

**IN THE THIRTEENTH JUDICIAL CIRCUIT  
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2025-018  
(Supersedes Administrative Order S-2019-037)**

**ATTORNEY'S FEES IN EXTRAORDINARY AND UNUSUAL CASES**

The United States Constitution and Florida Constitution and laws require the provision of certain due process services to indigent persons in enforcing their rights under such authorities. The Florida Supreme Court in *Makemson v. Martin County*, 491 So. 2d 1109 (Fla. 1986), held that it is within the inherent power of Florida's trial courts to allow, in extraordinary and unusual cases, departure from the attorney's fees statute when necessary to ensure that an attorney who has served the public by representing a client is not compensated in an amount which is confiscatory of the attorney's time, energy and talents.

Section 27.5304(12), Florida Statutes, provides for an evidentiary hearing by the chief judge or a single chief judge designee when private court-appointed counsel seeks attorney's fees in an extraordinary and unusual case where the flat fee may be insufficient. It is necessary for the proper and efficient administration of the courts to appoint a chief judge designee to handle the evidentiary hearings when private court-appointed counsel seeks attorney's fees in an extraordinary and unusual case where the flat fee may be insufficient and to provide procedures for the processing of motions for attorney fees in extraordinary and unusual cases.

By the power vested in the chief judge under article V, section 2(d) of the Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215(b)(2), it is therefore **ORDERED:**

**1. Chief Judge Designee**

All motions for an order approving payment of court-appointed attorney's fees in excess of the limits prescribed in section 27.5304, Florida Statutes, and the General Appropriations Act must be

scheduled for an evidentiary hearing with Administrative Judge of the Circuit Criminal Division D. Michelle Sisco. All motions for an order approving payment of court-appointed attorney's fees in excess of the limits prescribed in section 27.5304, Florida Statutes, and the General Appropriations Act must be heard only by Judge D. Michelle Sisco. If Judge D. Michelle Sisco becomes unavailable to consider a motion, such matter will be re-set on Judge Sisco's docket. Judge D. Michelle Sisco is the single chief judge designee for the Thirteenth Judicial Circuit and will hear all motions in all cases under section 27.5304(12), Florida Statutes, including criminal, dependency, delinquency, guardianship, and mental health cases.

**2. Contents of Motion**

All motions for an order approving payment of court-appointed attorney's fees in excess of the limits prescribed in section 27.5304, Florida Statutes, and the General Appropriations Act must include a copy of the intended billing, together with supporting affidavits and all other necessary documentation that was supplied to the Justice Administrative Commission along with the commission's letter stating its objection. The motion must also specify the number of witnesses interviewed or deposed or both, describe the complexity of the factual and legal issues, and specify the length of trial.

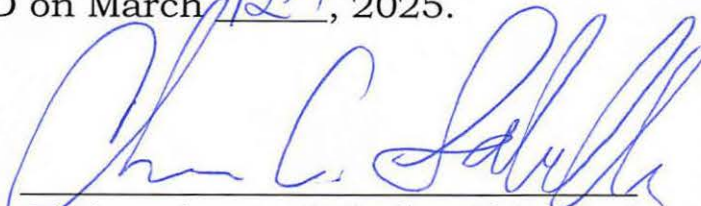
**3. Previous Administrative Order Superseded**

This administrative order supersedes Administrative Order S-2019-037 (*Attorney's Fees in Extraordinary & Unusual Cases*).

**4. Effective Date**

This administrative order is effective immediately.

ENTERED on March 12<sup>th</sup>, 2025.



Christopher C. Sabella, Chief Judge

Original to: Victor Crist, Clerk of Circuit Court

Copy to: All Judges  
Gina Justice, Court Administrator  
Lisa McLean, Public Defender  
Susan S. Lopez, State Attorney  
Ita M. Neymotin, Regional Counsel, Second District  
Justice Administrative Commission  
Hillsborough County Bar Association