

Dependency/Termination of Parental Rights Checklist

General

- Attorney Contract** – Attorney **must** submit a current fiscal year contract. The contract runs through June 30 of each year. The contract **must** be approved before a bill can be processed.
- Substitute Form W-9** – Prior to executing a contract, a properly completed Substitute Form W-9 **must** be submitted to the Department of Financial Services.
- Order of Appointment** – **Must** contain Regional Counsel Conflict language.
- Open Case** – Upon appointment, Counsel **must** open the case in the JAC system. Counsel may use the Case Opening system on *My Access* (JAC's secure website) in order to provide JAC with the required case opening documents.
- Electronic Submission** – Prior to submitting the billing, the supporting documents will need to be scanned as electronic files. All files **must** be in PDF or TIFF format only. To submit a billing online, the case **must** have been previously opened.
- Attorney Voucher** – During the online billing process, Attorney will fill out the Voucher/Invoice cover online. The Attorney will need to indicate whether there was only a private court-appointed Attorney or if there were multiple court-appointed Attorneys to provide representation to this client.
- Fee Waiver** – In a multi-Attorney case, the Attorney who submits the invoice is responsible for obtaining fee waiver(s) from other Attorney(s) appointed to the case. If an Attorney does not intend to seek compensation, the Attorney may submit a fee waiver form in lieu of a billing. The fee waiver form is posted on JAC's website.
- Attorney Withdrawal-Motion and Order** – The Motion will show why the Attorney is withdrawing/discharged from the case. The order will either grant or deny the motion to withdraw/be discharged.

Dependency

- Shelter** – Cases dismissed at Shelter JAC pays \$200.00 as well as cases dismissed with no dependency petition filed.
- Disposition/Judicial Review (First Year)** – Generally, the first billable stage is the order of disposition for an \$800 payment. However, if the Attorney is appointed post disposition, an order of judicial review following the date of appointment may be submitted for an \$800 payment for the first year.
- Payment for the Second and Subsequent Years** – Payment for the second and subsequent years is due once the case has proceeded past the anniversary date of the last compensable appointment. If a second compensable appointment occurs before the anniversary date (such as a TPR appointment) then the new appointment supersedes the original appointment for the anniversary date. Typically an order of judicial review or termination of protective supervision is documentation for these years.
- Reappointment After Case Closure** – Cases closed and reopened more than one year later are eligible for an \$800 payment. When a case is reopened in less than one year and the same Attorney is appointed, the payment is \$200. If a different Attorney is appointed, the fee is \$800. (The exception to the rule is for cases where jurisdiction is terminated. If the case is reopened an \$800 payment is due, regardless of the length of time that transpired when the case was closed.)
- New Attorney Appointed** – If an appointed Attorney is discharged after disposition and has been paid for the first year, an Attorney appointed subsequently is treated as if their appointment commenced in the second year (\$200 for the first and subsequent years).

Termination of Parental Rights

- (TPR) Order of Appointment** – Indicating that the case is a (TPR) Termination of Parental Rights case. (If there is no New Order of Appointment for the TPR, the Order of Appointment is the date of the Advisory hearing). To have appointed counsel, the parent **must** appear before the court during the pendency of the TPR proceedings.
- Final Judgment** – Order granting /denying/dismissing the TPR petition, so that JAC will be able to verify that the parent appeared before the court, and able to see if/when the parent signed surrenders.
- Surrenders** – **Must** be after the filing of a TPR petition. JAC does not pay for TPR proceedings initiated based upon surrenders unless there was a prior involuntary TPR petition.
- TPR Certification** – If a parent does not surrender parental rights, a completed TPR certification form is needed.

Special Needs

As of July 1, 2014, for cases that involve Children with Special Needs, the annual fee is \$1,000 per year.

- (Special Needs) Order of Appointment** – The order of appointment **must** contain findings which include a finding that the child qualifies as a child with certain special needs and a finding that there was no pro bono Attorney available to take the appointment. The order also **must** reflect the type of special need that justifies the appointment under s. 39.01305, F.S. It is the appointed Attorney's sole responsibility to verify that the prerequisites for appointment are met before accepting appointment to one of these cases.
- Judicial Review** – Billing may be submitted after the first judicial review following the date of appointment and then after the first judicial review in the second and subsequent years of representation in the same manner as other private court appointments in dependency cases.

Appeals or TPR Appeals

- Appeal Order of Appointment** – Indicate the lower court case number and the Appeal case number if available.
- Withdrawal** – If an Attorney withdraws prior to the filing of a brief, the amount payable is reduced.
- Billing Upon Filing a Brief** – Attorney has the option of billing a partial fee upon filing of the initial brief. The balance is payable upon the issuance of the appellate court mandate.

Travel

- Department of Financial Services Travel Voucher. DFS requires this voucher be used for process of payment (If used as the Invoice/Voucher Cover, then the DFS Travel Voucher **must** have the case number and invoice number).
- Traveler's Tax ID number at the top of the Voucher where it says Social Security Number. This number **must** be the same as the Tax ID used in the Due Process contract.
- Order authorizing travel expenses and travel time.
 - Rate for travel time or circuit (established) rates.
 - Out-of-state travel destination authorization, if needed.
- Date of service with a description of the reason for travel.
- Origin and destination (**must** include departure, arrival and return times).
- Vendor signature (as traveler) and Attorney signature (as supervisor).
- Total invoice amount.
- Florida Department of Transportation city to city mileage map where available. When not available, MapQuest or other webservice may be used.
- Receipts showing zero balance for lodging, airfare, rental cars, and other billable travel expenses.
- For meals, travel **must** exceed 24 hours and the amount reimbursed may be up to \$36 per day (\$6 for breakfast, \$11 for lunch and \$19 for dinner). The amount allowable will depend upon the departure and return times. See JAC's website for additional information.