

**IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER 02-05

In Re: Payment of Interim Attorney Fees on Dependency Cases

Whereas, Chapter 39.013, Florida Statutes, requires the court to advise parents of their right to counsel at each stage of the dependency proceedings and to appoint counsel to those parents who are unable to afford such counsel; and

Whereas, Chapter 39.0134, Florida Statutes, outlines the compensation appointed counsel is entitled to receive for representation pursuant to a court appointment in a dependency proceeding which shall be established by each county; and

Whereas, Chapter 39.0134, Florida Statutes, further sets the compensation limits for representation provided at the trial and appellate levels; and

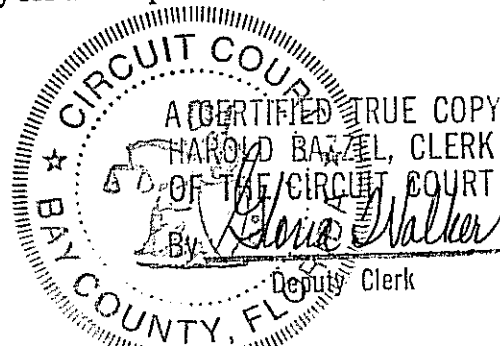
Whereas, dependency proceedings may, from time to time, entail lengthy time frames to arrive at a resolution of a particular dependency matter; and

Whereas, the court finds that awarding interim payment of fees may be necessary to avoid the appointed counsel having to bear the burden of funding such lengthy cases until its conclusion.

Therefore, it is ordered that interim payments to appointed counsel on dependency cases may be considered appropriate and legitimate. It is also ordered that, in order to ensure the statutory maximums are not inadvertently exceeded in any particular dependency case, the appointed counsel seeking an interim fee shall do the following:

1. File a motion, along with a prepared order, requesting said fee, detailing the date of any prior fee requests and the date and amount of any prior fees awarded in the particular case.

2. Forward the motion and prepared order to the county attorney for the respective county in which the dependency case is being heard.



The county attorney shall review the motion and, if the motion is appropriate, submit the order authorizing payment of the interim fees to the appropriate judge for final review and approval. Should the county attorney determine that the fee request is excessive or in violation of the statutory cap, the county attorney shall advise the petitioning attorney and a hearing shall be scheduled.

DONE AND ORDERED in chambers, at Panama City, Bay County, this 21 day of October, 2002.

**ALLEN L. REGISTER, CIRCUIT JUDGE
ADMINISTRATIVE JUDGE, JUVENILE DIVISION**



**JUDY M. PITTMAN, CHIEF JUDGE
FOURTEENTH JUDICIAL CIRCUIT**

