



FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

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BUSINESS RULES FOR COUNTING APPLICATIONS FOR INDIGENCY

Amended by the PIE Committee – June 13, 2018
Approved by the Executive Council – June 25, 2018

PURPOSE:

Pursuant to section 57.081, Florida Statutes, “[a] party who has obtained a certification of indigence pursuant to s. 27.52 or s. 57.082 with respect to a proceeding is not required to prepay costs to a court, clerk, or sheriff and is not required to pay filing fees or charges for issuance of a summons.”

The intent of the following definitions and instructions is to assist clerks in capturing and reporting: (1) the number of indigent applications filed in a specified period of time; and (2) the number of applications approved.

DEFINITIONS:

Civil Actions – Include circuit civil, county civil, and family/domestic relations, and probate cases in which fees are eligible to be assessed.

Applications – Only report the number of applications and approvals for indigent findings which otherwise waive a defined filing fee or service charge.

INSTRUCTIONS:

Include all applications made in a specific month, as well as all approvals of applications for indigency made by either the clerk or the court in a specific month. This measurement does not capture the number of payment plans or amount of dollars enrolled in a payment plan for civil actions. This measurement also does not include any deferred court costs/charges by indigent prisoners under section 57.085, Florida Statutes.

NOTES: The number of applications filed may not be correlative to the number of applications approved. Clerks should count applications approved by either the clerk or the court in their total number of approved applications. Applications shall be noted in the month in which they are received. Approvals of applications are to be noted in the month in

which the approval is given. Approvals may not necessarily occur in the same month as an application.

NUMBER OF APPLICATIONS FILED:

1. Count the number of eligible applications for indigency filed by month.
2. Multiple applications arising in the same case should be counted separately.

NUMBER OF APPLICATIONS APPROVED:

1. Count the number of eligible applications approved by either the clerk or the court by month.
 2. Multiple approvals for the same case should be counted separately.
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