



**Conference Committee on
House Justice Appropriations Subcommittee / Senate
Appropriations Subcommittee on Criminal and Civil Justice**

Senate Offer #1 – Conforming Bills

Meeting Packet

Wednesday, April 23, 2014

1:15 p.m.

Reed Hall (102 HOB)

HOUSE JUSTICE APPROPRIATIONS / SENATE CRIMINAL AND CIVIL JUSTICE APPROPRIATIONS
CAPITAL CLEMENCY REPRESENTATION BILL, FY 2014-2015
SENATE OFFER #1

	HB 5303	SENATE OFFER	SB 2508
1	Section 1 (s. 27.51(5)(a), F.S.) – Removes authority of trial court to appoint PD or other counsel not employed by CCRC for clemency proceedings.	House Modify	Section 1 (s. 27.51(5)(a), F.S.) – Identical
2	Section 2 (s. 27.511(9), F.S.) – Removes authority of trial court to appoint office of criminal conflict and civil regional counsel not employed by CCRC for clemency proceedings.	House Modify	Section 2 (s. 27.511(9), F.S.) – Identical
3	Section 3 (s. 27.5303(4), F.S.) – Removes authority of sentencing court authority to appoint PD or other attorney for capital clemency proceedings.	House	Section 3 (s. 27.5303(4), F.S.) – Identical
4	Section 4 (s. 27.5304(5), F.S.) – Removes compensation cap of \$1000 from funds budgeted to JAC.	House	Section 4 (s. 27.5304(5), F.S.) – Identical, except Senate bill changes “shall not” to “may not.”
5	Section 5 (creates s. 940.031, F.S.) – Provides that Board of Executive Clemency may appoint capital clemency counsel. Raises fee cap to \$10,000 from funds budgeted to Parole Commission. Provides that \$10,000 is the only compensation to be provided, and the section does not create a right to counsel	House	Section 5 (creates s. 940.031, F.S.) – Substantively identical, minor wording differences.

HOUSE JUSTICE APPROPRIATIONS / SENATE CRIMINAL AND CIVIL JUSTICE APPROPRIATIONS
CONFLICT COUNSEL BILL, FY 2014-2015
SENATE OFFER #1

	HOUSE	HOUSE OFFER	SB 2510
1		Senate Modify	Section 1 (s. 27.40(3), F.S.) - Deletes requirement that an attorney who wants to be included on a registry must certify that he or she will accept the flat fees in s. 27.5304, F.S., as full payment for any case except RICO. Deletes authorization for the chief judge to establish limited registries of attorneys willing to waive compensation above the flat fees.
2		Senate Modify	Section 2 (s. 27.401, F.S.) - Creates Cross-Circuit Conflict Representation Pilot Program including Public Defender Offices in 6 th , 9 th , 10 th , and 13 th Judicial Circuits and the Offices of Criminal Conflict and Civil Regional Counsel (OCCRC) in the 2 nd and 5 th Regions. Establishes process by which cases are assigned pursuant to the pilot. Directs Public Defender and Regional Conflict Offices to report on the pilot's performance and cost savings.
3		Senate	Section 3 (s. 27.5304(5)(a), F.S.) - Increases trial level fee caps from \$2,500 to \$6,000 for a noncapital, nonlife felony; from \$3,000 to \$9,000 for a life felony; and from \$15,000 to \$25,000 for a capital case. Increases fee cap for appellate representation from \$2,000 to \$9,000.
New Provisions Offered by Senate			
4		Senate	Section 4 (s.744.108, F.S.) – Provides for fees for court-appointed guardians.