



342522

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2012	.	
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The Committee on Judiciary (Simmons) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (a) of subsection (2) of section  
27.52, Florida Statutes, is amended to read:

27.52 Determination of indigent status.—

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

(a)1. An applicant, including an applicant who is a minor



342522

14 or an adult tax-dependent person, is indigent if the applicant's  
15 income is equal to or below 200 percent of the then-current  
16 federal poverty guidelines prescribed for the size of the  
17 household of the applicant by the United States Department of  
18 Health and Human Services or if the person is receiving  
19 Temporary Assistance for Needy Families-Cash Assistance,  
20 poverty-related veterans' benefits, or Supplemental Security  
21 Income (SSI).

22 2.a. There is a presumption that the applicant is not  
23 indigent if the applicant owns, or has equity in, any intangible  
24 or tangible personal property or real property or the expectancy  
25 of an interest in any such property having a net equity value of  
26 \$2,500 or more, excluding the value of the person's homestead  
27 and one vehicle having a net value not exceeding \$5,000.

28 b. Notwithstanding the information that the applicant  
29 provides, the clerk may ~~shall~~ conduct a review of the property  
30 records for the county in which the applicant resides and the  
31 motor vehicle title records of the state to identify any  
32 property interests of the applicant under this subparagraph. The  
33 clerk may ~~shall~~ evaluate and consider the results of the review  
34 in making a determination under this subsection. If the review  
35 is completed by the clerk, the clerk shall maintain the results  
36 of the review in a file with the application and provide the  
37 file to the court if the applicant seeks review under subsection  
38 (4) of the clerk's determination of indigent status.

39 Section 2. Paragraph (e) of subsection (12) of section  
40 28.24, Florida Statutes, is amended to read:

41 28.24 Service charges by clerk of the circuit court.—The  
42 clerk of the circuit court shall charge for services rendered by



342522

43 the clerk's office in recording documents and instruments and in  
44 performing the duties enumerated in amounts not to exceed those  
45 specified in this section. Notwithstanding any other provision  
46 of this section, the clerk of the circuit court shall provide  
47 without charge to the state attorney, public defender, guardian  
48 ad litem, public guardian, attorney ad litem, criminal conflict  
49 and civil regional counsel, and private court-appointed counsel  
50 paid by the state, and to the authorized staff acting on behalf  
51 of each, access to and a copy of any public record, if the  
52 requesting party is entitled by law to view the exempt or  
53 confidential record, as maintained by and in the custody of the  
54 clerk of the circuit court as provided in general law and the  
55 Florida Rules of Judicial Administration. The clerk of the  
56 circuit court may provide the requested public record in an  
57 electronic format in lieu of a paper format when capable of  
58 being accessed by the requesting entity.

59

60 Charges

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62 (12) For recording, indexing, and filing any instrument not  
63 more than 14 inches by 8 1/2 inches, including required notice  
64 to property appraiser where applicable:

65 (e) An additional service charge of \$4 per page shall be  
66 paid to the clerk of the circuit court for each instrument  
67 listed in s. 28.222, except judgments received from the courts  
68 and notices of lis pendens, recorded in the official records.  
69 From the additional \$4 service charge collected:

70

71 1. If the counties maintain legal responsibility for the  
costs of the court-related technology needs as defined in s.



342522

72 29.008(1)(f)2. and (h), 10 cents shall be distributed to the  
73 Florida Association of Court Clerks and Comptroller, Inc., for  
74 the cost of development, implementation, operation, and  
75 maintenance of the clerks' Comprehensive Case Information  
76 System, ~~in which system all clerks shall participate on or~~  
77 ~~before January 1, 2006~~; \$1.90 shall be retained by the clerk to  
78 be deposited in the Public Records Modernization Trust Fund and  
79 used exclusively for funding court-related technology needs of  
80 the clerk as defined in s. 29.008(1)(f)2. and (h); and \$2 shall  
81 be distributed to the board of county commissioners to be used  
82 exclusively to fund court-related technology, and court  
83 technology needs as defined in s. 29.008(1)(f)2. and (h) for the  
84 state trial courts, state attorney, public defender, and  
85 criminal conflict and civil regional counsel in that county. If  
86 the counties maintain legal responsibility for the costs of the  
87 court-related technology needs as defined in s. 29.008(1)(f)2.  
88 and (h), notwithstanding any other provision of law, the county  
89 is not required to provide additional funding beyond that  
90 provided herein for the court-related technology needs of the  
91 clerk as defined in s. 29.008(1)(f)2. and (h). All court records  
92 and official records are the property of the State of Florida,  
93 including any records generated as part of the Comprehensive  
94 Case Information System funded pursuant to this paragraph and  
95 the clerk of court is designated as the custodian of such  
96 records, except in a county where the duty of maintaining  
97 official records exists in a county office other than the clerk  
98 of court or comptroller, such county office is designated the  
99 custodian of all official records, and the clerk of court is  
100 designated the custodian of all court records. The clerk of



342522

101 court or any entity acting on behalf of the clerk of court,  
102 including an association, shall not charge a fee to any agency  
103 as defined in s. 119.011, the Legislature, or the State Court  
104 System for copies of records generated by the Comprehensive Case  
105 Information System or held by the clerk of court or any entity  
106 acting on behalf of the clerk of court, including an  
107 association.

108 2. If the state becomes legally responsible for the costs  
109 of court-related technology needs as defined in s.  
110 29.008(1)(f)2. and (h), whether by operation of general law or  
111 by court order, \$4 shall be remitted to the Department of  
112 Revenue for deposit into the General Revenue Fund.

113 Section 3. Section 28.2405, Florida Statutes, is created to  
114 read:

115 28.2405 Comprehensive Case Information System.—All clerks  
116 of the circuit court shall participate in the Comprehensive Case  
117 Information System of the Florida Association of Clerks and  
118 Comptroller, Inc., and shall submit electronic case data to the  
119 system based on the case types designated by the Supreme Court.

120 Section 4. Subsection (1) of section 28.241, Florida  
121 Statutes, is amended to read:

122 28.241 Filing fees for trial and appellate proceedings.—

123 (1) Filing fees are due at the time a party files a  
124 pleading to initiate a proceeding or files a pleading for  
125 relief. Reopen fees are due at the time a party files a pleading  
126 to reopen a proceeding if at least 90 days have elapsed since  
127 the filing of a final order or final judgment with the clerk. If  
128 a fee is not paid upon the filing of the pleading as required  
129 under this section, the clerk shall pursue collection of the fee



342522

130 pursuant to s. 28.246.

131 (a)1.a. Except as provided in sub-subparagraph b. and  
132 subparagraph 2., the party instituting any civil action, suit,  
133 or proceeding in the circuit court shall pay to the clerk of  
134 that court a filing fee of up to \$395 in all cases in which  
135 there are not more than five defendants and an additional filing  
136 fee of up to \$2.50 for each defendant in excess of five. Of the  
137 first \$280 in filing fees, \$80 must be remitted by the clerk to  
138 the Department of Revenue for deposit into the General Revenue  
139 Fund, \$195 must be remitted to the Department of Revenue for  
140 deposit into the State Courts Revenue Trust Fund, \$3.50 must be  
141 remitted to the Department of Revenue for deposit into the  
142 Clerks of the Court Trust Fund within the Justice Administrative  
143 Commission and used to fund the Florida Clerks of Court  
144 Operations Corporation created in s. 28.35, and \$1.50 shall be  
145 remitted to the Department of Revenue for deposit into the  
146 Administrative Trust Fund within the Department of Financial  
147 Services to fund clerk budget reviews conducted by the  
148 Department of Financial Services. One third of any filing fees  
149 collected by the clerk of the circuit court in excess of \$100  
150 shall be remitted to the Department of Revenue for deposit into  
151 the Clerks of the Court Trust Fund within the Justice  
152 Administrative Commission.

153 b. The party instituting any civil action, suit, or  
154 proceeding in the circuit court under chapter 39, chapter 61,  
155 chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
156 753 shall pay to the clerk of that court a filing fee of up to  
157 \$295 in all cases in which there are not more than five  
158 defendants and an additional filing fee of up to \$2.50 for each



342522

159 defendant in excess of five. Of the first \$180 in filing fees,  
160 \$80 must be remitted by the clerk to the Department of Revenue  
161 for deposit into the General Revenue Fund, \$95 must be remitted  
162 to the Department of Revenue for deposit into the State Courts  
163 Revenue Trust Fund, \$3.50 must be remitted to the Department of  
164 Revenue for deposit into the Clerks of the Court Trust Fund  
165 within the Justice Administrative Commission and used to fund  
166 the Florida Clerks of Court Operations Corporation created in s.  
167 28.35, and \$1.50 shall be remitted to the Department of Revenue  
168 for deposit into the Administrative Trust Fund within the  
169 Department of Financial Services to fund clerk budget reviews  
170 conducted by the Department of Financial Services.

171 c. An additional filing fee of \$4 shall be paid to the  
172 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
173 for deposit into the Court Education Trust Fund and shall remit  
174 50 cents to the Department of Revenue for deposit into the  
175 Clerks of the Court Trust Fund within the Justice Administrative  
176 Commission to fund clerk education. An additional filing fee of  
177 up to \$18 shall be paid by the party seeking each severance that  
178 is granted. The clerk may impose an additional filing fee of up  
179 to \$85 for all proceedings of garnishment, attachment, replevin,  
180 and distress. Postal charges incurred by the clerk of the  
181 circuit court in making service by certified or registered mail  
182 on defendants or other parties shall be paid by the party at  
183 whose instance service is made. ~~No~~ Additional fees, charges, or  
184 costs may not shall be added to the filing fees imposed under  
185 this section, except as authorized in this section or by general  
186 law.

187 2.a. Notwithstanding the fees prescribed in subparagraph



342522

188 1., a party instituting a civil action in circuit court relating  
189 to real property or mortgage foreclosure shall pay a graduated  
190 filing fee based on the value of the claim.

191 b. A party shall estimate in writing the amount in  
192 controversy of the claim upon filing the action. For purposes of  
193 this subparagraph, the value of a mortgage foreclosure action is  
194 based upon the principal due on the note secured by the  
195 mortgage, plus interest owed on the note and any moneys advanced  
196 by the lender for property taxes, insurance, and other advances  
197 secured by the mortgage, at the time of filing the foreclosure.  
198 The value shall also include the value of any tax certificates  
199 related to the property. In stating the value of a mortgage  
200 foreclosure claim, a party shall declare in writing the total  
201 value of the claim, as well as the individual elements of the  
202 value as prescribed in this sub-subparagraph.

203 c. In its order providing for the final disposition of the  
204 matter, the court shall identify the actual value of the claim.  
205 The clerk shall adjust the filing fee if there is a difference  
206 between the estimated amount in controversy and the actual value  
207 of the claim and collect any additional filing fee owed or  
208 provide a refund of excess filing fee paid.

209 d. The party shall pay a filing fee of:

210 (I) Three hundred and ninety-five dollars in all cases in  
211 which the value of the claim is \$50,000 or less and in which  
212 there are not more than five defendants. The party shall pay an  
213 additional filing fee of up to \$2.50 for each defendant in  
214 excess of five. Of the first \$280 in filing fees, \$80 must be  
215 remitted by the clerk to the Department of Revenue for deposit  
216 into the General Revenue Fund, \$195 must be remitted to the





342522

217 Department of Revenue for deposit into the State Courts Revenue  
218 Trust Fund, \$3.50 must be remitted to the Department of Revenue  
219 for deposit into the Clerks of the Court Trust Fund within the  
220 Justice Administrative Commission and used to fund the Florida  
221 Clerks of Court Operations Corporation created in s. 28.35, and  
222 \$1.50 shall be remitted to the Department of Revenue for deposit  
223 into the Administrative Trust Fund within the Department of  
224 Financial Services to fund clerk budget reviews conducted by the  
225 Department of Financial Services;

226 (II) Nine hundred dollars in all cases in which the value  
227 of the claim is more than \$50,000 but less than \$250,000 and in  
228 which there are not more than five defendants. The party shall  
229 pay an additional filing fee of up to \$2.50 for each defendant  
230 in excess of five. Of the first \$785 in filing fees, \$80 must be  
231 remitted by the clerk to the Department of Revenue for deposit  
232 into the General Revenue Fund, \$700 must be remitted to the  
233 Department of Revenue for deposit into the State Courts Revenue  
234 Trust Fund, \$3.50 must be remitted to the Department of Revenue  
235 for deposit into the Clerks of the Court Trust Fund within the  
236 Justice Administrative Commission and used to fund the Florida  
237 Clerks of Court Operations Corporation described in s. 28.35,  
238 and \$1.50 shall be remitted to the Department of Revenue for  
239 deposit into the Administrative Trust Fund within the Department  
240 of Financial Services to fund clerk budget reviews conducted by  
241 the Department of Financial Services; or

242 (III) One thousand nine hundred dollars in all cases in  
243 which the value of the claim is \$250,000 or more and in which  
244 there are not more than five defendants. The party shall pay an  
245 additional filing fee of up to \$2.50 for each defendant in



342522

246 excess of five. Of the first \$1,785 in filing fees, \$80 must be  
247 remitted by the clerk to the Department of Revenue for deposit  
248 into the General Revenue Fund, \$1,700 must be remitted to the  
249 Department of Revenue for deposit into the State Courts Revenue  
250 Trust Fund, \$3.50 must be remitted to the Department of Revenue  
251 for deposit into the Clerks of the Court Trust Fund within the  
252 Justice Administrative Commission to fund the Florida Clerks of  
253 Court Operations Corporation created in s. 28.35, and \$1.50  
254 shall be remitted to the Department of Revenue for deposit into  
255 the Administrative Trust Fund within the Department of Financial  
256 Services to fund clerk budget reviews conducted by the  
257 Department of Financial Services.

258 e. An additional filing fee of \$4 shall be paid to the  
259 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
260 for deposit into the Court Education Trust Fund and shall remit  
261 50 cents to the Department of Revenue for deposit into the  
262 Clerks of the Court Trust Fund within the Justice Administrative  
263 Commission to fund clerk education. An additional filing fee of  
264 up to \$18 shall be paid by the party seeking each severance that  
265 is granted. The clerk may impose an additional filing fee of up  
266 to \$85 for all proceedings of garnishment, attachment, replevin,  
267 and distress. Postal charges incurred by the clerk of the  
268 circuit court in making service by certified or registered mail  
269 on defendants or other parties shall be paid by the party at  
270 whose instance service is made. ~~No~~ Additional fees, charges, or  
271 costs may not ~~shall~~ be added to the filing fees imposed under  
272 this section, except as authorized in this section or by general  
273 law.

274 (b) A party reopening any civil action, suit, or proceeding



342522

275 in the circuit court shall pay to the clerk of court a filing  
276 fee set by the clerk in an amount not to exceed \$50. For  
277 purposes of this section, a case is reopened after all appeals  
278 have been exhausted or time to file an appeal from a final order  
279 or final judgment has expired. A reopen fee may be assessed by  
280 the clerk for any motion filed by any party at least 90 days  
281 after a final order or final judgment has been filed with the  
282 clerk in the initial case. A reservation of jurisdiction by a  
283 court does not cause a case to remain open for purposes of this  
284 section or exempt a party from paying a reopen fee ~~when a case~~  
285 ~~previously reported as disposed of is resubmitted to a court and~~  
286 ~~includes petitions for modification of a final judgment of~~  
287 ~~dissolution.~~ A party is exempt from paying the fee for any of  
288 the following:

- 289 1. A writ of garnishment;
- 290 2. A writ of replevin;
- 291 3. A distress writ;
- 292 4. A writ of attachment;
- 293 5. A motion for rehearing filed within 10 days;
- 294 6. A motion for attorney's fees filed within 30 days after  
295 entry of a judgment or final order;
- 296 7. A motion for dismissal filed after a mediation agreement  
297 has been filed;
- 298 8. A disposition of personal property without  
299 administration;
- 300 9. Any probate case prior to the discharge of a personal  
301 representative;
- 302 10. Any guardianship pleading prior to discharge;
- 303 11. Any mental health pleading;



342522

304 12. Motions to withdraw by attorneys;

305 13. Motions exclusively for the enforcement of child  
306 support orders;

307 14. A petition for credit of child support;

308 15. A Notice of Intent to Relocate and any order issuing as  
309 a result of an uncontested relocation;

310 16. Stipulations and motions to enforce stipulations;

311 17. Responsive pleadings; ~~or~~

312 18. Cases in which there is no initial filing fee; or

313 19. Motions for contempt.

314 (c)1. A party in addition to a party described in sub-  
315 subparagraph (a)1.a. who files a pleading in an original civil  
316 action in circuit court for affirmative relief by cross-claim,  
317 counterclaim, counterpetition, or third-party complaint shall  
318 pay the clerk of court a fee of \$395. A party in addition to a  
319 party described in sub-subparagraph (a)1.b. who files a pleading  
320 in an original civil action in circuit court for affirmative  
321 relief by cross-claim, counterclaim, counterpetition, or third-  
322 party complaint shall pay the clerk of court a fee of \$295. The  
323 clerk shall remit the fee to the Department of Revenue for  
324 deposit into the General Revenue Fund.

325 2. A party in addition to a party described in subparagraph  
326 (a)2. who files a pleading in an original civil action in  
327 circuit court for affirmative relief by cross-claim,  
328 counterclaim, counterpetition, or third-party complaint shall  
329 pay the clerk of court a graduated fee of:

330 a. Three hundred and ninety-five dollars in all cases in  
331 which the value of the pleading is \$50,000 or less;

332 b. Nine hundred dollars in all cases in which the value of



342522

333 the pleading is more than \$50,000 but less than \$250,000; or

334 c. One thousand nine hundred dollars in all cases in which  
335 the value of the pleading is \$250,000 or more.

336  
337 The clerk shall remit the fees collected under this subparagraph  
338 to the Department of Revenue for deposit into the General  
339 Revenue Fund, except that the clerk shall remit \$100 of the fee  
340 collected under sub-subparagraph a., \$605 of the fee collected  
341 under sub-subparagraph b., and \$1,605 of the fee collected under  
342 sub-subparagraph c. to the Department of Revenue for deposit  
343 into the State Courts Revenue Trust Fund.

344 (d) The clerk of court shall collect a service charge of  
345 \$10 for issuing an original, a certified copy, or an electronic  
346 certified copy of a summons. The clerk shall assess the fee  
347 against the party seeking to have the summons issued.

348 Section 5. Subsection (2) of section 28.37, Florida  
349 Statutes, is amended to read:

350 28.37 Fines, fees, service charges, and costs remitted to  
351 the state.—

352 (2) Except as otherwise provided in ss. 28.241 and 34.041,  
353 all court-related fines, fees, service charges, and costs are  
354 considered state funds and shall be remitted by the clerk to the  
355 Department of Revenue for deposit into the Clerks of the Court  
356 Trust Fund within the Justice Administrative Commission.  
357 However, 10 percent of all court-related fines collected by the  
358 clerk, except for penalties or fines distributed to counties or  
359 municipalities under s. 316.0083(1)(b)3. or s. 318.18(15)(a),  
360 shall be deposited into the clerk's Public Records Modernization  
361 Trust Fund to be used exclusively for additional clerk court-



342522

362 related operational needs and program enhancements.

363 Section 6. Paragraphs (a) and (d) of subsection (1) and  
364 subsection (2) of section 34.041, Florida Statutes, are amended  
365 to read:

366 34.041 Filing fees.—

367 (1) (a) Filing fees are due at the time a party files a  
368 pleading to initiate a proceeding or files a pleading for  
369 relief. Reopen fees are due at the time a party files a pleading  
370 to reopen a proceeding if at least 90 days have elapsed since  
371 the filing of a final order or final judgment with the clerk. If  
372 a fee is not paid upon the filing of the pleading as required  
373 under this section, the clerk shall pursue collection of the fee  
374 pursuant to s. 28.246. Upon the institution of any civil action,  
375 suit, or proceeding in county court, the party shall pay the  
376 following filing fee, not to exceed:

377 1. For all claims less than \$100 \$50.

378 2. For all claims of \$100 or more but not more than \$500  
379 \$75.

380 3. For all claims of more than \$500 but not more than  
381 \$2,500 \$170.

382 4. For all claims of more than \$2,500 \$295.

383 5. In addition, for all proceedings of garnishment,  
384 attachment, replevin, and distress \$85.

385 6. Notwithstanding subparagraphs 3. and 5., for all claims  
386 of not more than \$1,000 filed simultaneously with an action for  
387 replevin of property that is the subject of the claim \$125.

388 7. For removal of tenant action \$180.

389  
390 The filing fee in subparagraph 6. is the total fee due under



342522

391 this paragraph for that type of filing, and no other filing fee  
392 under this paragraph may be assessed against such a filing.

393 (d) The clerk of court shall collect a service charge of  
394 \$10 for issuing a summons or an electronic certified copy of a  
395 summons. The clerk shall assess the fee against the party  
396 seeking to have the summons issued.

397 (2) A party reopening any civil action, suit, or proceeding  
398 in the county court shall pay to the clerk of court a filing fee  
399 set by the clerk in an amount not to exceed \$25 for all claims  
400 of not more than \$500 and an amount not to exceed \$50 for all  
401 claims of more than \$500. For purposes of this section, a case  
402 is reopened after all appeals have been exhausted, or time to  
403 file an appeal from a final order or final judgment has expired.  
404 A reopen fee may be assessed by the clerk for any motion filed  
405 by any party at least 90 days after a final order or final  
406 judgment has been filed with the clerk in the initial case. A  
407 reservation of jurisdiction by a court does not cause a case to  
408 remain open for purposes of this section or exempt a party from  
409 paying a reopen fee when a case previously reported as disposed  
410 of is resubmitted to a court. A party is exempt from paying the  
411 fee for any of the following:

- 412 (a) A writ of garnishment;
- 413 (b) A writ of replevin;
- 414 (c) A distress writ;
- 415 (d) A writ of attachment;
- 416 (e) A motion for rehearing filed within 10 days;
- 417 (f) A motion for attorney's fees filed within 30 days of  
418 the entry of the judgment or final order;
- 419 (g) A motion for dismissal filed after a mediation



342522

420 agreement has been filed;

421 (h) A motion to withdraw by attorneys;

422 (i) Stipulations and motions to enforce stipulations; ~~or~~

423 (j) Responsive pleadings; or

424 (k) Motions for contempt.

425 Section 7. Section 40.011, Florida Statutes, is amended to  
426 read:

427 40.011 Jury lists.—

428 (1) A clerk of the court shall generate a set of juror  
429 candidate lists derived from the source lists described in s.  
430 40.01. The source name lists and the juror candidate lists shall  
431 be maintained as specified in this chapter and in accordance  
432 with the juror selection plan approved in s. 40.225.

433 (2) ~~(1)~~ Pursuant to s. 40.01, the Department of Highway  
434 Safety and Motor Vehicles shall deliver quarterly to the clerk  
435 of the circuit court in each county a list of names of persons  
436 who reside in that county, who are citizens of the United  
437 States, who are legal residents of Florida, who are 18 years of  
438 age or older, and for whom the department has a driver's license  
439 or identification card record.

440 (3) The clerk of the circuit court shall add to the list of  
441 licensed drivers and identification cardholders the name of any  
442 person who is 18 years of age or older and who is a citizen of  
443 the United States and a legal resident of this state ~~Florida~~ and  
444 who indicates a desire to serve as a juror, but whose name does  
445 not appear on the department list, by requiring such person to  
446 execute an affidavit at the office of the clerk.

447 (4) ~~(2)~~ The affidavit executed pursuant to subsection (3)  
448 ~~(1)~~ must be in substantially the following form:





342522

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State of Florida

I, ....., do solemnly swear (or affirm) that I am .... years of age; that I am a citizen of the United States and a legal resident of Florida and .... County; that I personally make application for jury duty; that I am eligible to serve as a juror under the Constitution and laws of Florida; and that I reside at .....(Address).....

.....(Signature).....

Sworn to and subscribed before me this .... day of .....,  
...(year)...., at .... County, Florida.

.....  
(Signature and title of officer  
administering oath)

(5) Using the source name lists described subsections (2) and (3), a clerk of court may generate juror candidate lists as necessary to ensure a valid and consistent juror selection process.

(a) The initial juror candidate list is derived from the name sources and shall be the master list from which prospective jurors are drawn for summons.

(b) The final juror candidate list shall contain a list of those persons, drawn from the initial candidate list as prescribed in this chapter, who are to be summoned as a pool for possible juror service.



342522

478 Section 8. Section 40.02, Florida Statutes, is amended to  
479 read:

480 40.02 Selection of jury lists.—

481 ~~(1) The chief judge of each circuit, or a circuit judge in~~  
482 ~~each county within the circuit who is designated by the chief~~  
483 ~~judge, shall request the selection of a jury list in each county~~  
484 ~~within the circuit during the first week of January of each~~  
485 ~~year, or as soon thereafter as practicable.~~ The chief judge or  
486 the chief judge's designee shall direct the clerk of the court  
487 to select, by lot and at random, a sufficient number of names,  
488 with their addresses, from the initial juror candidate list of  
489 persons who are qualified to serve as jurors under the  
490 provisions of s. 40.01 and to generate a final juror candidate  
491 list of not fewer than 250 persons to serve as jurors as  
492 provided for in s. 40.221. The final juror candidate, ~~which~~ list  
493 must ~~shall~~ be signed and verified by the clerk of the court as  
494 having been selected as aforesaid. The final juror candidate  
495 list may be created, updated, or supplemented as often as  
496 necessary to prevent the selection list from becoming exhausted,  
497 but in no case less than annually during the first week of  
498 January of each year, or as soon thereafter as practicable. A  
499 circuit judge in a county to which he or she has been assigned  
500 may also request that the final juror candidate list be updated  
501 or supplemented, or that a new list be created ~~additional jury~~  
502 ~~lists as necessary to prevent the jury list from becoming~~  
503 ~~exhausted.~~

504 (2) When the final juror candidate ~~annual jury~~ list is  
505 prepared pursuant to the request of a chief judge or the chief  
506 judge's designee, the previously prepared final juror candidate



342522

507 lists ~~prepared the previous year~~ shall be withdrawn from further  
508 use. If, notwithstanding this provision, some names are not  
509 withdrawn, such error or irregularity shall not invalidate any  
510 subsequent proceeding or jury. The fact that any person so  
511 selected had been on a former jury list or had served as a juror  
512 in any court at any time shall not be grounds for challenge of  
513 such person as a juror. If any person so selected shall be  
514 ascertained to be disqualified or incompetent to serve as a  
515 juror, such disqualification shall not affect the legality of  
516 such list or be cause of challenge to the array of any jury  
517 chosen from such list, but any person ascertained to be  
518 disqualified to serve as a juror shall be subject to challenge  
519 for cause, as defined by law. The set of juror candidate lists,  
520 although they may be defective or irregular in form or other  
521 formal requirement, or in the number or qualification of the  
522 persons so named, shall be the lists from which the names of  
523 persons for jury service are to be drawn as prescribed by law.

524 ~~(3)-(2)~~ The clerk of the court shall be responsible for  
525 preserving the security of the source and juror candidate ~~jury~~  
526 lists.

527 ~~(4)-(3)~~ The clerk of the court shall perform the duties set  
528 forth in this section and in ss. 40.221, 40.23, and 40.231 in  
529 counties having an approved, computerized jury selection system,  
530 the provisions of any special law or general law of local  
531 application to the contrary notwithstanding. However, the chief  
532 judge may designate the court administrator to perform these  
533 duties if the county provides funding to the court administrator  
534 to provide the personnel and other costs associated with jury  
535 services.



342522

536 Section 9. Subsection (1) of section 40.022, Florida  
537 Statutes, is amended to read:

538 40.022 Clerk to purge jury selection lists; restoration.—

539 (1) To ensure that the juror candidates summoned satisfy  
540 the requirements of ss. 40.01 and 40.013, each clerk of the  
541 circuit court shall, upon receipt of the list of persons in the  
542 department database from the Department of Highway Safety and  
543 Motor Vehicles and at least once each month thereafter, purge  
544 the final juror candidate ~~jury selection~~ lists of, at a minimum,  
545 the names of those persons:

- 546 (a) Adjudicated mentally incompetent;
- 547 (b) Convicted of a felony; or
- 548 (c) Deceased.

549 Section 10. Section 40.221, Florida Statutes, is amended to  
550 read:

551 40.221 Drawing jury venire.—A clerk of the court, under  
552 supervision of a judge of any court of record, shall, in a  
553 manner deemed to produce a result by lot and at random, ~~randomly~~  
554 select from the final juror candidate ~~jury~~ list such number of  
555 persons as he or she deems necessary or expedient for a jury  
556 venire, to be returnable at such time as the judge shall  
557 specify, from which such venire or venires any jury may be  
558 organized, including a grand jury when drawn by or upon order of  
559 a judge of the circuit court. The clerk of the court shall keep  
560 the list in a secure place.

561 Section 11. Section 40.225, Florida Statutes, is amended to  
562 read:

563 40.225 Jury selection plan ~~Drawing jury venire; alternative~~  
564 ~~method.~~—



342522

565           (1) Pursuant to s. 40.001, the chief judge of each circuit  
566 shall review and consent to the process for selecting juror  
567 candidates within his or her circuit. The clerk of court shall  
568 implement an automated electronic system in which ~~Whenever a~~  
569 ~~majority of the judges authorized to conduct jury trials in a~~  
570 ~~county consents,~~ the names of prospective jurors and other data  
571 pertinent thereto shall be maintained for the purpose of the  
572 drawing of juror candidates. This system shall be used as the  
573 exclusive method ~~may be fed into a mechanical, electronic, or~~  
574 ~~electrical device and drawn therefrom as an alternative to other~~  
575 ~~methods~~ authorized by law for obtaining jury venires, if such  
576 drawing is by lot and at random and is approved by the Supreme  
577 Court as hereinafter provided. Subject to the provisions of ss.  
578 40.001 and 40.02, the clerk of the circuit court in each county  
579 shall have the administrative responsibility for developing the  
580 automated system of jury venire selection, obtaining approval  
581 for the juror candidate selection process, and operating and  
582 updating the system in accordance with this chapter and  
583 technical standards and procedures adopted by the Chief Justice.

584           (2) The clerk of the court, or the chief judge of the  
585 circuit if performing the duties of juror candidate selection as  
586 provided in s. 40.02, shall submit for approval a plan for the  
587 selection of juror candidates as required in this section to the  
588 Chief Justice. The plan must be reapproved whenever required by  
589 a change in the law, a change in the technical standards and  
590 procedures, or a change in the approved clerk-maintained  
591 hardware or software used in the automated system of jury venire  
592 selection. The proposed plan, if submitted by the clerk, must be  
593 approved by the chief judge of the judicial circuit in which the



342522

594 county is located, and must include a description of the  
595 equipment, methods, and mode of operation to be used, in a  
596 manner consistent with the technical standards and procedures  
597 established by the Chief Justice. ~~When a majority of the trial~~  
598 ~~judges authorizes the alternative method of drawing a jury~~  
599 ~~venire as provided in subsection (1), the chief judge of the~~  
600 ~~judicial circuit in which the county is located shall make a~~  
601 ~~certificate to that effect and transmit the same to the Chief~~  
602 ~~Justice of the Supreme Court, together with a description of the~~  
603 ~~equipment, methods, and mode of operation to be used.~~

604 (3) The Chief Justice shall examine the proposed plan for  
605 compliance with applicable statutory requirements and with  
606 established technical standards and procedures ~~cause the~~  
607 ~~certificate and data accompanying it to be presented to the~~  
608 ~~justices of the Supreme Court.~~ If the Chief Justice ~~court~~ finds  
609 that the proposed plan ~~method will produce venires selected by~~  
610 ~~lot and at random,~~ is in compliance with applicable statutory  
611 requirements and established technical standards and procedures,  
612 will produce venires selected by lot and at random ~~all~~  
613 ~~constitutional requirements of jury selection, and is otherwise~~  
614 ~~feasible and practicable, an~~ administrative order of approval of  
615 same shall be made and filed. Thereafter, the ~~alternative method~~  
616 ~~so~~ approved system for automated selection of jury venires shall  
617 ~~may~~ be used in the county so authorized.

618 ~~(4) The chief judge of the judicial circuit in which the~~  
619 ~~county is located shall supervise the use of such alternative~~  
620 ~~method whenever approval of same has been made by order of the~~  
621 ~~Supreme Court.~~

622 ~~(4)(5)~~ This section does not require ~~Nothing herein shall~~



342522

623 ~~be construed as requiring~~ uniform equipment or methods  
624 throughout the state.

625 Section 12. Subsection (1) of section 57.081, Florida  
626 Statutes, is amended to read:

627 57.081 Costs; right to proceed where prepayment of costs  
628 and payment of filing fees waived.—

629 (1) Any indigent person, except a prisoner as defined in s.  
630 57.085, who is a party or intervenor in any judicial or  
631 administrative agency proceeding or who initiates such  
632 proceeding shall receive the services of the courts, sheriffs,  
633 and clerks, with respect to such proceedings, despite his or her  
634 present inability to pay for these services. Such services are  
635 limited to filing fees; service of process; certified copies of  
636 orders or final judgments; a single photocopy of any court  
637 pleading, record, or instrument filed with the clerk; examining  
638 fees; mediation services and fees; private court-appointed  
639 counsel fees; subpoena fees and services; service charges for  
640 collecting and disbursing funds; and any other cost or service  
641 arising out of pending litigation. In any appeal from an  
642 administrative agency decision, for which the clerk is  
643 responsible for preparing the transcript, the clerk shall record  
644 the cost of preparing the transcripts and the cost for copies of  
645 any exhibits in the record. A party who has obtained a  
646 certification of indigence pursuant to s. 27.52 or s. 57.082  
647 with respect to a proceeding is not required to prepay costs to  
648 a court, clerk, or sheriff and is not required to pay filing  
649 fees or charges for issuance of a summons ~~Prepayment of costs to~~  
650 ~~any court, clerk, or sheriff is not required and payment of~~  
651 ~~filing fees is not required in any action if the party has~~



342522

652 ~~obtained in each proceeding a certification of indigence in~~  
653 ~~accordance with s. 27.52 or s. 57.082.~~

654 Section 13. Subsection (11) is added to section 95.11,  
655 Florida Statutes, to read:

656 95.11 Limitations other than for the recovery of real  
657 property.—Actions other than for recovery of real property shall  
658 be commenced as follows:

659 (11) COURT COSTS AND FINES.—Notwithstanding subsection (1),  
660 an action to collect court costs, fees, or fines owed to the  
661 state may be commenced at any time.

662 Section 14. Paragraph (a) of subsection (4) of section  
663 112.3173, Florida Statutes, is amended to read:

664 112.3173 Felonies involving breach of public trust and  
665 other specified offenses by public officers and employees;  
666 forfeiture of retirement benefits.—

667 (4) NOTICE.—

668 (a) The clerk of a court in which a proceeding involving a  
669 specified offense is being conducted against a public officer or  
670 employee shall furnish notice of the proceeding to the  
671 Commission on Ethics after the state attorney advises the clerk  
672 that the defendant is a public officer or employee and that the  
673 defendant is alleged to have committed a specified offense. Such  
674 notice is sufficient if it is in the form of a copy of the  
675 indictment, information, or other document containing the  
676 charges. In addition, if a verdict of guilty is returned by a  
677 jury or by the court trying the case without a jury, or a plea  
678 of guilty or of nolo contendere is entered in the court by the  
679 public officer or employee, the clerk shall furnish a copy  
680 thereof to the Commission on Ethics.





342522

681 Section 15. Paragraph (b) of subsection (8) of section  
682 318.18, Florida Statutes, is amended to read:

683 318.18 Amount of penalties.—The penalties required for a  
684 noncriminal disposition pursuant to s. 318.14 or a criminal  
685 offense listed in s. 318.17 are as follows:

686 (8)

687 (b)1.a. If a person has been ordered to pay a civil penalty  
688 for a noncriminal traffic infraction and the person is unable to  
689 comply with the court's order due to demonstrable financial  
690 hardship, the court shall allow the person to satisfy the civil  
691 penalty by participating in community service until the civil  
692 penalty is paid.

693 b. If a court orders a person to perform community service,  
694 the person shall receive credit for the civil penalty at the  
695 specified hourly credit rate per hour of community service  
696 performed, and each hour of community service performed shall  
697 reduce the civil penalty by that amount.

698 2.a. As used in this paragraph, the term "specified hourly  
699 credit rate" means the wage rate that is specified in 29 U.S.C.  
700 s. 206(a)(1) under the federal Fair Labor Standards Act of 1938,  
701 that is then in effect, and that an employer subject to such  
702 provision must pay per hour to each employee subject to such  
703 provision.

704 b. However, if a person ordered to perform community  
705 service has a trade or profession for which there is a community  
706 service need, the specified hourly credit rate for each hour of  
707 community service performed by that person shall be the average  
708 prevailing wage rate for the trade or profession that the  
709 community service agency needs.



342522

710           3.a. The community service agency supervising the person  
711 shall record the number of hours of community service completed  
712 and the date the community service hours were completed. The  
713 community service agency shall submit the data to the clerk of  
714 court on the letterhead of the community service agency, which  
715 must also bear the notarized signature of the person designated  
716 to represent the community service agency.

717           b. When the number of community service hours completed by  
718 the person equals the amount of the civil penalty, the clerk of  
719 court shall certify this fact to the court. Thereafter, the  
720 clerk of court shall record in the case file that the civil  
721 penalty has been paid in full.

722           4. As used in this paragraph, the term:

723           a. "Community service" means uncompensated labor for a  
724 community service agency.

725           b. "Community service agency" means a not-for-profit  
726 corporation, community organization, charitable organization,  
727 public officer, the state or any political subdivision of the  
728 state, or any other body the purpose of which is to improve the  
729 quality of life or social welfare of the community and which  
730 agrees to accept community service from persons unable to pay  
731 civil penalties for noncriminal traffic infractions.

732           Section 16. Subsection (3) of section 668.50, Florida  
733 Statutes, is amended to read:

734           668.50 Uniform Electronic Transaction Act.—

735           (3) SCOPE.—

736           (a) Except as otherwise provided in paragraph (b), this  
737 section applies to electronic records and electronic signatures  
738 relating to a transaction.



342522

739 (b) This section does not apply to a transaction to the  
740 extent the transaction is governed by:

741 1. A provision of law governing the creation and execution  
742 of wills, codicils, or testamentary trusts;

743 2. The Uniform Commercial Code other than s. 671.107 and  
744 chapters 672 and 680; or

745 3. The Uniform Computer Information Transactions Act. ~~;~~ ~~or~~

746 ~~4. Rules relating to judicial procedure.~~

747 (c) Except with respect to subsections (2), (9), and (11),  
748 this section does not apply to a transaction to the extent the  
749 transaction is governed by rules relating to judicial procedure.

750 (d) ~~(e)~~ This section applies to an electronic record or  
751 electronic signature otherwise excluded under paragraph (b) to  
752 the extent such record or signature is governed by a provision  
753 of law other than those specified in paragraph (b).

754 (e) ~~(d)~~ A transaction subject to this section is also  
755 subject to other applicable provisions of substantive law.

756 Section 17. Paragraph (c) of subsection (1) of section  
757 733.707, Florida Statutes, is amended to read:

758 733.707 Order of payment of expenses and obligations.—

759 (1) The personal representative shall pay the expenses of  
760 the administration and obligations of the decedent's estate in  
761 the following order:

762 (c) Class 3.—Debts and taxes with preference under federal  
763 law, ~~and~~ claims pursuant to ss. 409.9101 and 414.28, and claims  
764 in favor of the state for unpaid court costs, fees, or fines.

765 Section 18. Section 893.11, Florida Statutes, is amended to  
766 read:

767 893.11 Suspension, revocation, and reinstatement of



342522

768 business and professional licenses.~~For the purposes of s.~~  
769 120.60(6), any conviction in any court reported to the  
770 Comprehensive Case Information System of the Florida Association  
771 of Clerks and Comptroller, Inc., for the sale of, or trafficking  
772 in, a controlled substance or for conspiracy to sell, or traffic  
773 in, a controlled substance constitutes an immediate serious  
774 danger to the public health, safety, or welfare, and is grounds  
775 for disciplinary action by the licensing state agency. A state  
776 agency shall initiate an immediate emergency suspension of an  
777 individual professional license issued by the agency, in  
778 compliance with the procedures for summary suspensions in s.  
779 120.60(6), upon the agency's findings of the licensee's  
780 conviction in any court reported to the Comprehensive Case  
781 Information System of the Florida Association of Court Clerks  
782 and Comptroller, Inc., ~~Upon the conviction in any court of~~  
783 ~~competent jurisdiction of any person holding a license, permit,~~  
784 ~~or certificate issued by a state agency,~~ for the sale of, or  
785 trafficking in, a controlled substance, or for conspiracy to  
786 sell, or traffic in, a controlled substance. Before renewing any  
787 professional license, a state agency that issues a professional  
788 license must use the Comprehensive Case Information System of  
789 the Florida Association of Court Clerks and Comptroller, Inc.,  
790 to obtain information relating to any conviction for the sale  
791 of, or trafficking in, a controlled substance or for conspiracy  
792 to sell, or traffic in, a controlled substance. The clerk of  
793 court shall provide electronic access to each state agency at no  
794 cost and also provide certified copies of the judgment upon  
795 request to the agency. ~~, if such offense is a felony, the clerk~~  
796 ~~of said court shall send a certified copy of the judgment of~~



342522

797 ~~conviction with the person's license number, permit number, or~~  
798 ~~certificate number on the face of such certified copy to the~~  
799 ~~agency head by whom the convicted defendant has received a~~  
800 ~~license, permit, or certificate to practice his or her~~  
801 ~~profession or to carry on his or her business. Such agency head~~  
802 ~~shall suspend or revoke the license, permit, or certificate of~~  
803 ~~the convicted defendant to practice his or her profession or to~~  
804 ~~carry on his or her business. Upon a showing by any such~~  
805 convicted defendant whose professional license, ~~permit, or~~  
806 ~~certificate~~ has been suspended or revoked pursuant to this  
807 section that his or her civil rights have been restored or upon  
808 a showing that the convicted defendant meets the following  
809 criteria, the agency head may reinstate or reactivate such  
810 license, ~~permit, or certificate~~ when:

811 (1) The person has complied with the conditions of  
812 paragraphs (a) and (b) which shall be monitored by the  
813 Department of Corrections while the person is under any  
814 supervisory sanction. If the person fails to comply with  
815 provisions of these paragraphs by either failing to maintain  
816 treatment or by testing positive for drug use, the department  
817 shall notify the licensing, ~~permitting, or certifying~~ agency,  
818 which shall revoke the license, ~~permit, or certification~~. The  
819 person under supervision may:

820 (a) Seek evaluation and enrollment in, and once enrolled  
821 maintain enrollment in until completion, a drug treatment and  
822 rehabilitation program which is approved or regulated by the  
823 Department of Children and Family Services. The treatment and  
824 rehabilitation program shall be specified by:

825 1. The court, in the case of court-ordered supervisory



342522

826 sanctions;

827 2. The Parole Commission, in the case of parole, control  
828 release, or conditional release; or

829 3. The Department of Corrections, in the case of  
830 imprisonment or any other supervision required by law.

831 (b) Submit to periodic urine drug testing pursuant to  
832 procedures prescribed by the Department of Corrections. If the  
833 person is indigent, the costs shall be paid by the Department of  
834 Corrections; or

835 (2) The person has successfully completed an appropriate  
836 program under the Correctional Education Program.

837 (3) As used in this section, the term "professional  
838 license" includes any license, permit, or certificate that  
839 authorizes a person to practice his or her profession. However,  
840 the term ~~This section~~ does not include ~~apply to~~ any of the  
841 taxes, fees, or permits regulated, controlled, or administered  
842 by the Department of Revenue in accordance with s. 213.05.

843 Section 19. Paragraphs (a) and (b) of subsection (2) of  
844 section 938.27, Florida Statutes, are amended to read:

845 938.27 Judgment for costs on conviction.—

846 (2) (a) The court shall impose the costs of prosecution and  
847 investigation notwithstanding the defendant's present ability to  
848 pay. The court shall require the defendant to pay the costs  
849 within a specified period or pursuant to a payment plan under s.  
850 28.246(4) ~~in specified installments.~~

851 (b) The end of such period or the last such installment  
852 must ~~shall~~ not be later than:

853 1. The end of the period of probation or community control,  
854 if probation or community control is ordered;



342522

855           2. Five years after the end of the term of imprisonment  
856 imposed, if the court does not order probation or community  
857 control; or

858           3. Five years after the date of sentencing in any other  
859 case.

860  
861 However, ~~in no event shall~~ the obligation to pay any unpaid  
862 amounts does not expire if not paid in full within the period  
863 specified in this paragraph.

864           Section 20. Present subsections (8) through (12) of section  
865 938.30, Florida Statutes, are renumbered as subsections (10)  
866 through (14), respectively, and new subsections (8) and (9) are  
867 added to that section to read:

868           938.30 Financial obligations in criminal cases;  
869 supplementary proceedings.—

870           (8) If a criminal or civil judgment has previously been  
871 entered on a court-imposed financial obligation, the judgment  
872 constitutes a civil lien against the judgment debtor's presently  
873 owned or after-acquired real or personal property when recorded  
874 pursuant to s. 55.10, except that a judgment on a court-imposed  
875 financial obligation is not subject to the 10-year rerecording  
876 requirement of s. 55.10. The judgment must secure all unpaid  
877 court-imposed financial obligations that are due and may accrue  
878 subsequent to the recording of the judgment, as well as interest  
879 and reasonable costs for issuing a satisfaction and recording  
880 the satisfaction in the official records.

881           (9) The clerk of the court shall enforce, satisfy,  
882 compromise, settle, subordinate, release, or otherwise dispose  
883 of any debts or liens imposed and collected under this section



342522

884 in the same manner as prescribed in s. 938.29(3).

885 Section 21. Section 947.181, Florida Statutes, is amended  
886 to read:

887 947.181 Fines, fees, restitution, or other costs ordered to  
888 be paid ~~Victim restitution~~ as conditions ~~condition~~ of parole.-

889 (1) ~~(a)~~ The ~~Parole~~ commission shall require the payment of  
890 finest, fees, restitution, or other court-ordered costs as a  
891 condition of parole ~~reparation or restitution to the aggrieved~~  
892 ~~party for the damage or loss caused by the offense for which the~~  
893 ~~parolee was imprisoned~~ unless the commission finds reasons to  
894 the contrary. Restitution to the aggrieved party for injury,  
895 damage, or loss caused by the offense for which the parolee was  
896 imprisoned shall have first priority in the payment of amounts  
897 owed under this section. If the commission does not require the  
898 payment of fines, fees, restitution, or other court-ordered  
899 costs ~~order restitution~~ or requires ~~orders~~ only partial payment  
900 of the fines, fees, restitution, or other court-ordered costs  
901 ~~restitution~~, the commission shall state on the record the  
902 reasons for its decision ~~therefor~~. ~~The amount of such reparation~~  
903 ~~or restitution shall be determined by the Parole Commission.~~

904 (2) ~~(b)~~ If the parolee fails to make the payments ~~reparation~~  
905 ~~or restitution to the aggrieved party~~ as required ~~authorized~~ in  
906 subsection (1) paragraph (a), it shall be considered by the  
907 commission as a violation of parole as specified in s. 947.21  
908 and may be cause for revocation of ~~her or his~~ parole.

909 (3) ~~(2)~~ If a defendant is paroled, any restitution ordered  
910 under s. 775.089 shall be a condition of such parole. The Parole  
911 Commission may revoke parole if the defendant fails to comply  
912 with such order.





342522

913           (4) In determining whether to revoke parole, the ~~Parole~~  
914 commission shall consider the defendant's employment status,  
915 earning ability, and financial resources; the willfulness of the  
916 defendant's failure to pay; and any other special circumstances  
917 that may have a bearing on the defendant's ability to pay.

918           Section 22. This act shall take effect July 1, 2012.

919  
920 ===== T I T L E   A M E N D M E N T =====

921 And the title is amended as follows:

922           Delete everything before the enacting clause  
923 and insert:

924                           A bill to be entitled  
925           An act relating to clerks of court; amending s. 27.52,  
926           F.S.; authorizing the clerk of court to review the  
927           property records and motor vehicle records to  
928           determine whether an applicant for the appointment of  
929           a public defender is indigent; deleting a requirement  
930           that the clerk conduct the review; amending s. 28.24,  
931           F.S.; deleting a requirement for the clerks of the  
932           circuit courts to participate in the Comprehensive  
933           Case Information System; creating s. 28.2405, F.S.;  
934           requiring clerks of the circuit courts to use the  
935           Comprehensive Case Information System and to submit  
936           data to the system based on case types designated by  
937           the Supreme Court of Florida; amending s. 28.241,  
938           F.S.; providing that filing fees and fees to reopen a  
939           proceeding are due at the time a party files a  
940           pleading to initiate or reopen a proceeding; requiring  
941           the clerk of court to pursue the collection of fees



342522

942 that are not timely paid; revising the circumstances  
943 under which a fee to reopen a case applies; exempting  
944 a person from paying a reopen fee for filing a motion  
945 to enforce a stipulation or a motion for contempt;  
946 authorizing the clerk of court to charge a fee to  
947 issue an electronic certified copy of a summons;  
948 amending s. 28.37, F.S.; providing that certain  
949 penalties and fines are not deposited into the clerk's  
950 Public Records Modernization Trust Fund; amending s.  
951 34.041, F.S.; requiring the party filing a case in  
952 county court to pay all filing and reopen fees at the  
953 time of filing; requiring the clerk to pursue  
954 collection of the fees if the fees are not paid at the  
955 time of filing; authorizing the clerk of court to  
956 charge a fee for issuing an electronic certified copy  
957 of a summons; revising the circumstances under which a  
958 fee to reopen a case applies; exempting a party from  
959 paying a reopen fee for filing motions to enforce  
960 stipulations and motions for contempt; amending s.  
961 40.011, F.S.; requiring that a clerk of court generate  
962 a set of juror candidate lists; requiring that the  
963 clerk of court add names of certain persons to the  
964 juror candidate lists; authorizing the clerk of court  
965 to generate juror candidate lists to ensure a valid  
966 and consistent juror selection process; amending s.  
967 40.02, F.S.; revising the process of selecting jury  
968 lists; amending s. 40.022, F.S.; revising the process  
969 of purging jury selection lists; amending s. 40.221,  
970 F.S.; conforming provisions to changes made by the



342522

971 act; amending s. 40.225, F.S.; requiring that the  
972 clerk of court implement an automated electronic  
973 system for drawing jury venire; providing  
974 administrative responsibilities of the clerks of court  
975 with regard to the jury venire; requiring that the  
976 clerk of court or the chief judge submit for approval  
977 a plan for the selection of juror candidates;  
978 requiring that the Chief Justice of the Supreme Court  
979 examine the proposed plan for compliance with  
980 applicable statutory requirements and technical  
981 standards and procedures; requiring that an  
982 administrative order be filed if the proposed plan is  
983 approved; amending s. 57.081, F.S.; providing that a  
984 person who receives a certification of indigence with  
985 respect to a proceeding is not required to pay charges  
986 to issue a summons; amending s. 95.11, F.S.; providing  
987 that an action to collect any court costs, fees, or  
988 fines owed to the state may be commenced at any time;  
989 amending s. 112.3173, F.S.; providing for the duty of  
990 a clerk of court to notify the Commission on Ethics of  
991 certain proceedings involving public officers or  
992 employees to arise after the clerk is advised by the  
993 state attorney that the defendant is a public officer  
994 or employee who is alleged to have committed a  
995 specified offense; amending s. 318.18, F.S.; requiring  
996 that the signature of the person designated to  
997 represent a community service agency be notarized on  
998 letterhead that indicates the number of hours of  
999 community service completed and the date the community



342522

1000 service hours were completed by a person who is  
1001 ordered to perform community service as a penalty for  
1002 specified offenses; amending s. 668.50, F.S.; limiting  
1003 the exemption from the Uniform Electronic Transaction  
1004 Act for transactions governed by rules relating to  
1005 judicial procedure; amending s. 733.707, F.S.;  
1006 specifying the priority of payment of unpaid court  
1007 costs, fees, or fines by a decedent's estate; amending  
1008 s. 893.11, F.S.; providing that convictions of certain  
1009 types of criminal offenses which are reported to the  
1010 Comprehensive Case Information System of the Florida  
1011 Association of Clerks and Comptroller, Inc., are an  
1012 immediate, serious danger to the public health,  
1013 safety, or welfare; providing that such convictions  
1014 are grounds for disciplinary action by a licensing  
1015 state agency; requiring that a state agency initiate  
1016 an emergency suspension of an individual professional  
1017 license upon the agency's finding of the licensee's  
1018 conviction of a certain type of criminal offense which  
1019 is reported to the Comprehensive Case Information  
1020 System; requiring that certain state agencies use the  
1021 Comprehensive Case Information System to obtain  
1022 information relating to a conviction involving certain  
1023 types of criminal offenses; requiring that the clerk  
1024 of court provide to each state agency electronic  
1025 access and provide certified copies of judgments to  
1026 licensing agencies upon request; defining the term  
1027 "business or professional license"; amending s.  
1028 938.27, F.S.; authorizing a court to require a



342522

1029 defendant to pay the costs of prosecution and  
1030 investigation pursuant to a payment plan under a  
1031 specified provision; amending s. 938.30, F.S.;  
1032 providing that criminal or civil judgment and related  
1033 costs are a civil lien against the judgment debtor's  
1034 presently owned or after-acquired real or personal  
1035 property if the judgment is recorded; providing an  
1036 exception to rerecording requirements; requiring that  
1037 the clerk of court enforce, satisfy, compromise,  
1038 settle, subordinate, release, or otherwise dispose of  
1039 any debts or lien imposed and collected in the same  
1040 manner as for an indigent defendant-recipient;  
1041 amending s. 947.181, F.S.; providing that the Parole  
1042 Commission require as a condition of parole the  
1043 payment of fines, fees, or other court-ordered costs  
1044 under certain circumstances; providing that  
1045 restitution ordered as a condition of parole has first  
1046 priority over the payment of other costs ordered as a  
1047 condition of parole; requiring that the commission  
1048 state on record the reasons for not requiring the full  
1049 payment of the fines, fees, or other court-ordered  
1050 costs; providing an effective date.