



Twentieth Judicial Circuit of Florida

Comprehensive written policy to document rates, policies, and procedures relating to expert witnesses



July 1, 2018

Introduction to Rates, Policies and Procedures

In order to promote the prompt and efficient administration of justice within the Twentieth Judicial Circuit (Twentieth) in compliance with the Supreme Court of Florida's administrative order No. AOSC18-17, titled: Adoption of Amended Expert Witness Rate Structure Chart for Court Appointed Expert Witness Services in Florida's Trial Courts (Jun. 22, 2018), the following rates, policies, and procedures are made effective as of July 1, 2018.

Expert Witness Registry

Court appointed expert witnesses must be selected from a registry as maintained by the Administrative Office of the Courts and posted online at: <http://www.ca.cjis20.org>. Applications to be admitted to the registry are attached to this written policy and likewise available online. As a consequence of the registry requirement, expert witnesses may not be appointed as forensic evaluators within the Twentieth unless and until named on the registry. All registry applicants must have expertise that meets statutory or rule requirements for qualification.

Appointments within Adult and Juvenile Competency Proceedings

The Court will initially appoint one expert for the evaluation in standard adult competency proceedings; further, the court will initially appoint one expert for the evaluation in standard juvenile competency proceedings (effective upon complementary statutory and rule revisions).

Expert Witness Rate Structure

Court appointed expert witnesses must be compensated according to the attached rate structure (as posted online at: <http://www.ca.cjis20.org>). The flat rates, within the rate structure, are all-inclusive for services provided. Compensation beyond the flat rates for additional services may only be requested in extraordinary cases and based upon extraordinary circumstances, for example evaluations of defendants in capital murder or first-degree murder cases. Requests for additional compensation must be accompanied by a letter of explanation to the presiding judge, with a copy to all counsel of record and the Trial Court Administrator, with sufficient information and/or documentation to allow for a determination of whether extraordinary circumstances exist. Approval of compensation beyond the flat rates shall be at the discretion of the Court or the Administrative Office of the Courts.

Evaluation and Retention of Expert Witnesses

The Administrative Office of the Courts will continually evaluate the performance of the expert witnesses that it contracts with or otherwise compensates.

Receiving and Reviewing Complaints

Any person may report a concern or complaint about the conduct of an expert witness (submit complaints to: Court Innovations, 1700 Monroe Street, Fort Myers, FL 33901; (239) 533-1719, 533-1796 fax). All concerns or complaints will be reviewed by the AOC according to the terms of the attached applications. Reporting a complaint may be accomplished via the attached complaint form and posted online at: <http://www.ca.cjis20.org>.

Upon receiving a complaint, the AOC will review whether the concern or complaint meets the above stated criterion. If so, then a letter will be sent to the expert witness detailing the content of the complaint and requesting a response. Upon receiving a response, the AOC will determine whether a recommendation for action by the Chief Judge's office is appropriate. Any sanctions or rehabilitative requirements will be communicated from the Chief Judge's office.

An expert witness may request a meeting to discuss the sanctions or rehabilitative requirements, or to correct a perceived error in the factual understanding of the complaint or response. Any alterations in the sanctions or rehabilitative requirements will be communicated by the Chief Judge's office.



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Expert Witness Rate Structure

Standard Adult Competency (s. 916.12, F.S. & s. 916.301-304, F.S.)	
Initial Adult Competency Evaluations:	flat rate \$500.00 per evaluation
Follow-up Adult Competency Evaluations:	flat rate \$350.00 per evaluation
No-Show (Cancellation) Rate:	flat rate \$200.00 per no-show
Court-Ordered Testimony Rate:	\$150 per hour, up to two hours max. (including wait time), billable in half-hour (0.5) increments

Standard Juvenile Competency (s. 985.19(1)(d), F.S. & s. 985.19(1)(e), F.S.)	
Initial Juvenile Competency Evaluations:	flat rate \$350.00 per evaluation
Follow-up Juvenile Competency Evaluations:	flat rate \$250.00 per evaluation
No-Show (Cancellation) Rate:	flat rate \$140.00 per no-show
Court-Ordered Testimony Rate:	\$150 per hour, up to two hours max. (including wait time), billable in half-hour (0.5) increments

Additional Services (as required by Statutes/Rules of Court) Rate Structure	
Extraordinary Case Additional Services Rate*:	\$150 per hour, billable in half-hour (0.5) increments

Guardianship and Developmental Disability Examining Committee (s. 744.331, F.S. & s. 393.11(5)(g), F.S.)	
Initial EC evaluation as performed by:	
Ph.D., M.D., or D.O.:	flat rate \$350.00 per exam
ARNP, RN, MSW, LPN, LCSW, Lay Person:	flat rate \$250.00 per exam
Follow-up EC evaluation as performed by:	
Ph.D., M.D., or D.O.:	flat rate \$250.00 per exam
ARNP, RN, MSW, LPN, LCSW, Lay Person:	flat rate \$175.00 per exam
No-Show (Cancellation) Rate:	
Ph.D., M.D., or D.O.:	flat rate \$140.00 per exam
ARNP, RN, MSW, LPN, LCSW, Lay Person:	flat rate \$100.00 per exam
Court-Ordered Testimony Rate:	\$150 per hour, up to two hours max. (including wait time), billable in half-hour (0.5) increments

Travel Expenses

Travel Expenses for all Expert Witnesses
Mileage and per diem are allowable pursuant to section 112.061, F.S.

*Compensation using the flat rates set forth above is intended to be all-inclusive for services provided. Compensation beyond the flat rates for additional services may only be requested in extraordinary cases and based upon extraordinary circumstances, for example evaluations of defendants in capital murder or first degree murder cases. Requests for additional compensation must be accompanied by a letter of explanation to the presiding judge, with a copy to all counsel of record and the Trial Court Administrator, with sufficient information and/or documentation to allow for a determination of whether extraordinary circumstances exist. Approval of compensation beyond the flat rates shall be at the discretion of the Court or the AOC.