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Notice to Ordinary and Official Witnesses

The Justice Administrative Commission (JAC) reviews requests for payment of Ordinary and Official Witnesses for completeness and compliance with statutory requirements.

Pursuant to Section 92.142, Florida Statutes, JAC is authorized to pay the \$5 per day witness fee and 6 cents per mile for actual distance traveled to and from the courts in civil and criminal cases. Alternatively, a **witness in a criminal case required to appear in a county other than the county of his or her residence and residing more than 50 miles from the location of the trial**, may request payment of the .445 cent mileage rate, per diem and travel expenses pursuant to Section 112.061, Florida Statutes, **in lieu of any other witness fee**. Under this option the witness is not entitled to the \$5 per day witness fee.

A witness in a criminal case who submits a payment request for mileage at .445 cents per mile, per diem and travel expenses pursuant to Section 112.061, Florida Statutes, is not authorized to receive the \$5 per day witness fee. The \$5 per day witness fee will be deducted from payment of billings including the \$5 per day witness fees along with mileage, per diem and/or travel expenses pursuant to Section 112.061, Florida Statutes,.

If you have any questions, please call Stephen Presnell, General Counsel, at (866) 355-7902.

Stephen M. Presnell
General Counsel