

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 07-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 07-04**

**IN RE: PROCEDURES FOR
APPOINTMENT OF APPELLATE
COUNSEL IN DEPENDENCY
APPEALS**

WHEREAS, the Eleventh Judicial Circuit and for Miami-Dade County, Florida recognizes the necessity to assure expeditious dependency appellate proceedings; and

WHEREAS, some of the delays in prosecuting dependency appeals result from confusion in the appointment of appellate counsel, the preparation of the record and transcripts; and

WHEREAS, clarification of the appointment of appellate counsel process in dependency cases is needed;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, this Circuit hereby establishes the following procedures which shall be followed in the appointment of appellate counsel for dependency appeals:

1. When trial counsel receives the written final judgment rendered by the trial court and the client informs counsel that he/she wants to appeal the final judgment, trial counsel shall prepare a motion for appointment of appellate counsel.
2. The motion for appointment of appellate counsel shall be submitted to the division judge *ex parte* and shall include the following:
 - a. A copy of the Notice of Appeal, filed by the trial counsel;
 - b. A copy of the designations to the court reporter, including all trial dates;

- c. Attestation that the attorney has spoken to the parent and affirmed that the parent wishes to appeal the order;
 - d. An order allowing payment of transcripts; and
 - e. A current affidavit of financial indigence.
3. The above-listed documents will be submitted to the case coordinator for the termination of parental rights back-up division ("case coordinator"), who will place the motion for appointment of appellate counsel and accompanying documents in front of the division judge within forty-eight (48) hours of receipt.
4. When the appointment has been signed by the division judge, the case coordinator shall place the order of appointment in the appointed lawyer's court house mail box and telephone the lawyer to inform him or her of the appointment.
5. Appellate counsel shall, upon receipt of the appointment, immediately file a substitution of counsel with the Third District Court of Appeal. *See, Interest of P.G.*, No. 2D06-1264, slip op. at 7-8 (Fla. 2nd, Nov. 17, 2006).

This Order shall take effect on March 1, 2007 and shall remain in effect until further order of the Court.

DONE AND ORDERED in Miami-Dade County this _____ day of February, 2007.

**JOSEPH P. FARINA, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

MOTION FOR APPOINTMENT OF APPELLATE COUNSEL

NOTICE OF APPEAL

(Colbert will supply sample)

DESIGNIATIONS TO REPORTER
(Colbert will supply sample)

ATTESTATION OF DESIRE TO SEEK APPEAL

IN THE INTEREST OF:

Case No.:

Name of Child, Date of Birth

_____/

I, _____, have conferred with the mother/father
in the above-captioned case and hereby attest that he/she wishes to pursue
an appeal of the final judgment adjudicating dependency/terminating parental
rights (circle one).

Date

FINANCIAL AFFIDAVIT FOR PROOF OF INDIGENCY

ORDER FOR PAYMENT OF TRANSCRIPT COSTS

(Colbert will supply sample)