20040081834 RECORDED IN PUBLIC RECORDS LEON COUNTY FL BK: 3153 PG: 1011,
08/31/2004 at 11:18 AM, BOB INZER, CLERK OF COURTS

IN THE SECOND JUDICIAL
CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO: 90-18

IN RE: Assessment of Attorney Fees and Costs in Criminal Cases

WHEREAS: The Public Defender of the Second Judicial Circuit has requested uniform procedures for the amount of attorney fees and costs in criminal cases which are represented by the Public Defender's Office or by a Conflict Attorney assigned to a criminal case: and

WHEREAS: Section 3.720 (d), Florida Rules of Criminal Procedures states that:

"(1) If the accused was represented by a public defender or special assistant public defender, the court shall notify the accused of the imposition of a lien pursuant to Section 27.56, Florida Statutes (1979). The amount of the lien shall be given and a judgment entered in that amount against the accused. Notice of the accused's right to a hearing to contest the amount of the lien shall be given at the time of sentence.

(2) If the accused requests a hearing to contest the amount of the lien, the court shall set a hearing date within thirty (30) days of the date of sentencing";
It is therefore:

ORDERED THAT:

1. At the conclusion of each case where the office of the Public defender or an attorney from the conflict committee has been appointed to represent the defendant, the sentencing judge shall impose a lien and order a judgment to be entered against the defendant for the value of the attorney's services and costs of defense.

2. Attorney fees shall be imposed at the following rates:

First Degree Murder - Pursuant to Adm. Order # 88-74	
Capital Felony-(Trial Level or Appeal)	$2,000.00
Life Felony-Trial Level	800.00
Non-Capital, Non Life Trial Level	500.00
Juvenile, Misdemeanor or Baker Act	300.00
Violation of Probation Proceedings	200.00
3.850 Proceedings (Felony)	300.00
3.850 Proceedings (Misdemeanor)	200.00

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3. The attorney for the defendant shall advise the sentencing judge of all taxable costs reasonably incurred in the defense of the case.

4. The lien and judgment shall conform to the attached exhibits, and the Clerk of the Court shall record the lien and judgement in the public records.

5. The accused shall be given notice, at the time of sentencing, of the right to contest the amount of the lien. If the accused contests the amount of the lien, a hearing should be set within thirty (30) days as the date of sentencing.

DONE AND ORDERED, in Chambers, at Tallahassee, Leon County, Florida this 17th day of July, 1990.

Charles D. McClure
Chief Judge

cc:

All Circuit and County Judges, Second Judicial Circuit
All Clerks of the Circuit Court, Second Judicial Circuit
Public Defender, Barbara Linthicum
State Attorney, Willie Meggs
Court Administrator

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

STATE OF FLORIDA

v. Case no.

JOHN DOE

FINAL JUDGMENT AND LIEN FOR PUBLIC DEFENDER SERVICES

THIS CAUSE coming on before the court for sentencing, and it appearing to the Court that the defendant has been found guilty of a criminal offense, and was represented by the Public Defender's Office, or a conflict attorney, who has stated that the reasonable value of his or her services is $ _____, and taxable costs incurred were $ _____, it is therefore:

ORDERED AND ADJUDGED, pursuant to Section 27.56, Florida Statutes, and Fla. R. Crim. P. 3.720(d), that a final judgment in the amount of $ _____ ($ _____ fee and $ _____ costs) is hereby entered against the defendant, in favor of _____ County, Florida, for the value of the Public Defender's or conflict attorney's services. A lien in the amount of the final judgment in hereby imposed upon the property of the defendant. And it is further:

ORDERED AND DIRECTED that the defendant is entitled to a hearing within 30 days hereof if he wishes to contest the amount of this final judgment and lien.

DONE AND ORDERED in open court at _____, _____ County, Florida, this ___ day of _____, 19__.

_____
CIRCUIT JUDGE

cc: Defendant
County Attorney

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LEON COUNTY
GWEN MARSHALL
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IN THE COUNTY COURT, SECOND JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

STATE OF FLORIDA

v. Case no.

JOHN DOE

FINAL JUDGMENT AND LIEN FOR PUBLIC DEFENDER SERVICES

THIS CAUSE coming on before the court for sentencing, and it appearing to the Court that the defendant has been found guilty of a criminal offense, and was represented by the Public Defender's Office, or a conflict attorney, who has stated that the reasonable value of his or her services is $ _____, and taxable costs incurred were $ _____, it is therefore:

ORDERED AND ADJUDGED, pursuant to Section 27.56, Florida Statutes, and Fla. R. Crim. P. 3.720(d), that a final judgment in the amount of $ _____ ($ ____ fee and $ ____ costs) is hereby entered against the defendant, in favor of _____ County, Florida, for the value of the Public Defender's or conflict attorney's services. A lien in the amount of the final judgment in hereby imposed upon the property of the defendant. And it is further:

ORDERED AND DIRECTED that the defendant is entitled to a hearing within 30 days hereof if he wishes to contest the amount of this final judgment and lien.

DONE AND ORDERED in open court at _____, _____ County, Florida, this ___ day of _____, 19__.

_____
COUNTY JUDGE

cc: Defendant
County Attorney

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

IN THE INTEREST OF:

JOHN DOE, A CHILD

Juvenile Division
Case no.

FINAL JUDGMENT AND LIEN FOR PUBLIC DEFENDER SERVICES

THIS CAUSE coming on before the court for sentencing, and it appearing to the Court that the child has been found guilty of a criminal offense, and was represented by the Public Defender's Office, or a conflict attorney, who has stated that the reasonable value of his or her services is $ _____, and taxable costs incurred were $ _____, it is therefore:

ORDERED AND ADJUDGED, pursuant to Sections 27.56 and 39.071, Florida Statutes, that a final judgment in the amount of $ _____ ($ _____ fee and $ _____ costs) is hereby entered against the child, and his parent or guardian, _____, in favor of _____ County, Florida, for the value of the Public Defender's or conflict attorney's services. A lien in the amount of the final judgment in hereby imposed upon the property of the child and his parent or guardian. And it is further:

ORDERED AND DIRECTED that the child and his parent or guardian are entitled to a hearing within 30 days hereof if they wish to contest the amount of this final judgment and lien.

DONE AND ORDERED in open court at _____, _____ County, Florida, this ___ day of _____, 19__.

_____
CIRCUIT JUDGE

cc: Child
Parent or Guardian
County Attorney

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