

Amendment No.

CHAMBER ACTION

Senate

House

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1 The Conference Committee on CS/HB 5401 offered the following:

2

3 **Conference Committee Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsection (5) of section 25.241, Florida

6 Statutes, is amended to read:

7 25.241 Clerk of Supreme Court; compensation; assistants;
8 filing fees, etc.-

9 (5) The Clerk of the Supreme Court is hereby required to
10 prepare a statement of all fees collected each month and remit
11 such statement, together with all fees collected by him or her,
12 to the Chief Financial Officer. The Chief Financial Officer
13 shall deposit \$250 of each \$300 filing fee and all other fees
14 collected into the General Revenue Fund. The Chief Financial
15 Officer shall deposit \$50 of each filing fee collected into the
16 State Courts Revenue ~~state court's Operating~~ Trust Fund to fund
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17 court operations ~~improvement projects~~ as authorized in the
18 General Appropriations Act.

19 Section 2. Section 25.383, Florida Statutes, is amended to
20 read:

21 25.383 Standards for court reporters; procedures; rules of
22 professional conduct, discipline, and training.—The Supreme
23 Court shall establish minimum standards and procedures for
24 qualifications, certification, discipline, and training for
25 court reporters. The Supreme Court shall determine the amount of
26 fees to charge applicants for certification and renewal of
27 certification. Fees shall be set in an amount necessary to
28 recover the full cost of administering the certification
29 process. All proceeds from fees collected pursuant to this
30 section shall be deposited into the Administrative ~~Operating~~
31 Trust Fund within the state courts. The Supreme Court may
32 appoint or employ such personnel as are necessary to assist the
33 court in exercising its powers and performing its duties under
34 this section.

35 Section 3. Section 25.3844, Florida Statutes, is amended
36 to read:

37 25.3844 Administrative ~~Operating~~ Trust Fund.—

38 (1) The Administrative ~~Operating~~ Trust Fund is created
39 within the state courts system.

40 (2) The fund is established ~~for use as a depository of~~
41 ~~fees and related revenue~~ for the purpose of supporting the
42 ~~program~~ operations of the judicial branch and for such other
43 purposes as may be appropriate, and shall be expended only
44 pursuant to legislative appropriation or an approved amendment
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45 to the agency's operating budget pursuant to the provisions of
46 chapter 216.

47 Section 4. Section 25.386, Florida Statutes, is amended to
48 read:

49 25.386 Foreign language court interpreters.—The Supreme
50 Court shall establish minimum standards and procedures for
51 qualifications, certification, professional conduct, discipline,
52 and training of foreign language court interpreters who are
53 appointed by a court of competent jurisdiction. The Supreme
54 Court shall set fees to be charged to applicants for
55 certification and renewal of certification as a foreign language
56 court interpreter. The revenues generated from such fees shall
57 be used to offset the costs of administration of the
58 certification program and shall be deposited into the
59 Administrative ~~Operating~~ Trust Fund within the state courts
60 system. The Supreme Court may appoint or employ such personnel
61 as are necessary to assist the court in administering this
62 section.

63 Section 5. Subsection (7) of section 27.40, Florida
64 Statutes, is amended to read:

65 27.40 Court-appointed counsel; circuit registries; minimum
66 requirements; appointment by court.—

67 (7) (a) A private attorney appointed by the court from the
68 registry to represent a client is entitled to payment as
69 provided in s. 27.5304. An attorney appointed by the court who
70 is not on the registry list may be compensated under s. 27.5304
71 if the court finds in the order of appointment that there were

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72 no registry attorneys available for representation for that
73 case.

74 (b)1. The attorney shall maintain appropriate
75 documentation, including contemporaneous and detailed hourly
76 accounting of time spent representing the client. If the
77 attorney fails to maintain such contemporaneous and detailed
78 hourly records, the attorney waives the right to seek
79 compensation in excess of the flat fee established in s. 27.5304
80 and the General Appropriations Act. These records and documents
81 are subject to review by the Justice Administrative Commission,
82 subject to the attorney-client privilege and work-product
83 privilege. The attorney shall maintain the records and documents
84 in a manner that enables the attorney to redact any information
85 subject to a privilege in order to facilitate the commission's
86 review of the records and documents and not to impede such
87 review. The attorney may redact information from the records and
88 documents only to the extent necessary to comply with the
89 privilege.

90 2. If an attorney fails, refuses, or declines to permit
91 the commission to review documentation for a case as provided in
92 this paragraph, the attorney waives the right to seek, and the
93 commission may not pay, compensation in excess of the flat fee
94 established in s. 27.5304 and the General Appropriations Act for
95 that case.

96 3. A finding by the commission that an attorney has waived
97 the right to seek compensation in excess of the flat fee
98 established in s. 27.5304 and the General Appropriations Act, as
99 provided in this paragraph, is presumed to be valid, unless, as
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100 determined by a court, the commission's finding is not supported
101 by competent and substantial evidence.

102 Section 6. Section 27.425, Florida Statutes, is amended to
103 read:

104 27.425 Due process service rates; responsibilities of
105 chief judge.-

106 (1) ~~The maximum chief judge of each circuit shall~~
107 ~~recommend~~ compensation rates for state-funded due process
108 service providers in cases in which the court has appointed
109 private counsel or declared a person indigent for costs shall be
110 specified annually in the General Appropriations Act. For
111 purposes of this section, due process compensation rates do not
112 include attorney's fees for legal representation of the client.

113 ~~(2) Annually, the chief judge shall submit proposed due~~
114 ~~process compensation rates to the Office of the State Courts~~
115 ~~Administrator for inclusion in the legislative budget request~~
116 ~~for the state courts system.~~

117 ~~(3) The maximum rates shall be specified annually in the~~
118 ~~General Appropriations Act. For the 2007-2008 fiscal year, the~~
119 ~~maximum rates shall be the rates in effect on June 30, 2007.~~

120 ~~(2)(4)~~ (2) The total amount expended for providers of due
121 process services in eligible cases may not exceed the amount
122 budgeted in the General Appropriations Act for the particular
123 due process service.

124 (3) The Justice Administrative Commission shall approve
125 uniform contract forms for use in procuring due process services
126 and uniform procedures for use by a due process provider, or a
127 private attorney on behalf of a due process provider, in support

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128 of billing for due process services to demonstrate completion of
129 the specified services.

130 Section 7. Subsections (5) and paragraph (a) of subsection
131 (6) of section 27.511, Florida Statutes, are amended to read:

132 27.511 Offices of criminal conflict and civil regional
133 counsel; legislative intent; qualifications; appointment;
134 duties.—

135 (5) ~~Effective October 1, 2007,~~ When the Office of the
136 Public Defender, at any time during the representation of two or
137 more defendants, determines that the interests of those accused
138 are so adverse or hostile that they cannot all be counseled by
139 the public defender or his or her staff without a conflict of
140 interest, or that none can be counseled by the public defender
141 or his or her staff because of a conflict of interest, and the
142 court grants the public defender's motion to withdraw, the
143 office of criminal conflict and civil regional counsel shall be
144 appointed and shall provide legal services, without additional
145 compensation, to any person determined to be indigent under s.
146 27.52, who is:

147 (a) Under arrest for, or charged with, a felony;

148 (b) Under arrest for, or charged with:

149 1. A misdemeanor authorized for prosecution by the state
150 attorney;

151 2. A violation of chapter 316 punishable by imprisonment;

152 3. Criminal contempt; or

153 4. A violation of a special law or county or municipal
154 ordinance ancillary to a state charge or, if not ancillary to a
155 state charge, only if the office of criminal conflict and civil
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156 regional counsel contracts with the county or municipality to
157 provide representation pursuant to ss. 27.54 and 125.69.

158
159 The office of criminal conflict and civil regional counsel may
160 not provide representation pursuant to this paragraph if the
161 court, prior to trial, files in the cause an order of no
162 imprisonment as provided in s. 27.512;

163 (c) Alleged to be a delinquent child pursuant to a
164 petition filed before a circuit court;

165 (d) Sought by petition filed in such court to be
166 involuntarily placed as a mentally ill person under part I of
167 chapter 394, involuntarily committed as a sexually violent
168 predator under part V of chapter 394, or involuntarily admitted
169 to residential services as a person with developmental
170 disabilities under chapter 393;

171 (e) Convicted and sentenced to death, for purposes of
172 handling an appeal to the Supreme Court; ~~or~~

173 (f) ~~Is~~ Appealing a matter in a case arising under
174 paragraphs (a)-(d); or

175 (g) Seeking correction, reduction, or modification of a
176 sentence under Rule 3.800, Florida Rules of Criminal Procedure,
177 or seeking postconviction relief under Rule 3.850, Florida Rules
178 of Criminal Procedure, if, in either case, the court determines
179 that appointment of counsel is necessary to protect a person's
180 due process rights.

181 (6) (a) ~~Effective October 1, 2007,~~ The office of criminal
182 conflict and civil regional counsel has primary responsibility
183 for representing persons entitled to court-appointed counsel
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184 under the Federal or State Constitution or as authorized by
185 general law in civil proceedings, including, but not limited to,
186 proceedings under s. 393.12 and chapters 39, ~~390~~, 392, 397, 415,
187 743, 744, and 984 and proceedings to terminate parental rights
188 under chapter 63. Private court-appointed counsel eligible under
189 s. 27.40 have primary responsibility for representing minors who
190 request counsel under s. 390.01114, the Parental Notice of
191 Abortion Act; however, the office of criminal conflict and civil
192 regional counsel may represent a minor under that section if the
193 court finds that no private court-appointed attorney is
194 available.

195 Section 8. Section 27.52, Florida Statutes, is amended to
196 read:

197 27.52 Determination of indigent status.—

198 (1) APPLICATION TO THE CLERK.—A person seeking appointment
199 of a public defender under s. 27.51 based upon an inability to
200 pay must apply to the clerk of the court for a determination of
201 indigent status using an application form developed by the
202 Florida Clerks of Court Operations Corporation with final
203 approval by the Supreme Court.

204 (a) The application must include, at a minimum, the
205 following financial information:

206 1. Net income, consisting of total salary and wages, minus
207 deductions required by law, including court-ordered support
208 payments.

209 2. Other income, including, but not limited to, social
210 security benefits, union funds, veterans' benefits, workers'
211 compensation, other regular support from absent family members,
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212 public or private employee pensions, unemployment compensation,
213 dividends, interest, rent, trusts, and gifts.

214 3. Assets, including, but not limited to, cash, savings
215 accounts, bank accounts, stocks, bonds, certificates of deposit,
216 equity in real estate, and equity in a boat or a motor vehicle
217 or in other tangible property.

218 4. All liabilities and debts.

219 5. If applicable, the amount of any bail paid for the
220 applicant's release from incarceration and the source of the
221 funds.

222

223 The application must include a signature by the applicant which
224 attests to the truthfulness of the information provided. The
225 application form developed by the corporation must include
226 notice that the applicant may seek court review of a clerk's
227 determination that the applicant is not indigent, as provided in
228 this section.

229 (b) An applicant shall pay a \$50 application fee to the
230 clerk for each application for court-appointed counsel filed.
231 The applicant shall pay the fee within 7 days after submitting
232 the application. If the applicant does not pay the fee prior to
233 the disposition of the case, the clerk shall notify the court,
234 and the court shall:

235 1. Assess the application fee as part of the sentence or
236 as a condition of probation; or

237 2. Assess the application fee pursuant to s. 938.29.

238 (c) Notwithstanding any provision of law, court rule, or
239 administrative order, the clerk shall assign the first \$50 of
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240 any fees or costs paid by an indigent person as payment of the
241 application fee. A person found to be indigent may not be
242 refused counsel or other required due process services for
243 failure to pay the fee.

244 (d) All application fees collected by the clerk under this
245 section shall be transferred monthly by the clerk to the
246 Department of Revenue for deposit in the Indigent Criminal
247 Defense Trust Fund administered by the Justice Administrative
248 Commission, to be used to as appropriated by the Legislature.
249 The clerk may retain 2 percent of application fees collected
250 monthly for administrative costs prior to remitting the
251 remainder to the Department of Revenue.

252 (e)1. The clerk shall assist a person who appears before
253 the clerk and requests assistance in completing the application,
254 and the clerk shall notify the court if a person is unable to
255 complete the application after the clerk has provided
256 assistance.

257 2. If the person seeking appointment of a public defender
258 is incarcerated, the public defender is responsible for
259 providing the application to the person and assisting him or her
260 in its completion and is responsible for submitting the
261 application to the clerk on the person's behalf. The public
262 defender may enter into an agreement for jail employees,
263 pretrial services employees, or employees of other criminal
264 justice agencies to assist the public defender in performing
265 functions assigned to the public defender under this
266 subparagraph.

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267 (2) DETERMINATION BY THE CLERK.—The clerk of the court
268 shall determine whether an applicant seeking appointment of a
269 public defender is indigent based upon the information provided
270 in the application and the criteria prescribed in this
271 subsection.

272 (a)1. An applicant, including an applicant who is a minor
273 or an adult tax-dependent person, is indigent if the applicant's
274 income is equal to or below 200 percent of the then-current
275 federal poverty guidelines prescribed for the size of the
276 household of the applicant by the United States Department of
277 Health and Human Services or if the person is receiving
278 Temporary Assistance for Needy Families-Cash Assistance,
279 poverty-related veterans' benefits, or Supplemental Security
280 Income (SSI).

281 2.a. There is a presumption that the applicant is not
282 indigent if the applicant owns, or has equity in, any intangible
283 or tangible personal property or real property or the expectancy
284 of an interest in any such property having a net equity value of
285 \$2,500 or more, excluding the value of the person's homestead
286 and one vehicle having a net value not exceeding \$5,000.

287 b. Notwithstanding the information that the applicant
288 provides, the clerk shall conduct a review of the property
289 records for the county in which the applicant resides and the
290 motor vehicle title records of the state to identify any
291 property interests of the applicant under this subparagraph. The
292 clerk shall evaluate and consider the results of the review in
293 making a determination under this subsection. The clerk shall
294 maintain the results of the review in a file with the

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295 application and provide the file to the court if the applicant
296 seeks review under subsection (4) of the clerk's determination
297 of indigent status.

298 (b) Based upon its review, the clerk shall make one of the
299 following determinations:

300 1. The applicant is not indigent.

301 2. The applicant is indigent.

302 (c)1. If the clerk determines that the applicant is
303 indigent, the clerk shall submit the determination to the office
304 of the public defender and immediately file the determination in
305 the case file.

306 2. If the public defender is unable to provide
307 representation due to a conflict pursuant to s. 27.5303, the
308 public defender shall move the court for withdrawal from
309 representation and appointment of the office of criminal
310 conflict and civil regional counsel.

311 (d) The duty of the clerk in determining whether an
312 applicant is indigent shall be limited to receiving the
313 application and comparing the information provided in the
314 application to the criteria prescribed in this subsection. The
315 determination of indigent status is a ministerial act of the
316 clerk and not a decision based on further investigation or the
317 exercise of independent judgment by the clerk. The clerk may
318 contract with third parties to perform functions assigned to the
319 clerk under this section.

320 (e) The applicant may seek review of the clerk's
321 determination that the applicant is not indigent in the court
322 having jurisdiction over the matter at the next scheduled

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323 hearing. If the applicant seeks review of the clerk's
324 determination of indigent status, the court shall make a final
325 determination as provided in subsection (4).

326 (3) APPOINTMENT OF COUNSEL ON INTERIM BASIS.—If the clerk
327 of the court has not made a determination of indigent status at
328 the time a person requests appointment of a public defender, the
329 court shall make a preliminary determination of indigent status,
330 pending further review by the clerk, and may, by court order,
331 appoint a public defender, the office of criminal conflict and
332 civil regional counsel, or private counsel on an interim basis.

333 (4) REVIEW OF CLERK'S DETERMINATION.—

334 (a) If the clerk of the court determines that the
335 applicant is not indigent, and the applicant seeks review of the
336 clerk's determination, the court shall make a final
337 determination of indigent status by reviewing the information
338 provided in the application against the criteria prescribed in
339 subsection (2) and by considering the following additional
340 factors:

341 1. Whether the applicant has been released on bail in an
342 amount of \$5,000 or more.

343 2. Whether a bond has been posted, the type of bond, and
344 who paid the bond.

345 3. Whether paying for private counsel in an amount that
346 exceeds the limitations in s. 27.5304, or other due process
347 services creates a substantial hardship for the applicant or the
348 applicant's family.

349 4. Any other relevant financial circumstances of the
350 applicant or the applicant's family.

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351 (b) Based upon its review, the court shall make one of the
352 following determinations and, if the applicant is indigent,
353 shall appoint a public defender, the office of criminal conflict
354 and civil regional counsel, or, if appropriate, private counsel:

355 1. The applicant is not indigent.

356 2. The applicant is indigent.

357 (5) INDIGENT FOR COSTS.—A person who is eligible to be
358 represented by a public defender under s. 27.51 but who is
359 represented by private counsel not appointed by the court for a
360 reasonable fee as approved by the court or on a pro bono basis,
361 or who is proceeding pro se, may move the court for a
362 determination that he or she is indigent for costs and eligible
363 for the provision of due process services, as prescribed by ss.
364 29.006 and 29.007, funded by the state.

365 (a) The person must file a written motion with the court
366 and submit to the court:

367 1. The completed application prescribed in subsection (1).

368 2. In the case of a person represented by counsel, an
369 affidavit attesting to the estimated amount of attorney's fees
370 and the source of payment for these fees.

371 (b) The person shall arrange for service of a copy of the
372 motion and attachments on the Justice Administrative Commission.
373 The commission has standing to appear before the court to
374 contest any motion to declare a person indigent for costs and
375 may participate in a hearing on the motion by use of telephonic
376 or other communication equipment.

377 (c) If the person did not apply for a determination of
378 indigent status under subsection (1) in the same case and is not
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379 already liable for the application fee required under that
380 subsection, he or she becomes liable for payment of the fee upon
381 filing the motion with the court.

382 (d) ~~(b)~~ In reviewing the motion, the court shall consider:

383 1. Whether the applicant applied for a determination of
384 indigent status under subsection (1) and the outcome of such
385 application.

386 2. The extent to which the person's income equals or
387 exceeds the income criteria prescribed in subsection (2).

388 3. The additional factors prescribed in subsection (4).

389 4. Whether the applicant is proceeding pro se.

390 5. When the applicant retained private counsel.

391 6. The amount of any attorney's fees and who is paying the
392 fees. There is a presumption that the applicant is not indigent
393 for costs if the amount of attorney's fees exceeds \$5,000 for a
394 noncapital case or \$25,000 for a capital case in which the state
395 is seeking the death penalty. To overcome this presumption, the
396 applicant has the burden to show through clear and convincing
397 evidence that the fees are reasonable based on the nature and
398 complexity of the case. In determining the reasonableness of the
399 fees, the court shall consider the amount that a private court-
400 appointed attorney paid by the state would receive for providing
401 representation for that type of case.

402 (e) ~~(e)~~ Based upon its review, the court shall make one of
403 the following determinations:

404 1. The applicant is not indigent for costs.

405 2. The applicant is indigent for costs.

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406 (f) ~~(d)~~ The provision of due process services based upon a
407 determination that a person is indigent for costs under this
408 subsection must be effectuated pursuant to a court order, a copy
409 of which the clerk shall provide to counsel representing the
410 person, or to the person directly if he or she is proceeding pro
411 se, for use in requesting payment of due process expenses
412 through the Justice Administrative Commission. Private counsel
413 representing a person declared indigent for costs shall execute
414 the Justice Administrative Commission's contract for counsel
415 representing persons determined to be indigent for costs.
416 Private counsel representing a person declared indigent for
417 costs may not receive state funds, either directly or on behalf
418 of due process providers, unless the attorney has executed the
419 contract required under this paragraph.

420 (g) Costs shall be reimbursed at the rates established
421 under ss. 27.425 and 27.5305. To receive reimbursement of costs,
422 either directly or on behalf of due process providers, private
423 counsel representing a person declared indigent for costs shall
424 comply with the procedures and requirements under this chapter
425 governing billings by and compensation of private court-
426 appointed counsel.

427 (h) The court may not appoint an attorney paid by the
428 state based on a finding that the defendant is indigent for
429 costs if the defendant has privately retained and paid counsel.

430 (i) A defendant who is found guilty of a criminal act by a
431 court or jury or enters a plea of guilty or nolo contendere and
432 who received due process services after being found indigent for

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433 costs under this subsection is liable for payment of due process
434 costs expended by the state.

435 1. The attorney representing the defendant, or the
436 defendant if he or she is proceeding pro se, shall provide an
437 accounting to the court delineating all costs paid or to be paid
438 by the state within 90 days after disposition of the case
439 notwithstanding any appeals.

440 2. The court shall issue an order determining the amount
441 of all costs paid by the state and any costs for which
442 prepayment was waived under this section or s. 57.081. The clerk
443 shall cause a certified copy of the order to be recorded in the
444 official records of the county, at no cost. The recording
445 constitutes a lien against the person in favor of the state in
446 the county in which the order is recorded. The lien may be
447 enforced in the same manner prescribed in s. 938.29.

448 3. If the attorney or the pro se defendant fails to
449 provide a complete accounting of costs expended by the state and
450 consequently costs are omitted from the lien, the attorney or
451 pro se defendant may not receive reimbursement or any other form
452 of direct or indirect payment for those costs if the state has
453 not paid the costs. The attorney or pro se defendant shall repay
454 the state for those costs if the state has already paid the
455 costs. The clerk of the court may establish a payment plan under
456 s. 28.246 and may charge the attorney or pro se defendant a one-
457 time administrative processing charge under s. 28.24(26)(c).

458 (6) DUTIES OF PARENT OR LEGAL GUARDIAN.—A nonindigent
459 parent or legal guardian of an applicant who is a minor or an
460 adult tax-dependent person shall furnish the minor or adult tax-
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461 dependent person with the necessary legal services and costs
462 incident to a delinquency proceeding or, upon transfer of such
463 person for criminal prosecution as an adult pursuant to chapter
464 985, a criminal prosecution in which the person has a right to
465 legal counsel under the Constitution of the United States or the
466 Constitution of the State of Florida. The failure of a parent or
467 legal guardian to furnish legal services and costs under this
468 section does not bar the appointment of legal counsel pursuant
469 to this section, s. 27.40, or s. 27.5303. When the public
470 defender, the office of criminal conflict and civil regional
471 counsel, a private court-appointed conflict counsel, or a
472 private attorney is appointed to represent a minor or an adult
473 tax-dependent person in any proceeding in circuit court or in a
474 criminal proceeding in any other court, the parents or the legal
475 guardian shall be liable for payment of the fees, charges, and
476 costs of the representation even if the person is a minor being
477 tried as an adult. Liability for the fees, charges, and costs of
478 the representation shall be imposed in the form of a lien
479 against the property of the nonindigent parents or legal
480 guardian of the minor or adult tax-dependent person. The lien is
481 enforceable as provided in s. 27.561 or s. 938.29.

482 (7) FINANCIAL DISCREPANCIES; FRAUD; FALSE INFORMATION.—

483 (a) If the court learns of discrepancies between the
484 application or motion and the actual financial status of the
485 person found to be indigent or indigent for costs, the court
486 shall determine whether the public defender, office of criminal
487 conflict and civil regional counsel, or private attorney shall
488 continue representation or whether the authorization for any
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489 other due process services previously authorized shall be
490 revoked. The person may be heard regarding the information
491 learned by the court. If the court, based on the information,
492 determines that the person is not indigent or indigent for
493 costs, the court shall order the public defender, office of
494 criminal conflict and civil regional counsel, or private
495 attorney to discontinue representation and revoke the provision
496 of any other authorized due process services.

497 (b) If the court has reason to believe that any applicant,
498 through fraud or misrepresentation, was improperly determined to
499 be indigent or indigent for costs, the matter shall be referred
500 to the state attorney. Twenty-five percent of any amount
501 recovered by the state attorney as reasonable value of the
502 services rendered, including fees, charges, and costs paid by
503 the state on the person's behalf, shall be remitted to the
504 Department of Revenue for deposit into the Grants and Donations
505 Trust Fund within the Justice Administrative Commission.
506 Seventy-five percent of any amount recovered shall be remitted
507 to the Department of Revenue for deposit into the General
508 Revenue Fund.

509 (c) A person who knowingly provides false information to
510 the clerk or the court in seeking a determination of indigent
511 status under this section commits a misdemeanor of the first
512 degree, punishable as provided in s. 775.082 or s. 775.083.

513 Section 9. Subsection (4) of section 27.5304, Florida
514 Statutes, is amended to read:

515 27.5304 Private court-appointed counsel; compensation.—

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516 (4) (a) The attorney shall submit a bill for attorney's
517 fees, costs, and related expenses within 90 days after the
518 disposition of the case at the lower court level,
519 notwithstanding any appeals. The Justice Administrative
520 Commission shall provide by contract with the attorney for
521 imposition of a penalty of:

522 1. Fifteen ~~15~~ percent of the allowable attorney's fees,
523 costs, and related expenses for a bill that is submitted more
524 than 90 days after the disposition of the case at the lower
525 court level, notwithstanding any appeals;

526 2. For cases for which disposition occurs on or after July
527 1, 2010, 50 percent of the allowable attorney's fees, costs, and
528 related expenses for a bill that is submitted more than 1 year
529 after the disposition of the case at the lower court level,
530 notwithstanding any appeals; or

531 3. For cases for which disposition occurs on or after July
532 1, 2010, 75 percent of the allowable attorney's fees, costs, and
533 related expenses for a bill that is submitted more than 2 years
534 after the disposition of the case at the lower court level,
535 notwithstanding any appeals.

536 (b) For purposes of this subsection, the term
537 "disposition" means:

538 1. At the trial court level, that the court has entered a
539 final appealable judgment, unless rendition of judgment is
540 stayed by the filing of a timely motion for rehearing. The
541 filing of a notice of appeal does not stay the time for
542 submission of an intended billing; and

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543 2. At the appellate court level, that the court has issued
544 its mandate.

545 Section 10. Section 27.5305, Florida Statutes, is created
546 to read:

547 27.5305 Attorney or provider compensation; conditions;
548 requirements.—This section applies to the payment by the state
549 through the Justice Administrative Commission of legal fees and
550 due process costs in an eligible criminal or civil matter when a
551 person receives the services of a private court-appointed
552 attorney or is declared indigent for costs.

553 (1) ELECTRONIC FUNDS TRANSFER.—

554 (a) A person requesting compensation from the state
555 through the Justice Administrative Commission for the provision
556 of criminal or civil legal representation or other due process
557 services must, as a condition for compensation, participate in a
558 direct-deposit program under which the person authorizes the
559 transfer of funds electronically to an account in the person's
560 name at a federally chartered or state-chartered financial
561 institution.

562 (b) The Justice Administrative Commission may exempt a
563 person from compliance with this section if the commission finds
564 that participation in a direct-deposit program creates a
565 financial hardship for the person.

566 (c) This subsection applies to compensation for services
567 that are provided on or after January 1, 2011.

568 (2) TRANSCRIPTS.—

569 (a) The state may pay for the cost of preparing a
570 transcript of a deposition only if the private court-appointed

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571 attorney secures an order from the court finding that
572 preparation of the transcript is necessary, in which case the
573 state may pay for one original and one copy only.

574 (b) The state may pay for the cost of one original
575 transcript of any deposition, hearing, or other proceeding. Any
576 other payment for a transcript of that same deposition, hearing,
577 or other proceeding, regardless of whether the transcript is an
578 additional original transcript or a copy, shall be at the rate
579 paid for a copy of a transcript. This paragraph applies
580 regardless of which state agency pays for the first original
581 transcript.

582 (3) COURT REPORTERS; INVESTIGATORS.—Beginning with the
583 2010-2011 fiscal year, and applicable to services performed
584 starting in that year, uniform statewide rates shall be
585 prescribed annually in the General Appropriations Act for the
586 payment of:

587 (a) Court reporting services that are not provided through
588 the state courts system; and

589 (b) Private investigation services.

590 (4) EXPERT WITNESSES; MITIGATION SPECIALISTS.—A private
591 court-appointed attorney must obtain authorization from the
592 court to employ an out-of-state expert or mitigation specialist
593 upon a showing that an expert or mitigation specialist who has
594 appropriate skills or expertise is not available from within the
595 county in which the case was filed or from elsewhere in the
596 state. An order authorizing the employment must be in writing
597 and contain specific findings regarding the unavailability of a
598 qualified in-state expert or mitigation specialist. The attorney

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599 shall submit a copy of the order to the Justice Administrative
600 Commission.

601 (5) RIGHT TO DISCOVERY.—The Justice Administrative
602 Commission has a right to engage in discovery in accordance with
603 the Florida Rules of Civil Procedure on a motion to the court
604 seeking payment of attorney's fees, costs, or other expenses.
605 This right includes a reasonable opportunity to obtain discovery
606 before a hearing on the motion.

607 Section 11. Subsection (7) is added to section 28.241,
608 Florida Statutes, to read:

609 28.241 Filing fees for trial and appellate proceedings.—

610 (7) Nothing in this section authorizes the assessment of a
611 filing fee if the assessment is otherwise prohibited by law.

612 Section 12. Section 28.245, Florida Statutes, is amended
613 to read:

614 28.245 Transmittal of funds to Department of Revenue;
615 uniform remittance form required.—Notwithstanding any other
616 provision of law, all moneys collected by the clerks of the
617 court as part of the clerk's court-related functions for
618 subsequent distribution to any state entity must be transmitted
619 electronically, by the 10th ~~20th~~ day of the month immediately
620 after ~~following~~ the month in which the moneys are collected, to
621 the Department of Revenue for appropriate distribution. A
622 uniform remittance form provided by the Department of Revenue
623 detailing the specific amounts due each fund must accompany such
624 submittal. All moneys collected by the clerks of court for
625 remittance to any entity must be distributed pursuant to the law
626 in effect at the time of collection.

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627 Section 13. Subsection (6) of section 28.246, Florida
628 Statutes, is amended to read:

629 28.246 Payment of court-related fees, charges, and costs;
630 partial payments; distribution of funds.—

631 (6) A clerk of court shall pursue the collection of any
632 fees, service charges, fines, court costs, and liens for the
633 payment of attorney's fees and costs pursuant to s. 938.29 which
634 remain unpaid after 90 days by referring the account to a
635 private attorney who is a member in good standing of The Florida
636 Bar or collection agent who is registered and in good standing
637 pursuant to chapter 559. In pursuing the collection of such
638 unpaid financial obligations through a private attorney or
639 collection agent, the clerk of the court must have attempted to
640 collect the unpaid amount through a collection court,
641 collections docket, or other collections process, if any,
642 established by the court, find this to be cost-effective and
643 follow any applicable procurement practices. The collection fee,
644 including any reasonable attorney's fee, paid to any attorney or
645 collection agent retained by the clerk may be added to the
646 balance owed in an amount not to exceed 40 percent of the amount
647 owed at the time the account is referred to the attorney or
648 agent for collection. The clerk shall give the private attorney
649 or collection agent the application for the appointment of
650 court-appointed counsel regardless of whether the court file is
651 otherwise confidential from disclosure.

652 Section 14. Subsections (3) and (10) of section 28.36,
653 Florida Statutes, are amended to read:

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654 28.36 Budget procedure.—There is established a budget
655 procedure for preparing budget requests for funding for the
656 court-related functions of the clerks of the court.

657 (3) Each clerk shall include in his or her budget request
658 the number of personnel and the proposed budget for each of the
659 following core services:

- 660 (a) Circuit criminal Case processing.
661 (b) County criminal Financial processing.
662 (c) Juvenile delinquency Jury management.
663 (d) Criminal traffic Information and reporting.
664 (e) Circuit civil.
665 (f) County civil.
666 (g) Civil traffic.
667 (h) Probate.
668 (i) Family.
669 (j) Juvenile dependency.

670

671 Central administrative costs shall be allocated among the core-
672 services categories.

673 (10) (a) Beginning in the 2010-2011 fiscal year, the
674 corporation shall release appropriations to each clerk
675 quarterly. If funds in the Clerks of Court Trust Fund are
676 insufficient to provide a release in a quarter in a single
677 release, the corporation may release partial amounts for that
678 quarter so long as the total of those partial amounts does not
679 exceed that quarter's release. If funds in the Clerks of Court
680 Trust Fund are insufficient for the first quarter release, the
681 corporation may make a request to the Governor for a trust fund

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682 loan pursuant to chapter 215. The amount of the first three
683 releases shall be based on one quarter of the estimated budget
684 for each clerk as identified in the General Appropriations Act.

685 (b) The corporation shall estimate the fourth quarter's
686 number of units to be performed by each clerk. The amount of the
687 fourth-quarter release shall be based on the approved unit cost
688 times the estimated number of units of the fourth quarter with
689 the following adjustment: the fourth-quarter release shall be
690 adjusted based on the first three quarter's actual number of
691 service units provided as reported to the corporation by each
692 clerk. If the clerk has performed fewer service units in the
693 first three quarters of the year compared to three quarters of
694 the estimated number of service units in the General
695 Appropriations Act, the corporation shall decrease the fourth-
696 quarter release. The amount of the decrease shall equal the
697 amount of the difference between estimated number of service
698 units for the first three quarters and the actual number of
699 service units provided in the first three quarters times the
700 approved unit cost.

701 (c) No adjustment for the fourth-quarter release shall be
702 made if the clerk has performed more units than the estimate for
703 the first three quarters.

704 (d) If the clerk performs fewer units in the fourth
705 quarter than estimated by the corporation, the corporation shall
706 decrease the first-quarter release for the clerk in the next
707 fiscal year by the amount of the difference between the
708 estimated number of service units for the fourth quarter and the

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709 actual number of service units performed in that quarter times
710 the approved unit cost.

711 (e) The total of all releases to the clerks of court may
712 not exceed the amount appropriated in the General Appropriations
713 Act. If, during the year, the corporation determines that the
714 projected releases of appropriations for service units will
715 exceed the estimate used in the General Appropriations Act and
716 result in statewide expenditures greater than the amount
717 appropriated by law, the corporation shall reduce all service
718 unit costs of all clerks by the amount necessary to ensure that
719 service units are funded within the total amount appropriated to
720 the clerks of court. If such action is necessary, the
721 corporation shall notify the Legislative Budget Commission. If
722 the Legislative Budget Commission objects to the adjustments,
723 the Legislative Budget Commission shall adjust all service unit
724 costs by the amount necessary to ensure that projected units of
725 service are funded within the total amount appropriated to the
726 clerks of court at its next scheduled meeting. For the 2009-2010
727 fiscal year, the corporation shall release appropriations in an
728 amount equal to one twelfth of each clerk's approved budget each
729 month. The statewide total appropriation for the 2009-2010
730 fiscal year shall be set in the General Appropriations Act. The
731 corporation shall determine the amount of each clerk of court
732 budget, but the statewide total of such amounts may not exceed
733 the amount listed in the General Appropriations Act. Beginning
734 in the 2010-2011 fiscal year, the corporation shall release
735 appropriations to each clerk quarterly. The amount of the
736 release shall be based on the prior quarter's performance of
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737 ~~service units identified in the four core services and the~~
738 ~~established unit costs for each clerk.~~

739 Section 15. Section 29.0095, Florida Statutes, is
740 repealed.

741 Section 16. Section 29.0195, Florida Statutes, is amended
742 to read:

743 29.0195 Recovery of expenditures for state-funded
744 services.—The trial court administrator of each circuit shall
745 recover expenditures for state-funded services when those
746 services have been furnished to a user of the state court system
747 who possesses the present ability to pay. The rate of
748 compensation for such services shall be the actual cost of the
749 services, including the cost of recovery. The trial court
750 administrator shall deposit moneys recovered under this section
751 in the Administrative Operating Trust Fund within the state
752 courts ~~court~~ system. The trial court administrator shall recover
753 the costs of court reporter services and transcription; court
754 interpreter services, including translation; and any other
755 service for which state funds were used to provide a product or
756 service within the circuit. This section does not authorize cost
757 recovery from entities described in ss. 29.005, 29.006, and
758 29.007.

759 Section 17. Paragraph (a) of subsection (1) of section
760 34.041, Florida Statutes, is amended to read:

761 34.041 Filing fees.—

762 (1) (a) Upon the institution of any civil action, suit, or
763 proceeding in county court, the party shall pay the following
764 filing fee, not to exceed:

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- 765 1. For all claims less than \$100.....\$50.
766 2. For all claims of \$100 or more but not more than \$500
767 \$75.
768 3. For all claims of more than \$500 but not more than
769 \$2,500.....\$170.
770 4. For all claims of more than \$2,500.....\$295.
771 5. In addition, for all proceedings of garnishment,
772 attachment, replevin, and distress.....\$85.
773 6. Notwithstanding subparagraphs 3. and 5., for all claims
774 of not more than \$1,000 filed simultaneously with an action for
775 replevin of property that is the subject of the claim\$125.
776 7. For removal of tenant action.....\$180.

777

778 The filing fee in subparagraph 6. is the total fee due under
779 this paragraph for that type of filing, and no other filing fee
780 under this paragraph may be assessed against such a filing.

781 Section 18. Subsection (6) of section 35.22, Florida
782 Statutes, is amended to read:

783 35.22 Clerk of district court; appointment; compensation;
784 assistants; filing fees; teleconferencing.-

785 (6) The clerk of each district court of appeal is required
786 to deposit all fees collected in the State Treasury to the
787 credit of the General Revenue Fund, except that \$50 of each \$300
788 filing fee collected shall be deposited into the State Courts
789 Revenue ~~state court's Operating~~ Trust Fund to fund court
790 operations ~~improvement projects~~ as authorized in the General
791 Appropriations Act. The clerk shall retain an accounting of each
792 such remittance.

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793 Section 19. Section 39.0134, Florida Statutes, is amended
794 to read:

795 39.0134 Appointed counsel; compensation.—

796 (1) If counsel is entitled to receive compensation for
797 representation pursuant to a court appointment in a dependency
798 proceeding or a termination of parental rights proceeding
799 pursuant to this chapter, compensation shall be paid in
800 accordance with s. 27.5304. The state may acquire and enforce a
801 lien upon court-ordered payment of attorney's fees and costs in
802 the same manner prescribed in s. 938.29 ~~accordance with s.~~
803 ~~984.08.~~

804 (2) (a) A parent whose child is dependent, regardless of
805 whether adjudication was withheld, or whose parental rights are
806 terminated and who has received the assistance of the office of
807 criminal conflict and civil regional counsel, or any other
808 court-appointed attorney, or who has received due process
809 services after being found indigent for costs, shall be liable
810 for payment of the assessed application fee under s. 57.082,
811 together with reasonable attorney's fees and costs as determined
812 by the court.

813 (b) If reasonable attorney's fees or costs are assessed,
814 the court, at its discretion, may make payment of the fees or
815 costs part of any case plan in dependency proceedings. However,
816 a case plan may not remain open for the sole issue of payment of
817 attorney's fees or costs. At the court's discretion, a lien upon
818 court-ordered payment of attorney's fees and costs may be
819 ordered by the court and enforced in the same manner prescribed
820 in s. 938.29.

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821 (c) The clerk of the court shall transfer monthly all
822 attorney's fees and costs collected under this subsection to the
823 Department of Revenue for deposit into the Indigent Civil
824 Defense Trust Fund, to be used as appropriated by the
825 Legislature and consistent with s. 27.511.

826 Section 20. Subsection (1) of section 39.821, Florida
827 Statutes, is amended to read:

828 39.821 Qualifications of guardians ad litem.—

829 (1) Because of the special trust or responsibility placed
830 in a guardian ad litem, the Guardian Ad Litem Program may use
831 any private funds collected by the program, or any state funds
832 so designated, to conduct a security background investigation
833 before certifying a volunteer to serve. A security background
834 investigation must include, but need not be limited to,
835 employment history checks, checks of references, local criminal
836 history records checks through local law enforcement agencies,
837 and statewide criminal history records checks through the
838 Department of Law Enforcement. Upon request, an employer shall
839 furnish a copy of the personnel record for the employee or
840 former employee who is the subject of a security background
841 investigation conducted under this section. The information
842 contained in the personnel record may include, but need not be
843 limited to, disciplinary matters and the reason why the employee
844 was terminated from employment. An employer who releases a
845 personnel record for purposes of a security background
846 investigation is presumed to have acted in good faith and is not
847 liable for information contained in the record without a showing
848 that the employer maliciously falsified the record. A security
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849 background investigation conducted under this section must
850 ensure that a person is not certified as a guardian ad litem if
851 the person has an arrest awaiting final disposition for, been
852 convicted of, regardless of adjudication, ~~or~~ entered a plea of
853 nolo contendere or guilty to, or has been adjudicated delinquent
854 and the record has not been sealed or expunged for, any offense
855 prohibited under the provisions listed in s. 435.04. All
856 applicants certified on or after July 1, 2010, must undergo a
857 level 2 background screening pursuant to chapter 435 before
858 being certified ~~the provisions of the Florida Statutes specified~~
859 ~~in s. 435.04(2) or under any similar law in another~~
860 ~~jurisdiction. Before certifying an applicant to serve as a~~
861 ~~guardian ad litem, the Guardian Ad Litem Program may request a~~
862 ~~federal criminal records check of the applicant through the~~
863 ~~Federal Bureau of Investigation.~~ In analyzing and evaluating the
864 information obtained in the security background investigation,
865 the program must give particular emphasis to past activities
866 involving children, including, but not limited to, child-related
867 criminal offenses or child abuse. The program has the sole
868 discretion in determining whether to certify a person based on
869 his or her security background investigation. The information
870 collected pursuant to the security background investigation is
871 confidential and exempt from s. 119.07(1).

872 Section 21. Subsections (1) and (5) of section 57.082,
873 Florida Statutes, are amended to read:

874 57.082 Determination of civil indigent status.-

875 (1) APPLICATION TO THE CLERK.-A person seeking appointment
876 of an attorney in a civil case eligible for court-appointed
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877 counsel, or seeking relief from payment of filing fees and
878 prepayment of costs under s. 57.081, based upon an inability to
879 pay must apply to the clerk of the court for a determination of
880 civil indigent status using an application form developed by the
881 Florida Clerks of Court Operations Corporation with final
882 approval by the Supreme Court.

883 (a) The application must include, at a minimum, the
884 following financial information:

885 1. Net income, consisting of total salary and wages, minus
886 deductions required by law, including court-ordered support
887 payments.

888 2. Other income, including, but not limited to, social
889 security benefits, union funds, veterans' benefits, workers'
890 compensation, other regular support from absent family members,
891 public or private employee pensions, unemployment compensation,
892 dividends, interest, rent, trusts, and gifts.

893 3. Assets, including, but not limited to, cash, savings
894 accounts, bank accounts, stocks, bonds, certificates of deposit,
895 equity in real estate, and equity in a boat or a motor vehicle
896 or in other tangible property.

897 4. All liabilities and debts.

898

899 The application must include a signature by the applicant which
900 attests to the truthfulness of the information provided. The
901 application form developed by the corporation must include
902 notice that the applicant may seek court review of a clerk's
903 determination that the applicant is not indigent, as provided in
904 this section.

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905 (b) The clerk shall assist a person who appears before the
906 clerk and requests assistance in completing the application, and
907 the clerk shall notify the court if a person is unable to
908 complete the application after the clerk has provided
909 assistance.

910 (c) The clerk shall accept an application that is signed
911 by the applicant and submitted on his or her behalf by a private
912 attorney who is representing the applicant in the applicable
913 matter.

914 (d) A person who seeks appointment of an attorney in a
915 proceeding ~~ease~~ under chapter 39, at shelter hearings or during
916 the adjudicatory process, during the judicial review process,
917 upon the filing of a petition to terminate parental rights, or
918 upon the filing of any appeal, or if the person seeks
919 appointment of an attorney in a reopened proceeding ~~the trial or~~
920 ~~appellate level~~, for which an indigent person is eligible for
921 court-appointed representation, must shall pay a \$50 application
922 fee to the clerk for each application filed. A person is not
923 required to pay more than one application fee per case. However,
924 an appeal or the reopening of a proceeding shall be deemed to be
925 a distinct case. The applicant must shall pay the fee within 7
926 days after submitting the application. If the applicant has not
927 paid the fee within 7 days, the court shall enter an order
928 requiring payment, and the clerk shall pursue collection under
929 s. 28.246. The clerk shall transfer monthly all application fees
930 collected under this paragraph to the Department of Revenue for
931 deposit into the Indigent Civil Defense Trust Fund, to be used
932 as appropriated by the Legislature. The clerk may retain 10
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933 percent of application fees collected monthly for administrative
934 costs prior to remitting the remainder to the Department of
935 Revenue. ~~A person found to be indigent may not be refused~~
936 ~~counsel.~~ If the person cannot pay the application fee, the clerk
937 shall enroll the person in a payment plan pursuant to s. 28.246.

938 (5) APPOINTMENT OF COUNSEL.—In appointing counsel after a
939 determination that a person is indigent under this section, the
940 court shall first appoint the office of criminal conflict and
941 civil regional counsel, as provided in s. 27.511, unless
942 specific provision is made in law for the appointment of the
943 public defender in the particular civil proceeding. The court
944 shall also order the person to pay the application fee under
945 subsection (1), or enroll in a payment plan if he or she is
946 unable to pay the fee, if the fee remains unpaid or if the
947 person has not enrolled in a payment plan at the time the court
948 appoints counsel. However, a person who is found to be indigent
949 may not be refused counsel.

950 Section 22. Subsection (4) of section 68.085, Florida
951 Statutes, is amended to read:

952 68.085 Awards to plaintiffs bringing action.—

953 (4) Following any distributions under subsection (1),
954 subsection (2), or subsection (3), the agency injured by the
955 submission of a false or fraudulent claim shall be awarded an
956 amount not to exceed its compensatory damages. If the action was
957 based on a claim of funds from the state Medicaid program, 10
958 percent of any remaining proceeds shall be deposited into the
959 Operating Legal Affairs Revolving Trust Fund to fund rewards for
960 persons who report and provide information relating to Medicaid
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961 fraud pursuant to s. 409.9203. Any remaining proceeds, including
962 civil penalties awarded under s. 68.082, shall be deposited in
963 the General Revenue Fund.

964 Section 23. Subsection (2) of section 119.0714, Florida
965 Statutes, is amended to read:

966 119.0714 Court files; court records; official records.-

967 (2) COURT RECORDS.-

968 (a) Until January 1, 2012 ~~2011~~, if a social security
969 number or a bank account, debit, charge, or credit card number
970 is included in a court file, such number may be included as part
971 of the court record available for public inspection and copying
972 unless redaction is requested by the holder of such number or by
973 the holder's attorney or legal guardian.

974 (b) A request for redaction must be a signed, legibly
975 written request specifying the case name, case number, document
976 heading, and page number. The request must be delivered by mail,
977 facsimile, electronic transmission, or in person to the clerk of
978 the court. The clerk of the court does not have a duty to
979 inquire beyond the written request to verify the identity of a
980 person requesting redaction.

981 (c) A fee may not be charged for the redaction of a social
982 security number or a bank account, debit, charge, or credit card
983 number pursuant to such request.

984 (d) The clerk of the court has no liability for the
985 inadvertent release of social security numbers, or bank account,
986 debit, charge, or credit card numbers, unknown to the clerk of
987 the court in court records filed on or before January 1, 2012
988 ~~2011~~.

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989 (e)1. On January 1, 2012 ~~2011~~, and thereafter, the clerk
990 of the court must keep social security numbers confidential and
991 exempt as provided for in s. 119.071(5)(a), and bank account,
992 debit, charge, and credit card numbers exempt as provided for in
993 s. 119.071(5)(b), without any person having to request
994 redaction.

995 2. Section 119.071(5)(a)7. and 8. does not apply to the
996 clerks of the court with respect to court records.

997 Section 24. Paragraph (b) of subsection (13) of section
998 318.18, Florida Statutes, is amended to read:

999 318.18 Amount of penalties.—The penalties required for a
1000 noncriminal disposition pursuant to s. 318.14 or a criminal
1001 offense listed in s. 318.17 are as follows:

1002 (13)

1003 (b) A county may ~~not~~ impose a surcharge ~~the surcharges~~
1004 ~~authorized under subparagraph subparagraphs~~ (a)1.,
1005 subparagraph(a)2., or ~~and~~ subparagraph(a)3., but may not impose
1006 more than one surcharge under this subsection concurrently. A
1007 county may elect to impose a different authorized surcharge but
1008 may not impose more than one surcharge at a time. The clerk of
1009 court shall report, no later than 30 days after the end of the
1010 quarter, the amount of funds collected under this subsection
1011 during each quarter of the fiscal year. The clerk shall submit
1012 the report, in a format developed by the Office of State Courts
1013 Administrator, to the chief judge of the circuit, the Governor,
1014 the President of the Senate, the Speaker of the House of
1015 Representatives, and the board of county commissioners.

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1016 Section 25. Effective October 1, 2010, section 320.061,
1017 Florida Statutes, is amended to read:

1018 320.061 Unlawful to alter motor vehicle registration
1019 certificates, license plates, mobile home stickers, or
1020 validation stickers or to obscure license plates; penalty.—No
1021 person shall alter the original appearance of any registration
1022 license plate, mobile home sticker, validation sticker, or
1023 vehicle registration certificate issued for and assigned to any
1024 motor vehicle or mobile home, whether by mutilation, alteration,
1025 defacement, or change of color or in any other manner. No person
1026 shall apply or attach any substance, reflective matter,
1027 illuminated device, spray, coating, covering, or other material
1028 onto or around any license plate that interferes with the
1029 legibility, angular visibility, or detectability of any feature
1030 or detail on the license plate or interferes with the ability to
1031 record any feature or detail on the license plate. Any person
1032 who violates this section commits a noncriminal traffic
1033 infraction, punishable as a moving violation as provided in
1034 chapter 318 ~~misdemeanor of the second degree, punishable as~~
1035 ~~provided in s. 775.082 or s. 775.083.~~

1036 Section 26. Effective October 1, 2010, subsection (3) of
1037 section 320.131, Florida Statutes, is amended to read:

1038 320.131 Temporary tags.—

1039 (3) Any person or corporation who unlawfully issues or
1040 uses a temporary tag or violates this section or any rule
1041 adopted by the department to implement this section commits ~~is~~
1042 ~~guilty of~~ a noncriminal infraction, punishable as a moving
1043 violation as provided in chapter 318 ~~misdemeanor of the second~~
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1044 ~~degree punishable as provided in s. 775.082 or s. 775.083 in~~
1045 addition to other administrative action by the department. ~~7~~
1046 ~~except that~~ Using a temporary tag that has been expired for a
1047 period of 7 days or less is a noncriminal infraction, and is a
1048 nonmoving violation punishable as provided for in chapter 318.

1049 Section 27. Effective October 1, 2010, subsections (1) and
1050 (5) of section 322.03, Florida Statutes, are amended to read:

1051 322.03 Drivers must be licensed; penalties.—

1052 (1) Except as otherwise authorized in this chapter, a
1053 person may not drive any motor vehicle upon a highway in this
1054 state unless such person has a valid driver's license issued
1055 under this chapter.

1056 (a) A person who drives a commercial motor vehicle may not
1057 receive a driver's license unless and until he or she surrenders
1058 to the department all driver's licenses in his or her possession
1059 issued to him or her by any other jurisdiction or makes an
1060 affidavit that he or she does not possess a driver's license.
1061 Any such person who fails to surrender such licenses commits a
1062 noncriminal infraction, punishable as a moving violation as set
1063 forth in chapter 318. Any such person ~~or~~ who makes a false
1064 affidavit concerning such licenses commits a misdemeanor of the
1065 first degree, punishable as provided in s. 775.082 or s.
1066 775.083.

1067 (b) All surrendered licenses may be returned by the
1068 department to the issuing jurisdiction together with information
1069 that the licensee is now licensed in a new jurisdiction or may
1070 be destroyed by the department, which shall notify the issuing

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1071 jurisdiction of such destruction. A person may not have more
1072 than one valid driver's license at any time.

1073 (c) Part-time residents of this state issued a license
1074 that is valid within this state only under paragraph (b) as that
1075 paragraph existed before November 1, 2009, may continue to hold
1076 such license until the next issuance of a Florida driver's
1077 license or identification card. Licenses that are identified as
1078 "Valid in Florida Only" may not be issued or renewed effective
1079 November 1, 2009. This paragraph expires June 30, 2017.

1080 (5) It is a violation of this section for any person whose
1081 driver's license has been expired for more than 6 4 months to
1082 operate a motor vehicle on the highways of this state.

1083 Section 28. Effective October 1, 2010, subsections (5) and
1084 (6) of section 322.16, Florida Statutes, are amended to read:

1085 322.16 License restrictions.—

1086 (5) It is a misdemeanor of the second degree, punishable
1087 as provided in s. 775.082 or s. 775.083, for any person to
1088 operate a motor vehicle in any manner in violation of the
1089 restrictions imposed under paragraph (1)(c) ~~in a license issued~~
1090 ~~to him or her except for a violation of paragraph (1)(d),~~
1091 ~~subsection (2), or subsection (3).~~

1092 (6) Any person who operates a motor vehicle in violation
1093 of the restrictions imposed under paragraph (1)(a), paragraph
1094 (1)(b), ~~in~~ subsection (2), or subsection (3) will be charged
1095 with a moving violation and fined in accordance with chapter
1096 318.

1097 Section 29. Subsection (1) of section 775.083, Florida
1098 Statutes, is amended to read:

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1099 775.083 Fines.—

1100 (1) A person who has been convicted of an offense other
1101 than a capital felony may be sentenced to pay a fine in addition
1102 to any punishment described in s. 775.082; when specifically
1103 authorized by statute, he or she may be sentenced to pay a fine
1104 in lieu of any punishment described in s. 775.082. A person who
1105 has been convicted of a noncriminal violation may be sentenced
1106 to pay a fine. Fines for designated crimes and for noncriminal
1107 violations shall not exceed:

1108 (a) \$15,000, when the conviction is of a life felony.

1109 (b) \$10,000, when the conviction is of a felony of the
1110 first or second degree.

1111 (c) \$5,000, when the conviction is of a felony of the
1112 third degree.

1113 (d) \$1,000, when the conviction is of a misdemeanor of the
1114 first degree.

1115 (e) \$500, when the conviction is of a misdemeanor of the
1116 second degree or a noncriminal violation.

1117 (f) Any higher amount equal to double the pecuniary gain
1118 derived from the offense by the offender or double the pecuniary
1119 loss suffered by the victim.

1120 (g) Any higher amount specifically authorized by statute.

1121
1122 Fines imposed in this subsection shall be deposited by the clerk
1123 of the court in the fine and forfeiture fund established
1124 pursuant to s. 142.01, except that the clerk shall remit fines
1125 imposed when adjudication is withheld to the Department of
1126 Revenue for deposit shall be deposited in the General Revenue
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1127 ~~Fund State Courts Revenue Trust Fund, and such fines imposed~~
1128 ~~when adjudication is withheld are not revenue for purposes of s.~~
1129 ~~28.36 and may not be used in establishing the budget of the~~
1130 ~~clerk of the court under that section or s. 28.35. If a~~
1131 defendant is unable to pay a fine, the court may defer payment
1132 of the fine to a date certain. As used in this subsection, the
1133 term "convicted" or "conviction" means a determination of guilt
1134 which is the result of a trial or the entry of a plea of guilty
1135 or nolo contendere, regardless of whether adjudication is
1136 withheld.

1137 Section 30. Subsection (5) of section 832.08, Florida
1138 Statutes, is amended to read:

1139 832.08 State attorney bad check diversion program; fees
1140 for collections.—

1141 (5) To fund the diversion program, the state attorney may
1142 collect a fee on each check that is collected through the state
1143 attorney's office, whether it is collected through prosecution
1144 or through the diversion program. Funds collected under this
1145 subsection shall be deposited in the State Attorneys Revenue
1146 Trust Fund. However, the state attorney may not collect such a
1147 fee on any check collected through a diversion program which was
1148 in existence in another office prior to October 1, 1986. A fee
1149 may be collected by an office operating such a preexisting
1150 diversion program for the purpose of funding such program. The
1151 amount of the fee for each check shall not exceed:

1152 (a) Twenty-five dollars, if the face value does not exceed
1153 \$50.

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1154 (b) Thirty dollars, if the face value is more than \$50 but
1155 does not exceed \$300.

1156 (c) Forty dollars, if the face value is more than \$300.

1157 Section 31. Section 938.06, Florida Statutes, is amended
1158 to read:

1159 938.06 ~~Additional~~ Cost for crime stoppers programs.—

1160 (1) In addition to any fine prescribed by law, when a
1161 person is convicted of ~~for~~ any criminal offense, the county or
1162 circuit court shall assess ~~there is hereby assessed as a court~~
1163 ~~cost an additional surcharge of \$20 on such fine, which shall be~~
1164 ~~imposed by all county and circuit courts and collected by the~~
1165 ~~clerks of the courts together with such fine.~~

1166 (2) The clerk of the court shall collect and forward, on a
1167 monthly basis, all costs assessed under this section, less \$3
1168 per assessment as a service charge to be retained by the clerk,
1169 to the Department of Revenue for deposit in the Crime Stoppers
1170 Trust Fund, to be used as provided in s. 16.555.

1171 (3) As used in this section, the term "convicted" means a
1172 determination of guilt that is the result of a trial or the
1173 entry of a plea of guilty or nolo contendere, regardless of
1174 whether adjudication is withheld.

1175 Section 32. Subsection (8) of section 938.27, Florida
1176 Statutes, is amended to read:

1177 938.27 Judgment for costs on conviction.—

1178 (8) Costs for the state attorney shall be set in all cases
1179 at no less than \$50 per case when a misdemeanor or criminal
1180 traffic offense is charged and no less than \$100 per case when a
1181 felony offense is charged, including a proceeding in which the
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1182 underlying offense is a violation of probation or community
1183 control. The court may set a higher amount upon a showing of
1184 sufficient proof of higher costs incurred. Costs recovered on
1185 behalf of the state attorney under this section shall be
1186 deposited into the State Attorneys Revenue ~~attorney's grants and~~
1187 ~~donations~~ Trust Fund to be used during the fiscal year in which
1188 the funds are collected, or in any subsequent fiscal year, for
1189 actual expenses incurred in investigating and prosecuting
1190 criminal cases, which may include the salaries of permanent
1191 employees, or for any other purpose authorized by the
1192 Legislature.

1193 Section 33. Paragraph (b) of subsection (2) of section
1194 938.29, Florida Statutes, is amended to read:

1195 938.29 Legal assistance; lien for payment of attorney's
1196 fees or costs.—

1197 (2)

1198 (b) A judgment showing the name and residence of the
1199 defendant-recipient or parent shall be recorded in the public
1200 record, without cost, by the clerk of the circuit court in the
1201 county where the defendant-recipient or parent resides and in
1202 each county in which such defendant-recipient or parent then
1203 owns or later acquires any property. Such judgments shall be
1204 enforced on behalf of the state by the clerk of the circuit
1205 court of the county in which assistance was rendered. The lien
1206 against a parent shall remain in force notwithstanding the child
1207 becoming emancipated or the child reaching the age of majority.

1208 Section 34. Section 939.08, Florida Statutes, is amended
1209 to read:

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1210 939.08 Costs to be certified before audit.—In all cases
1211 wherein is claimed the payment of applicable bills of costs,
1212 fees, or expenses of the state courts system as provided in s.
1213 29.004, other than juror and witness fees, in the adjudication
1214 of any case payable by the state, the trial court administrator
1215 or the administrator's designee shall review the itemized bill.
1216 The bill shall not be paid until the trial court administrator
1217 or the administrator's designee has approved it and certified
1218 that it is just, correct, and reasonable and contains no
1219 unnecessary or illegal item.

1220 Section 35. Paragraph (a) of subsection (1) of section
1221 939.185, Florida Statutes, is amended to read:

1222 939.185 Assessment of additional court costs and
1223 surcharges.—

1224 (1) (a) The board of county commissioners may adopt by
1225 ordinance an additional court cost, not to exceed \$65, to be
1226 imposed by the court when a person pleads guilty or nolo
1227 contendere to, or is found guilty of, or adjudicated delinquent
1228 for, any felony, misdemeanor, delinquent act, or criminal
1229 traffic offense under the laws of this state. Such additional
1230 assessment shall be accounted for separately by the county in
1231 which the offense occurred and be used only in the county
1232 imposing this cost, to be allocated as follows:

1233 1. Twenty-five percent of the amount collected shall be
1234 allocated to fund innovations, as determined by the chief judge
1235 of the circuit, to supplement state funding for the elements of
1236 the state courts system identified in s. 29.004 and county
1237 funding for local requirements under s. 29.008(2)(a)2.

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1238 2. Twenty-five percent of the amount collected shall be
1239 allocated to assist counties in providing legal aid programs
1240 required under s. 29.008(3) (a).

1241 3. Twenty-five percent of the amount collected shall be
1242 allocated to fund personnel and legal materials for the public
1243 as part of a law library.

1244 4. Twenty-five percent of the amount collected shall be
1245 used as determined by the board of county commissioners to
1246 support teen court programs, except as provided in s. 938.19(7),
1247 juvenile assessment centers, and other juvenile alternative
1248 programs.

1249
1250 Each county receiving funds under this section shall report the
1251 amount of funds collected pursuant to this section and an
1252 itemized list of expenditures for all authorized programs and
1253 activities. The report shall be submitted in a format developed
1254 by the Supreme Court to the Governor, the Chief Financial
1255 Officer, the President of the Senate, and the Speaker of the
1256 House of Representatives on a quarterly basis beginning with the
1257 quarter ending September 30, 2004. Quarterly reports shall be
1258 submitted no later than 30 days after the end of the quarter.
1259 Any unspent funds at the close of the county fiscal year
1260 allocated under subparagraphs 2., 3., and 4., shall be
1261 transferred for use pursuant to subparagraph 1.

1262 Section 36. Subsection (15) is added to section 943.03,
1263 Florida Statutes, to read:

1264 943.03 Department of Law Enforcement.—

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1265 (15) The Department of Law Enforcement, in consultation
1266 with the Criminal and Juvenile Justice Information Systems
1267 Council established in s. 943.06, shall modify the existing
1268 statewide uniform statute table in its criminal history system
1269 to meet the business requirements of state and local criminal
1270 justice and law enforcement agencies. In order to accomplish
1271 this objective, the department shall:

1272 (a) Define the minimum business requirements necessary for
1273 successful implementation.

1274 (b) Consider the charging and booking requirements of
1275 sheriffs' offices and police departments and the business
1276 requirements of state attorneys, public defenders, criminal
1277 conflict and civil regional counsel, clerks of court, judges,
1278 and state law enforcement agencies.

1279 (c) Adopt rules establishing the necessary technical and
1280 business process standards required to implement, operate, and
1281 ensure uniform system use and compliance.

1282
1283 The required system modifications and adopted rules shall be
1284 implemented by December 31, 2012.

1285 Section 37. Paragraph (b) of subsection (3) of section
1286 943.053, Florida Statutes, is amended to read:

1287 943.053 Dissemination of criminal justice information;
1288 fees.—

1289 (3)

1290 (b) The fee per record for criminal history information
1291 provided pursuant to this subsection and s. 943.0542 is \$24 per
1292 name submitted, except that the fee for the guardian ad litem
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1293 program and vendors of the Department of Children and Family
1294 Services, the Department of Juvenile Justice, and the Department
1295 of Elderly Affairs shall be \$8 for each name submitted; the fee
1296 for a state criminal history provided for application processing
1297 as required by law to be performed by the Department of
1298 Agriculture and Consumer Services shall be \$15 for each name
1299 submitted; and the fee for requests under s. 943.0542, which
1300 implements the National Child Protection Act, shall be \$18 for
1301 each volunteer name submitted. The state offices of the Public
1302 Defender shall not be assessed a fee for Florida criminal
1303 history information or wanted person information.

1304 Section 38. The amount of unexpended balances in the state
1305 court's Operating Trust Fund attributable to collections made
1306 pursuant to ss. 25.241 and 35.22, Florida Statutes, before
1307 amendment by this act shall be transferred to the State Courts
1308 Revenue Trust Fund, FLAIR number 22-2-057. All other unexpended
1309 funds in the Operating Trust Fund are transferred to the
1310 Administrative Trust Fund within the state courts system.

1311 Section 39. The amount of unexpended balances in the state
1312 attorney's grants and donations trust fund attributable to
1313 collections made pursuant to ss. 832.08 and 938.27, Florida
1314 Statutes, before amendment by this act shall be transferred to
1315 the State Attorneys Revenue Trust Fund, FLAIR number 21-2-058.

1316 Section 40. The sum of \$3,600,000 of nonrecurring funds
1317 from the Clerks of Court Trust Fund is appropriated to the
1318 Florida Clerks of Court Operations Corporation to be distributed
1319 to the clerks of court where the state court system has
1320 distributed the increased resources provided in the 2010-2011

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1321 General Appropriations Act for workload associated with
1322 foreclosure and economic recovery. The corporation shall submit
1323 a budget amendment pursuant to chapter 216, Florida Statutes, to
1324 distribute the funding among the clerks of court.

1325 Section 41. The sum of \$18,600,000 from the State Courts
1326 Revenue Trust Fund is transferred to the Clerks of the Court
1327 Trust Fund in the Justice Administrative Commission for the
1328 purpose of paying the general revenue service charge for the
1329 state fiscal year 2009-2010. This section shall take effect upon
1330 this act becoming a law.

1331 Section 42. Except as otherwise expressly provided in this
1332 act, and except for this section which shall take effect upon
1333 this act becoming a law, this act shall take effect July 1,
1334 2010.

1335
1336 -----

T I T L E A M E N D M E N T

1337 Remove the entire title and insert:

1338 A bill to be entitled

1339 An act relating to the state judicial system; amending s.
1340 25.241, F.S.; requiring that \$50 from the Supreme Court
1341 filing fee be deposited into the State Courts Revenue Trust
1342 Fund to fund court operations; amending s. 25.383, F.S.;
1343 conforming provisions to the renaming of the Operating
1344 Trust Fund in the state courts system; amending s. 25.3844,
1345 F.S.; renaming the Operating Trust Fund in the state courts
1346 system as the Administrative Trust Fund; amending s.
1347 25.386, F.S.; conforming provisions to the renaming of the

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1349 Operating Trust Fund in the state courts system; amending
1350 s. 27.40, F.S.; requiring private court-appointed counsel
1351 compensated by the state to maintain records and documents
1352 in a prescribed manner; providing for waiver of the right
1353 to seek fees in excess of prescribed limits if the attorney
1354 refuses to allow the Justice Administrative Commission to
1355 review the documentation; providing that the commission's
1356 finding of a valid waiver of fees may be overcome by
1357 competent and substantial evidence; amending s. 27.425,
1358 F.S.; eliminating a requirement for the chief judge of the
1359 judicial circuit to recommend and submit compensation rates
1360 for state-funded due process service providers; requiring
1361 the Justice Administrative Commission to approve forms and
1362 procedures governing billings for the provision of due
1363 process services; amending s. 27.511, F.S.; providing for
1364 the appointment of criminal conflict and civil regional
1365 counsel in certain proceedings under the Florida Rules of
1366 Criminal Procedure and in certain adoption proceedings;
1367 providing for private court-appointed counsel, rather than
1368 criminal conflict and civil regional counsel, to have
1369 primary responsibility for representing minors in
1370 proceedings under the Parental Notice of Abortion Act;
1371 amending s. 27.52, F.S.; requiring the clerk of the court
1372 to review certain property records in evaluating an
1373 application from a criminal defendant for a determination
1374 of indigency; providing that the Justice Administrative
1375 Commission has standing in a motion seeking to have a
1376 person declared indigent for purposes of state payment of

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1377 due process costs; providing a presumption that a person is
1378 not indigent for costs if the person's attorney's fees are
1379 being paid from private funds at a specified level;
1380 providing that the presumption may be overcome through
1381 clear and convincing evidence; providing requirements and
1382 rates for reimbursement of due process costs; providing
1383 that a person who receives state-funded due process
1384 services after being deemed indigent for costs is liable
1385 for repayment to the state; requiring the person to submit
1386 an accounting to the court of state-paid costs; providing
1387 for the court to issue an order determining the amount of
1388 the costs; providing for creation and enforcement of a
1389 repayment lien; amending s. 27.5304, F.S.; providing for a
1390 reduction in the amount paid for an attorney's fees, costs,
1391 and related expenses as increased penalties for submitting
1392 a bill to the state after prescribed periods; providing a
1393 definition; creating s. 27.5305, F.S.; prescribing
1394 conditions and requirements related to payment by the state
1395 of legal fees and the costs of due process services in
1396 certain criminal and civil cases; prescribing conditions
1397 and requirements governing electronic funds transfer,
1398 transcripts, court reporters and investigators, expert
1399 witnesses and mitigation specialists, and discovery;
1400 amending s. 28.241, F.S.; providing that the section does
1401 not require assessment of a filing fee if the assessment is
1402 otherwise prohibited by law; amending s. 28.245, F.S.;

1403 decreasing the period allowed clerks of the court for
1404 transmission of deposits electronically to the Department

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1405 of Revenue; amending s. 28.246, F.S.; requiring the clerk
1406 to give a copy of an application for appointment of court-
1407 appointed counsel to a private attorney or collection agent
1408 employed by the clerk to collect moneys from the person;
1409 amending s. 28.36, F.S.; revising the core services for the
1410 budget requests for the clerks of the court; revising the
1411 procedures for the Florida Clerks of Court Operations
1412 Corporation to release appropriations each quarter;
1413 providing a procedure for the corporation to follow if the
1414 projected expenditures will exceed the amount appropriated
1415 by law; repealing s. 29.0095, F.S., relating to a
1416 requirement for chief judges, state attorneys, and public
1417 defenders to submit budget expenditure reports; amending s.
1418 29.0195, F.S.; conforming provisions to the renaming of the
1419 Operating Trust Fund in the state courts system; amending
1420 s. 34.041, F.S.; specifying that the prescribed filing fee
1421 for an action involving claims of not more than \$1,000
1422 filed along with an action for replevin is the total filing
1423 fee; amending s. 35.22, F.S.; requiring that \$50 from the
1424 district court of appeals filing fee be deposited into the
1425 State Courts Revenue Trust Fund; amending s. 39.0134, F.S.;
1426 providing that certain parents in proceedings related to
1427 children are liable for fees and costs after receiving
1428 legal representation or due process services funded by the
1429 state; authorizing the court to make payment of attorney's
1430 fees and costs part of a case plan in dependency
1431 proceedings; authorizing and providing for enforcement of a
1432 lien upon court-ordered payment of fees and costs;

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1433 providing for deposit of fees and costs into the Indigent
1434 Civil Defense Trust Fund; amending s. 39.821, F.S.;
1435 requiring certain background screenings for persons
1436 certified as a guardian ad litem; amending s. 57.082, F.S.;
1437 prescribing circumstances for payment of an application fee
1438 when a person seeks to be determined indigent and eligible
1439 for appointment of counsel in proceedings relating to
1440 children; providing for the court to order payment of the
1441 fee and the clerk of the court to pursue collection of the
1442 fee; amending s. 68.085, F.S.; providing that Medicaid
1443 fraud recoveries by the Attorney General are to be
1444 deposited into the Operating Trust Fund rather than in the
1445 Legal Affairs Revolving Trust Fund; amending s. 119.0714,
1446 F.S.; delaying from January 1, 2011, to January 1, 2012,
1447 the obligation of a clerk of court to redact certain
1448 confidential information from court files; amending s.
1449 318.18, F.S.; providing that a county may elect among
1450 various surcharges on traffic offenses; limiting counties
1451 to only one surcharge at a time; amending s. 320.061, F.S.;
1452 creating a noncriminal infraction for altering or obscuring
1453 a license plate or mobile home sticker; deleting the
1454 second-degree misdemeanor penalty imposed for the offense;
1455 amending s. 320.131, F.S.; creating a noncriminal traffic
1456 infraction for the unlawful use of a temporary tag;
1457 deleting the second-degree misdemeanor penalty imposed for
1458 the offense; amending s. 322.03, F.S.; creating a
1459 noncriminal traffic infraction for a commercial motor
1460 vehicle driver who fails to surrender driver's licenses

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1461 from other jurisdictions before issuance of a license by
1462 the Department of Highway Safety and Motor Vehicles;
1463 extending the period allowed for operating a motor vehicle
1464 after expiration of a driver's license; amending s. 322.16,
1465 F.S.; creating a noncriminal traffic infraction for persons
1466 who fail to abide by driver's license restrictions other
1467 than restrictions recommended by a court or by corrections
1468 officials; deleting the second-degree misdemeanor penalty
1469 recommended for offenses other than violation of
1470 restrictions recommended by a court or by corrections
1471 officials; amending s. 775.083, F.S.; redirecting revenues
1472 from certain criminal fines from the State Courts Revenue
1473 Trust Fund into the General Revenue Fund; amending s.
1474 832.08, F.S.; providing for deposit of bad check diversion
1475 program fees into the State Attorneys Revenue Trust Fund;
1476 amending s. 938.06, F.S.; requiring the assessment of a
1477 court cost after conviction of a criminal offense; defining
1478 the term "convicted" for purposes of the assessed cost;
1479 amending s. 938.27, F.S.; providing for deposit of certain
1480 court costs after criminal convictions into the State
1481 Attorneys Revenue Trust Fund rather than the state
1482 attorney's grants and donations trust fund; amending s.
1483 938.29, F.S.; specifying that a lien for the cost of court-
1484 appointed counsel against a parent for services provided to
1485 a child does not expire upon the emancipation of the child
1486 or upon the child reaching the age of majority; amending s.
1487 939.08, F.S.; authorizing a designee of the trial court
1488 administrator to review, approve, and certify certain bills

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1489 related to costs, fees, or expenses of the state courts
1490 system; amending s. 939.185, F.S.; authorizing the chief
1491 judge of the circuit to determine innovations eligible for
1492 funding from a county-assessed court cost; amending s.
1493 943.03, F.S.; requiring the Department of Law Enforcement
1494 to modify the statewide uniform statute table in its
1495 criminal history system; providing an implementation
1496 deadline; amending s. 943.053, F.S.; providing for a
1497 discounted fee for criminal history record checks for the
1498 guardian ad litem program; transferring certain funds from
1499 the state court's Operating Trust Fund to the State Courts
1500 Revenue Trust Fund and the Administrative Trust Fund within
1501 the state courts system; transferring certain unexpended
1502 balances in the state attorney's grants and donations trust
1503 fund to the State Attorneys Revenue Trust Fund; making a
1504 specific appropriation; providing for a transfer of funds
1505 to pay the general revenue service charge; providing
1506 effective dates.

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