- If the billing covers more than one date or more than one recording, a detailed hourly invoice must be provided. The detailed invoice should include the date of service, type of recording(s) transcribed, and time spent transcribing the recording(s). A vendor may list several calls within one block of time. For example, if a court reporter listened to 15 phone recordings continuously, the start time and end time would not have to be indicated for each call. The vendor would be able to indicate what time he or she started (in hours and tenths of an hour) and the time ended; however, the billing may not contain entries in which the court reporter bills for services across multiple dates in a single entry.

Entering into a Contract with JAC:

Type 1 Due Process Contract

- This contract runs with the State fiscal year and covers all services rendered by the court reporter through June 30th. This contract provides that all services will be provided at the rates established in the General Appropriations Act. If a due process vendor bills in excess of the established rates, JAC will be authorized to correct the billing to the correct rates and then process the billing for payment.

Submission of Billings – Correct Invoice/Voucher Cover:

- Voucher Covers are generally created electronically via MyJAC. An exception is when billing a Pro Se case, a hard copy voucher cover may be used in lieu of the electronic voucher cover.
- The JAC Invoice/Voucher covers require the submission of information necessary for JAC to review a billing for compliance with statutory and contractual requirements.
- The failure to use the appropriate Invoice/Voucher cover can result in essential information being omitted from the billing. This can delay the processing of the billing as well as other billings because JAC staff has to spend substantial time obtaining the information that would have been included if the vendor had used the correct Invoice/Voucher cover.

Completion of Voucher Cover:

- The JAC Invoice/Voucher cover must be fully completed including all essential information requested in the Invoice/Voucher cover. When court reporters attach their own invoices, the information requested in other portions of the voucher cover must still be completed.
- The amount billed must always be provided in the JAC Invoice/Voucher cover.
- Detailed instructions on how to complete the Invoice/Voucher covers are available on JAC's website. Instructions are provided for each type of Invoice/Voucher cover.

My JAC (JAC's Secure Website):

- JAC has created a secure website through which a court reporter can submit billings and obtain information regarding both unpaid and paid bills submitted to JAC. Through *My JAC*, a court reporter can determine whether JAC has received a billing and whether JAC has approved the billing for payment. A court reporter can also access letters and notices related to the billing such as audit deficiencies and letters of objection.
- Instruction on how to setup access to *My JAC* is available at:
 - <https://www.justiceadmin.org/login/login/Quick%20Reference%20Guide-Vendor%20Login.pdf>
- The JAC Online Support Team can assist a court reporter in setting up an account and in using *My JAC*.

Online Billing Submission System:

- With limited exceptions, due process billings must be submitted online through *My JAC*. Court reporters and attorneys who have registered an account with *My JAC* may submit invoices to cases already open in the JAC system.
- Prior to beginning an online invoice submission, the due process vendor must have the necessary documentation ready. During the billing process, the due process vendor will complete an electronic JAC Invoice/Voucher Cover.
- Supporting documentation including any vendor invoices must be scanned to electronic files. All files must be in PDF or TIFF format only. During the online billing process, the vendor will be prompted to upload these files. Please make sure the scans of all documents are legible.

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Online Billing Submission System continued:

- Once the billing packet has been submitted, a confirmation message will appear and the attorney and due process vendor will receive a confirmation email.
- The attorney will log into *My JAC* and review the billing and supporting documentation and then either approve or reject the billing. Attorneys **should** to approve or reject due process vendor billings within 10 business days.
- If the court reporter needs to amend the billing or respond to an audit deficiency, the additional document(s) may be submitted through the Online Billing Submission system using the Tracking Number assigned to the billing.
- To assist in submitting billings through this new system, additional instructions and tutorials are available on *My JAC*.



Indigent for Costs Cases:

- In some instances, a privately retained attorney may have their client declared indigent for costs. When this occurs, the attorney needs to provide JAC with specific documentation related to this determination. The attorney must provide JAC with:
 - The motion to declare the defendant indigent for costs;
 - The completed clerk's application for indigency;
 - An affidavit as to the estimated amount of attorney's fees;
 - The order declaring the defendant indigent for costs;
 - The charging document; and
 - The JAC Indigent for Costs contract signed by the attorney.
- Until JAC receives these documents, JAC cannot process any billing for payment related to that case.

Indigent for Costs Cases Screenshot:

- A private attorney can access *My JAC* (JAC's secure website) related to his or her cases. One of the items the attorney can access is a screen showing whether JAC has received the six documents listed above. The attorney can print this screen. Before commencing work on an indigent for costs case, a court reporter or other due process vendor may wish to ask the attorney for a copy of this screen to verify that the attorney has provided JAC with the necessary documentation.

The Justice Administrative Commission

Case Number	
Description	
Defendant Last	
Defendant First	

IFC Attorney Contract Received
Motion for Indigence Received
Order of Indigence Received
Application for Indigence Received
Affidavit for Attorney Fees Received
Charging Document Received

Chapter 39 cases including Dependency and TPR do not require a Charging Document for Due Process vendors to be paid.

Invoice	Type	Warrant #	Total	Status
20074866	FREIGHT		\$4.95	Waiting on Response from Vendor
20074866	DEPOSITION TRANSCRIPTS		\$30.00	Waiting on Response from Vendor
20074866	DEPOSITION TRANSCRIPTS		\$65.00	Waiting on Response from Vendor
20074866	DEPOSITION TRANSCRIPTS		\$103.95	Waiting on Response from Vendor
20076062	APPEARANCE FEES	1001555	\$45.00	Paid
20076062	APPEARANCE FEES	1001555	\$65.00	Paid
20076869	DEPOSITION TRANSCRIPTS	1360736	\$103.95	Paid
20076869	POSTAGE	1360736	\$4.90	Paid

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Billing Audit Deficiencies:

- When JAC receives a billing for court reporting services which lacks necessary documentation or requisite information, JAC may send the court reporter and the attorney a Billing Audit Deficiency. It will indicate the reason JAC is unable to process the billing and will request that the court reporter and/or the attorney provide the lacking documentation or information.
- When JAC issues a Billing Audit Deficiency, the court reporter and/or attorney needs to provide the additional documentation or otherwise resolve the Billing Audit Deficiency in an expeditious fashion.
- Failure to resolve the Audit Deficiency may result in JAC paying the billing at a reduced rate or rejecting the bill.

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Billing Audit Deficiencies Continued:

- When responding to a Billing Audit Deficiency, the court reporter or attorney must use the Audit Deficiency as the cover page for any submission. This will allow JAC staff to identify the appropriate case.
- Billing Audit Deficiencies **must** be submitted through the Online Billing Submission system using the Tracking Number for the billing.
- JAC receives numerous documents and submissions on a daily basis so that the failure to use the Audit Deficiency as the cover sheet could result in delay in payment.
- When requesting reinstatement of a billing, the Reinstatement portion of the Audit Deficiency must be signed. A response to an audit deficiency will not be deemed submitted until JAC receives a signed request for reinstatement. This request may be submitted through the Online Billing Submission system.

Direct Deposit (EFT):

- Due process vendors including court reporters must participate in a direct deposit program which allows for transfer of funds electronically to an account in a federal-chartered or state-chartered financial institution (EFT). If a due process vendor seeks an exemption from this provision, the due process vendor must submit in writing a request for exemption specifically delineating why he or she cannot comply with this provision.
- JAC does not review or process the application to setup electronic funds transfer. ***The application must be submitted directly to the Department of Financial Services (DFS).*** Information and the forms necessary are available on the DFS website at:

- <https://www.myfloridacfo.com/division/aa/vendors>

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Direct Deposit (EFT) Continued:

- Once completed, the form should be sent to:
Department of Financial Services
Direct Deposit Section
200 E. Gaines Street
Tallahassee, Florida 32399-0359
- Please do not send these forms to JAC. JAC cannot process or review these forms.
- After setting up an EFT with DFS, if there are any changes to the payee name submitted to DFS, please submit the updated information to JAC's contract section.
- The payee name in JAC's database must match exactly with the EFT information in order for payment to be received.

