



THE STATE OF FLORIDA
JUSTICE ADMINISTRATIVE COMMISSION

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**NOTICE OF IMMEDIATE ADOPTION OF
CONTRACT FOR CAPITAL COLLATERAL LEGAL SERVICES**

At the Commission meeting held October 1, 2013, the Justice Administrative Commission (JAC) adopted, effective as of July 1, 2013, the Contract for Capital Collateral Legal Services (DFS Agreement) entered into between the Chief Financial Officer, Department of Financial Services (DFS) and any court-appointed capital collateral attorney (Attorney). This adoption applies to any Attorney appointed prior to July 1, 2013 pursuant to s. 27.710, F.S., where the Attorney had entered into a DFS Agreement prior to July 1, 2013.

Hereafter, JAC is substituted for the Chief Financial Officer or DFS in the DFS Agreement. Furthermore, in all instances where the DFS Agreement refers to the Capital Collateral Contract Manager, JAC is immediately substituted for the Capital Collateral Contract Manager previously designated by DFS.

Court Appointed Capital Collateral Attorneys may still elect to execute the JAC Agreement for Attorney Services for Private Capital Collateral Counsel (JAC Agreement). Additionally, those attorneys appointed prior to July 1, 2013 who executed the JAC Agreement may now elect to terminate that Agreement and reinstate the DFS Agreement.

Because the JAC Agreement contains provisions to facilitate direct payment of due process service providers which are not present in the DFS Agreement, attorneys electing the DFS Agreement will not be eligible for direct payment to due process providers or witnesses. Notwithstanding the JAC Policies and Procedures for Capital Collateral Private Court-Appointed Counsel (JAC Policies and Procedures), direct payment to due process providers is only authorized for attorneys electing the JAC Agreement.

Attorneys shall direct all correspondence to:

Justice Administrative Commission
P.O. Box 1654
Tallahassee, FL 32302
or
227 N. Bronough Street, Suite 2100
Tallahassee, FL 32301

Attorneys shall submit requests for compensation on applicable JAC forms and in the manner directed by the JAC Policies and Procedures to obtain compensation for services rendered pursuant to the DFS Agreement. The JAC forms and JAC Policies and Procedures can be found on JAC's website at www.justiceadmin.org.

Any motion, order, or other legal pleadings shall be sent by e-mail to the e-mail address designated for service of legal pleadings (pleadings@justiceadmin.org). Any response to a billing audit deficiency that does not contain a legal pleading shall be sent to the e-mail address designated for responses to audit deficiencies (compliancereview@justiceadmin.org). Questions regarding the billing process may be submitted to the JAC Help Desk at helpdesk@justiceadmin.org.

As directed by s. 27.711, F.S., court appointed capital collateral attorneys shall only seek a court order for payment after JAC has completed its review of a properly presented invoice. Please know that JAC's billing Audit Deficiency form is an instrument used to convey that a billing is deficient and does not serve as JAC's Letter of Objection or No Objection to a billing. Attorneys should only file a motion for attorney's fees, costs, and/or related expenses after they have received JAC's Letter of Objection or No Objection. Moreover, attorneys should only file a motion for compensation based upon JAC's Letter of Objection or No Objection, not a JAC billing Audit Deficiency form.

If you have any questions or concerns, please contact Cris Martinez, General Counsel, or Brad Bischoff, Assistant General Counsel, at (850) 488-2415.