

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO.: 08 CF 15606

v.

CASEY MARIE ANTHONY,
Defendant.

JUDGE: PERRY

JUSTICE ADMINISTRATIVE COMMISSION'S RESPONSE TO
MOTION FOR TRANSCRIPTION SERVICES

COMES NOW, the Justice Administrative Commission (the "JAC"), by and through the undersigned attorney and files this response to the Motion for Transcription Services as follows:

1. Jose Baez (Counsel) has filed a motion requesting authorization to transcribe 8 depositions.
2. Counsel is privately retained. The Court previously found the Defendant indigent for costs.
3. JAC can only pay due process costs necessary for the defense of the case pursuant to Sections 29.007, 27.40, and 27.5304, Florida Statutes.
4. As directed by Section 27.425 Florida Statutes (2009), and the General Appropriations Act all due process services should be subject to the rates, terms and conditions approved by the Ninth Judicial Circuit's Article V Indigent Services Committee (ISC), Florida Statutes, local administrative orders and the JAC contract, policies and procedures. The Ninth Judicial Circuit Indigent Services Committee ("ISC") Resolution No. ISC-05 provides that Counsel must obtain prior written approval from the

administrative judge to exceed the \$500 cap for said due process services. **JAC objects to any rates in excess of ISC established rates.**

5. JAC has no objection to regular paid rates. However, if Counsel will need rates on an expedited basis he will need to provide justification for expedited services.

6. Counsel should only order those transcripts necessary for defense of the case.

7. If any due process providers desire direct payment, the JAC's procedures require the vendor to execute the appropriate contract and follow JAC's billing and audit procedures to obtain payment.

8. Pursuant to the JAC Agreement, any direct payment to a due process vendor is contingent upon Counsel providing any and all necessary documentation in support of a billing to JAC in an expeditious fashion. Counsel shall promptly review any billing for direct payment to a due process vendor for accuracy and completeness and must certify that the work was satisfactorily performed. In the event JAC issues a deficiency notice regarding any billing, Counsel or the due process provider shall promptly resolve the deficiency so that JAC can process the billing for payment. The order should reflect that Counsel must comply with all JAC policies and procedures in the submission of billings to JAC for direct payment to a due process vendor.

9. The Defendant is liable to pay the amount of any due process costs provided by the state and the clerk of court as directed by section 938.29, Florida Statutes. If the Defendant is convicted, the Court is responsible for determining the amount of the obligation to be imposed as a lien against the Defendant. These costs include, but are not limited to, the cost of depositions; cost of transcripts of depositions; investigative costs; witness fees; the cost of psychiatric examinations; or other reasonable costs

specially incurred by the state and the clerk of court for the defense of the defendant in criminal prosecutions.

10. JAC does not request to participate in any hearing set on this motion. Should the Court desire additional input, JAC may be reached toll-free at (866) 355-7902.

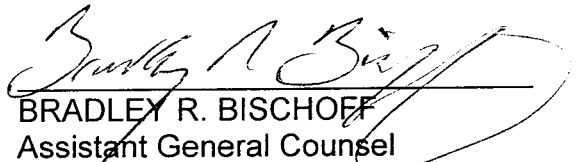
WHEREFORE, the JAC requests this Court, should it grant the Defendant's motion, also include in its order the specific due process services authorized, as well as hourly or per unit rates and maximum fees approved, and that the provider be paid in accordance with the rates, terms, and conditions approved by the 9th Judicial Circuit's Indigent Services Committee, Florida Statutes, local administrative orders, JAC contract, and JAC policies and procedures.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by facsimile where indicated and U.S. Mail on this 19th day of May, 2010 to:

Honorable Belvin Perry, Jr.
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