20040083091 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 3155 PG: 853,
09/02/2004 at 12:39 PM, BOB INZER, CLERK OF COURTS

IN THE SECOND JUDICIAL CIRCUIT
OF FLORIDA.

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 73-36

IN RE: Implementation of F. S. 34.191 (3) with regard to distribution of court costs to the City of Tallahassee.

RECORDED IN THE PUBLIC RECORDS OF LEON CO. FLA. IN FILE BOOK & PAGE
SEP 3 5 PM '73
AT REQUEST OF JAMES F. HARTFIELD CLERK OF CIRCUIT COURT

1. The City of Tallahassee has made available certain of its facilities for the use of the county court of Leon County and, pursuant to Section 34.191 (3), Florida Statutes, the said municipality, through its City Attorney, has applied to the undersigned Chief Judge for an Order directing the county to distribute reasonable costs to the municipality. The undersigned has considered said application and the same is hereby granted to the extent of $21,060.90 which the county of Leon is directed to distribute to the City of Tallahassee for such court costs for the period January 1, 1973 to October 1, 1973 in accordance with and for the reasons set forth in the letter dated September 11, 1973 from the undersigned Chief Judge to Mr. Brian W. Henry, City Attorney, a copy of which is hereto attached and made a part hereof by reference.

2. The said county is authorized to make said distributions from the budget of county court of Leon County.

DONE and ORDERED in Chambers at Tallahassee, Florida this 12th day of September, A.D., 1973.

Ben C. Willis
CHIEF JUDGE

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OFFICE OF

BEN C. WILLIS

CIRCUIT JUDGE, SECOND JUDICIAL CIRCUIT

TALLAHASSEE, FLORIDA

JUDGES OF CIRCUIT

W. MAY WALKER
TALLAHASSEE, FLA.

H. M. TAYLOR
QUINCY, FLA.

BEN C. WILLIS
TALLAHASSEE, FLA.

GUYTE P. MCCORD, JR.
TALLAHASSEE, FLA.

September 11, 1973

Mr. Bryan W. Henry
City Attorney
P.O. Drawer 1857
Tallahassee, Florida

IN RE: Implementation of F. S. 34.191 with regard to distribution of court costs.

Dear Mr. Henry:

You wrote me by letter dated May 23, 1973 requesting implementation of subsection (3) of Section 34.191, Florida Statutes, pertaining to distribution of reasonable court costs for use of municipal facilities by the county court of Leon County.

You submitted a schedule which reflected proposed pro-rata monthly expenses involving (1) salaries and wages; (2) machinery; (3) utilities; (4) maintenance contract; (5) janitor service; (6) floor space and (7) salary of prosecutor, which totaled $4,988.97 per month.

There are available in the budget of the county court certain funds which may be properly allocated to this purpose. However, full response to your request does not appear feasible.

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I am informed that the three employees for whom you ask one-half of their compensation did serve for six months in performing services for the county court, but that thereafter they have not been engaged in any services other than for the city.

The items claimed for machinery, utilities, maintenance contract and janitor service are deemed reasonable.

By honoring the foregoing for the period January 1, 1973 to October 1, 1973, the following is produced:

1.	Salaries and wages - 6 months at $1,062.60	$ 6,375.60
2.	Machinery - 9 months at $1,162.00	10,458.00
3.	Utilities - 9 months at $235.00	2,115.00
4.	Maintenance Contract - 9 months at $23.00	207.00
5.	Janitor Service - 9 months at $211.70	1,905.30
	TOTAL	$21,060.90

The claim for floor space rental and for the prosecutor's salary are not approved. It is deemed that the prosecutor's salary is not an item for the county but his services were for the state's attorney's office. The concept of rental of floor space is not unreasonable as an expense of the court. However, both the county and the city share in the fines and forfeitures imposed by the court and it seems reasonable that the city share in some measure with the expense of maintaining and operating the courts. The disapproval of this item is not intended as establishing any fixed precedent or policy for the future, but only for the purpose of directing distribution of costs for the period

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ending October 1, 1973.

As there are other matters needful of further discussion in connection with the future operation of the traffic bureau and the traffic division of the county court, it may be fruitful for early conferences to be held to develop an understanding between the county and the city with reference to the continued use of city facilities.

Accordingly, I intend to enter an Order directing the distribution to the city of Tallahassee of the sum of $21,060.90 which is determined to be reasonable costs for the period ending September 30, 1973.

Sincerely yours,

Ben C. Willis

Ben C. Willis
Chief Judge

BCW/kll

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