20040083102 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 3155 PG: 877,
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. 74-39

RECORDED IN THE PUBLIC RECORDS OF LEON CO. FLA
IN THE BOOK & PAGE IND.
OCT 28 1 59 PM '74
AT THE REQUEST OF
CLERK OF CIRCUIT COURT

RE: Determination of Normal Work Day for Court Reporters in connection with overtime compensation pursuant to Transition Rule 12.

1. It is shown that trials and other proceedings involving the liberty of individuals in the Criminal, Juvenile and Probate Divisions of the Circuit Courts and similar matters in the County Courts are frequently carried into the evening hours and on Saturday, Sunday and legal holidays. Because of the nature of these proceedings and their urgent or emergency circumstance the services of an Official Court Reporter is required. Transition Rule 12 provides for the payment of overtime for services of more than 60 hours per month with certain minimum credits for appearances before and after the lunch recess. It further provides for an hour for hour credit "for actual time spent in court exceeding five hours per day." The said rule does not define specifically the term "day" but it would seem logical that it is intended to be not a mere calendar day but the portion of a day normally and customarily reasonably devoted to the performance of duties. It is apparent that performance of duties at hours not normally a part of a working day and on days which are normally not working days imposes a hardship, burden and perhaps additional expense on those Court Reporters who then serve which is substantially greater than that of those whose hours accumulate during normal working periods.

2. Because of the foregoing, it is deemed necessary to administratively construe said Transition Rule 12 in the light of circumstances in this Circuit in order to equalize the burdens and benefits of those performing in normally "off hours and days" with services performed in ordinary working periods.

3. Accordingly, it is determined and found the the normal and reasonable working day for Court Reporters in this Circuit is from 8:00 a.m. to 6:00 p.m. on Monday through Friday of each calendar week other than legal holidays. It is further found that a reasonable equalization for services performed otherwise than in the

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period of a normal working day shall be computed on the basis of one and one-half (1 1/2) hours for each hour served during such periods outside of a normal working day.

4. In view of the foregoing it is accordingly ORDERED that any services required of and performed by a Court Reporter, as aforesaid in the Courts mentioned, which shall occur after 6 p.m. on a normal working day, or which occur on Saturday, Sunday or legal holiday may be credited on a basis of one and one-half hours for each hour actually served.

5. Nothing herein shall affect any proceeding of a civil nature not involving the liberty of a person requiring that proceedings be reported, and shall not affect compensation charged by Court Reporters for such civil matters.

6. DONE and ORDERED in Chambers at Tallahassee, Florida, this 25th day of October A.D., 1974.

Ben C. Willis
CHIEF JUDGE

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CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
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