



STATE OF FLORIDA
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Victoria A. Montanaro
Executive Director

June 12, 2009

Dear Registry Attorney:

On June 2, 2009, the new registry agreement for attorney services for fiscal year 2009/2010 was approved. This agreement as well as instructions for how to complete it is available on JAC's website at:

<http://www.justiceadmin.org/notice/notice.aspx>

The new agreement will supersede any prior agreements and will also cover any cases appointed on or after July 1, 2009, through June 30, 2010. Pursuant to section 27.40(3), F.S., a registry attorney must enter into this agreement to receive compensation for any case appointed after July 1, 2009.

Pursuant to section 27.40(3), F.S., the chief judge for each circuit is responsible for selecting those attorneys for inclusion in the circuit's registries for court-appointed counsel. If an attorney is authorized for continued inclusion on a registry or is selected for a registry after July 1, 2009, the attorney will need to execute the agreement for fiscal year 2009/2010 in order to receive compensation through JAC.

JAC cannot execute an agreement unless the attorney has been approved by the chief judge of the circuit for inclusion in a court-appointed registry.

The revised agreement is largely the same as the prior agreement. JAC has made some amendments in order to clarify the responsibilities and duties of court-appointed counsel as well as resolve issues related to compensation. Among the changes are the following:

1. An agreement not to object to JAC appearing telephonically at any hearing related to attorney fees, due process costs or related expenses.
2. For cases appointed after July 1, 2007, an agreement not to seek an hourly rate greater than the rate set forth in section 27.5304(12) as well as language clarifying the definition of capital case for billing purposes.
3. An acknowledgement that JAC only makes direct payment to vendors that have contracts with JAC and that, in order for JAC to make direct payment, an attorney must provide JAC with all of the documentation required under JAC policies and procedures.

4. Additional language clarifying that an attorney who does not take a case to final disposition is presumed not to be entitled to the full flat fee whether the attorney withdrew from the case or was discharged.
5. An agreement not to contest a motion to vacate filed by JAC in relation to any order for attorney's fees, costs or related expenses when JAC was not provided notice or an opportunity to be heard prior to a court entering the order.
6. Language requiring attorneys to consider alternatives to travel such as conducting depositions through the use of videoconferencing technology before seeking travel expenses to depose witnesses.
7. Language delineating the responsibilities of an attorney who represented the client at the trial level and whose client requests an appeal.

If you are still approved for a court-appointed registry for fiscal year 2009/2010, JAC needs to receive a signed Agreement by June 30, 2009, in order to ensure continuity of payments. JAC will not be able to process any billings for payment for cases appointed on or after July 1, 2009, until you execute this Agreement.

JAC staff regularly provides the chief judge for each circuit a list of attorneys who have executed the Agreement. Additionally, JAC staff will notify the chief judge for each circuit on or after **Friday, July 31, 2009**, regarding any attorneys listed on a circuit registry who have not executed a contract with JAC. Failure to execute the Agreement in a timely fashion may result in your removal from a court-appointed registry.

If you have any questions or concerns, please contact the JAC Help Desk for assistance.

Sincerely,



Stephen Presnell
General Counsel