



FLORIDA  
DEPARTMENT OF  
FINANCIAL SERVICES

**TOM GALLAGHER**  
CHIEF FINANCIAL OFFICER  
STATE OF FLORIDA

August 13, 2004

The Honorable David A. Demers  
Chief Judge  
Sixth Judicial Circuit  
545 First Avenue, Room 400  
St. Petersburg, FL 33701

Dear Judge Demers:

I want to acknowledge receipt of your letter of August 4, 2004, to the Chief Financial Officer. I can confirm that CFO Memorandum No. 04 (2003-2004) was issued to establish a clear procedural framework for the payment of attorney fees to court-appointed counsel in those cases where trial courts, acting in their sound discretion under the Makemson case and its progeny, order the State to pay compensation in excess of the limits specified in Section 27.5304, Florida Statutes (Supp. 2004). Assuming, of course, that sufficient appropriated funds exist, if the Justice Administrative Commission submits a voucher seeking payment for court appointed counsel that complies with the documentation requirements of CFO Memorandum No. 04, such voucher will be honored by the Department of Financial Services.

Sincerely,

Peter M. Dunbar  
General Counsel

AUG 16 2004

DAVID A. DEMERS  
CIRCUIT JUDGE