



HOWARD C. FORMAN
CLERK OF CIRCUIT AND COUNTY COURT
17TH JUDICIAL CIRCUIT

201 SOUTHEAST 6TH STREET / RM 136
BROWARD COUNTY COURTHOUSE
FORT LAUDERDALE, FLORIDA 33301
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Date: 09/01/2007

To: Broward County Bar Association Members

From: Howard C. Forman, Clerk of Courts

RE: Amendments to the Court Appointed Counsel System

Effective 10/1/07, Senate Bill 1088 amends s. 27.40 and provides that the Clerk of Court will maintain the registry of attorneys.

Changes include:

- The Chief Judge of the circuit shall compile a list of attorneys in private practice, by category of cases and provide the list to the Clerk of the Court. FS 27.40 (3)(a)
- Each attorney on the registry shall be responsible for notifying the Clerk of the Court of any change in his or her status. FS 27.40 (3)(a)
- The Court shall appoint attorneys in rotating order in the order in which names appear on the applicable registry, unless the Court makes a finding of good cause on the record for appointing an attorney out of order. An attorney not appointed in the order in which his or her name appears on the list shall remain next in order. If an appointment is rejected by an attorney, their name will be moved to the bottom of the list. The Clerk of Court shall maintain the registry and provide to the Court the name of the attorney for appointment. FS 27.40 (3)(b)
- Once an attorney selected from the registry receives the signed Order of Appointment and is unable or unwilling to accept the appointment, they shall file the appropriate motion with the Court to withdraw. – Florida Rules of Judicial Administration 2.505
- Since the Order of Appointment is mailed, the attorney shall be responsible for notifying the Clerk of Court of any change of address in writing. Address changes shall be sent in writing to email address CACS@browardclerk.org. **Changes of address sent to this email address are for purposes of the registry only.** Attorneys shall follow existing rules of procedure for providing change of address information for specific cases.
- If the number of attorneys in a particular category of cases is inadequate, the Chief Judge shall provide to the Clerk of Court the names of at least three private attorneys who have relevant experience. The Clerk of Court shall send an application to each of these attorneys to register for appointment. FS 27.40 (3) (c)
- Quarterly, the Chief Judge shall send a current copy of the registry to the Clerk of Court. FS 27.40 (3)(d)

Questions about the Clerk of Court's procedures regarding this matter can be directed to CACS@browardclerk.org.

Cc: Chief Judge Victor Tobin
Broward Barister
Daily Business Review