



File # 2004052821
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Harold Bazzel, Clerk
Bay County, Florida
DEPUTY CLERK EG
#1
Trans # 622123

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

ADMINISTRATIVE ORDER #2004-00-12

**RE: INSTRUCTIONS FOR USE OF AFFIDAVIT OF INDIGENT STATUS FORM,
EFFECTIVE JULY 1, 2004**

Whereas, section 27.52, Florida Statutes, as amended by Chapter 2003-402, Laws of Florida and further amended by Senate Bill 2962, passed by the 2004 Florida Legislature, provides that the clerk of circuit court shall use a form developed by the Supreme Court to determine indigent status for purposes of appointing a public defender or a private attorney or any other due process services;

Whereas, section 27.52, Florida Statutes, as amended by Chapter 2003-402, Laws of Florida and further amended by Senate Bill 2962, passed by the 2004 Florida Legislature, also requires the clerk of court to assist a person who appears before the clerk and who request assistance in completing an affidavit of indigent status form;

Whereas, in order to implement the aforementioned legislation, the Supreme Court of Florida, in Case No: SC04-994, dated June 17, 2004, approved and authorized the publication of an affidavit of indigent status form for use by the Clerks of Circuit Courts (see Attachment A);


Whereas, Rule 10-2.1(a), Rules Regulating the Florida Bar, requires any non-lawyer who assists an individual in the completion of legal forms to provide the person with a copy of a disclosure, and the Supreme Court of Florida, in their corrected Opinion SC04-994 instructed the Clerks of Circuit Court to include language required by Rule 10.2.1(a) in any disclosure form; and

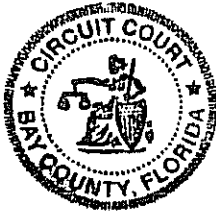
Whereas, the Supreme Court of Florida, in corrected Opinion SC0-994, authorized the Chief Judge of the circuit to prepare instructions for the use of the approved affidavit of indigent status form and has required that said instructions be filed with the clerk of circuit in the respective county of the circuit and with the Clerk of the Supreme Court of Florida.

Now Therefore, it is ORDERED AND ADJUDGED that the following instructions shall be followed for use of the approved affidavit of indigent status form:

1. The Affidavit of Indigent Status form (Attachment A) approved by the Supreme Court of Florida shall be completed by any individual who seeks a determination of indigent status for purposes of appointing a public defender or a private attorney or any other due process services.
2. Any individual may request assistance from the Clerk of Circuit Court, or his/her designee, in completing the Affidavit of Indigent Status form.
3. In any instances wherein the Clerk of Circuit Court, or his/her designee, who is a non-lawyer, assists any individual in the completion of the Affidavit of Indigent Status form, the Clerk of Circuit Court, or his/her designee, shall provide a disclosure form, in substantially the same format as contained in Attachment B, to the individual requesting such assistance prior to completion of the Affidavit of Indigent Status form. The Clerk of Circuit Court or his/her designee, and the individual seeking assistance to complete the Affidavit of Indigent Status form shall place their signature on the disclosure form. The individual seeking assistance shall be provided a copy of the executed disclosure form. The original executed disclosure form shall be maintained by the Clerk of Circuit Court.

DONE AND ORDERED in Chambers, at Panama City, Bay County, this 7 day of July, 2004, and effective July 1, 2004, nunc pro tunc.


JUDY M. PITTMAN, CHIEF JUDGE



A CERTIFIED TRUE COPY
HAROLD SAZZEL CLERK
OF THE CIRCUIT COURT
By Nanda Maddox
Deputy Clerk

IN THE CIRCUIT/COUNTY COURT OF THE _____ JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

STATE OF FLORIDA vs. / IN THE INTEREST OF:

CASE NO. _____

Defendant / Minor Child(ren) / Respondent

AFFIDAVIT OF INDIGENT STATUS

Notice to Applicant: The provision of a public defender/court-appointed lawyer is not free. A judgment and lien may be imposed against all real or personal property you own to pay for legal and other services provided on your behalf (or on behalf of the person for whom you are making this application). If the \$40.00 application fee is not paid to the Clerk of the Court within 7 days, it will be added to any costs that may be assessed against you at the conclusion of this case. If you are a parent/guardian making this affidavit on behalf of a minor child or tax-dependent adult, the information contained in this affidavit must include your income and assets.

1. I have _____ dependents. *(Do not include children not living at home and do not include working spouses.)*
2. I have take-home income of \$ _____ paid () weekly () bi-weekly () semi-monthly () monthly
(Take-home income equals salary, wages, bonuses, commissions, allowances, overtime, tips and similar payments minus deductions required by law and other court-ordered payments.)
3. I have \$ _____ in other annual income: *(Circle "Yes" and fill in the amount if you have this kind of income or circle "No" if you do not have this kind of income)*

| | | |
|--|--------------|----|
| Social Security benefits | Yes \$ _____ | No |
| Unemployment compensation | Yes \$ _____ | No |
| Union funds | Yes \$ _____ | No |
| Workers' compensation | Yes \$ _____ | No |
| Retirement/pensions | Yes \$ _____ | No |
| Trusts or gifts | Yes \$ _____ | No |
| Veterans' benefits | Yes \$ _____ | No |
| Other regular support from family members/spouse | Yes \$ _____ | No |
| Rental income | Yes \$ _____ | No |
| Dividends or interest | Yes \$ _____ | No |
| Other kinds of income not on the list | Yes \$ _____ | No |
4. I have \$ _____ in other assets. *(Circle "Yes" and fill in the value of the property or circle "No" if you do not have this kind of property.)*

| | | |
|---|--------------|----|
| Cash | Yes \$ _____ | No |
| Savings | Yes \$ _____ | No |
| Bank account(s) | Yes \$ _____ | No |
| Stocks and bonds | Yes \$ _____ | No |
| Certificates of deposit or money market accounts | Yes \$ _____ | No |
| Real estate (your ownership interest) | Yes \$ _____ | No |
| Boat(s) or aircraft (your ownership interest) | Yes \$ _____ | No |
| Motor vehicle(s) (your ownership interest) | Yes \$ _____ | No |
| Life insurance (cash value) | Yes \$ _____ | No |
| Other valuable tangible property (like jewelry, coin collections, etc.) | Yes \$ _____ | No |
5. I receive: *(Circle "Yes" or "No")*

| | | |
|---|-----|----|
| Temp. Assistance for Needy Families-Cash Assistance | Yes | No |
| Poverty-related veterans' benefits | Yes | No |
| Supplemental Security Income (SSI) | Yes | No |
6. I have been released on bail in the amount of \$5,000 or more in this case Yes No
7. I have a private lawyer in this case Yes No

IN THE CIRCUIT/COUNTY COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
IN AND FOR BAY COUNTY, FLORIDA

STATE OF FLORIDA or
IN RE: The Interest of:

v.

CASE NO. _____

Defendant/Minor Child(ren)/Respondent

DISCLOSURE

This form was completed with the assistance of:

Name of Individual: _____

Name of Business: _____

Address: _____

Telephone Number: _____

_____ told me that he/she is not a lawyer and may not give
(Name)
legal advice or represent me in court.

_____ told me that he/she may only help me fill out a form
(Name)
approved by the Supreme Court of Florida.

_____ may only help me by asking me factual questions to fill
(Name)
in the blanks on the form.

_____ may also tell me how to file the form.
(Name)

_____ told me that he/she is not a lawyer and cannot tell me
(Name)
what my rights or remedies are or how to testify in court.

_____ I can read English.

_____ I cannot read English, but this notice was read to me by _____
(Name)

in _____, which I understand.
(Language)

Signed and executed this _____ day of _____, 2004.

Signature of Applicant

Clerk of Court by Deputy Clerk