

**IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2024-024 PA/PI-CIR

RE: RECOVERY OF EXPENDITURES FOR STATE-FUNDED SERVICES

Section 29.0195, Florida Statutes, requires the Trial Court Administrator of each Circuit to recover expenditures for state-funded services when those services have been furnished to a user of the State Court System who possesses the present ability to pay. Costs that must be recovered include those for: court reporter services and transcription; translations; and any other service for which state funds were used to provide a product or service within the Circuit. The Sixth Judicial Circuit has procedures to recover transcription costs as outlined in the Circuit's Court Reporting Plan. The established procedures to recover other expenditures must be updated in accordance with the applicable legal authority.

In accordance with Article V, section 2, Florida Constitution, Florida Rule of General Practice and Judicial Administration 2.215, and section 43.26, Florida Statutes, it is

ORDERED:

1. The Court will recover costs for state-funded services used by parties to litigation in the Sixth Judicial Circuit from the respective user of that service who possesses the present ability to pay.

2. Any party that believes they do not have the present ability to pay for state-funded services must be determined indigent by either the Clerk of Court or by the Court. Indigent status will be determined in accordance with Administrative Order No. 2019-067 PA/PI-CIR or subsequent Administrative Order. Parties that are not determined indigent by either the Clerk of Court or by the Court are deemed to have the present ability to pay.

3. Parties subject to cost recovery will be provided a Letter of Recovery by the Administrative Office of the Courts, Fiscal Office. The Letter of Recovery will include:

- (a) the case name and uniform case number;
- (b) amount of the cost(s) to be recovered with the service(s) and date(s) provided;
- (c) the basis for determining the amount of the cost, whether by specified Administrative Order, reference to court contract rates, invoice from the service provider, or other means;
- (d) the authority for the assessment of cost;
- (e) instructions for payment of the cost(s); and
- (f) the date the Letter is mailed or delivered to the party.

All checks submitted for payment by a party shall include the case number on the check.

4. A party that has the present ability to pay may only request correction of the amount(s) assessed by alleging error in whether the service was actually provided or in the basis for determining the amount of the cost. Each allegation of error must be supported by specific

factual statements. Requests for correction of the amount(s) assessed must be received at the address provided for payment of the assessed cost within fourteen (14) days from the date the Letter of Recovery is mailed or delivered to the party. Requests for the correction of an assessed amount will be reviewed and considered by the Trial Courts Administrator whose decisions will be final.

5. Assessed costs that are not paid in full within sixty (60) days of the date that the Letter of Recovery is mailed or delivered to the party will be considered delinquent. However, a party who under paragraph 4 of this Administrative Order timely requests the correction of an amount assessed will have sixty (60) days from the date of the Trial Courts Administrator's determination for payment of the amount determined correct, if any, before the unpaid amount is considered delinquent. Delinquent costs may be referred for collection in accordance with State law. A party whose delinquent unpaid cost of state-funded services is referred for collection may also be subject to the cost of recovery necessary to collect the assessed amount.

6. Nothing in this Administrative Order authorizes the collection of new or additional funds for state-funded small claims case mediation, county civil mediation, or family mediation that is court-provided as described in Administrative Order No. 2011-006 PA/PI-CIR or subsequent Administrative Order. Nothing in this Administrative Order affects cost recovery for incapacity and guardianship cases under Administrative Order No. 2009-037 PA/PI-CIR or subsequent Administrative Order. Nothing in this Administrative Order affects cost recovery for transcription costs under the Sixth Judicial Circuit Court Reporting Plan. This Administrative Order also does not proscribe or limit the collection of other costs for state-funded services that may be separately authorized by law or Administrative Order.

Administrative Order 2005-061 is hereby rescinded.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida, this ____ day of August 2024, *nunc pro tunc* to May 6, 2024.

ORIGINAL SIGNED ON AUGUST 1, 2024
BY SHAWN CRANE, CHIEF JUDGE

cc: All Judges
The Honorable Bruce Bartlett, State Attorney
The Honorable Sara Mollo, Public Defender
The Honorable Nikki Alvarez-Sowles, Clerk of Court, Pasco County
The Honorable Ken Burke, Clerk of Court, Pinellas County
Jennifer Parker, Trial Courts Administrator
Michele Emmerman, Deputy Trial Courts Administrator
Bar Associations, Pasco and Pinellas
Law Library, Pinellas County