

Indigent for Costs – Privately Retained Attorney Checklist

JAC cannot pay due process costs for cases in which the attorney is privately retained until the attorney executes the current fiscal year's IFC Contract using *MyJAC*. The Fiscal Year runs from July 1st through June 30th of the following year.

IFC Contract

The Attorney must submit the documents required below to JAC via pleadings@justiceadmin.org. These documents must be provided to JAC prior to any hearing on the Motion to Declare the Defendant Indigent for Costs. (Florida Statute s. 27.52(5))

- A written Motion to Declare the Defendant Indigent for Costs – no oral motions.
- A completed and executed Clerk's Application for Indigency.
- Affidavit Attesting to Attorney's Fees – specifying the amount of attorney fees, how much has been paid, and the source of the fees.

After reviewing the motion, application, and affidavit, JAC will respond to the attorney via email. JAC's response must be submitted to the court along with the other required documents. The Court must consider JAC's response when ruling on the Motion to Declare the Defendant Indigent for Costs. After the Court rules on the motion, the attorney must send the following documents to JAC via pleadings@justiceadmin.org.

- Order Declaring the Defendant Indigent for Costs
- Charging Document(s) (*if available*)

Once JAC has received the signed Order Declaring the Defendant Indigent for Costs and the IFC Contract has been approved, the case will be available for the attorney to submit motions for due process services via pleadings@justiceadmin.org.

Also, invoices for due process payment or attorney reimbursement must be submitted via *MyJAC*.

- Submit a JAC Invoice through *MyJAC*.
- Upload the Order authorizing specific due process services using *MyJAC*.
- Upload Proof of payment using *MyJAC* (if seeking attorney reimbursement for due process services paid on behalf of the defendant).

Please note:

- All indigent for costs pleadings and supporting documents must be submitted via pleadings@justiceadmin.org. IFC pleadings and supporting documents cannot be submitted to *MyJAC*.
- Requests for specific due process services should be made by separate motion for services. For example, Motion to Appoint Investigator. It is not necessary, nor appropriate, to submit an Amended Motion to Declare the Defendant Indigent for Costs when requesting court authorization for specific due process services.