

ORDINANCE 95 - 05

AN ORDINANCE OF LIBERTY COUNTY, FLORIDA, AMENDING ORDINANCE 93-03; BY AMENDING SECTION 1, "SERVICE CHARGES IMPOSED" BY DELETING THE SERVICE CHARGES FOR THE LEGAL AID INCAPACITY/GUARDIANSHIP PROGRAM SET FORTH IN SECTION 1(A); BY ADDING A SERVICE CHARGE TO THE FILING FEES IN COUNTY COURT AND CIRCUIT COURT FOR INDIGENT LEGAL SERVICE; BY PROVIDING FOR THE PAYMENT OF THE SURCHARGE FOR INDIGENT LEGAL SERVICES, BY PROVIDING FOR THE DISTRIBUTION OF THE SURCHARGE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 93-03 was enacted by the Board of County Commissioners of Liberty County, Florida providing for a service charge of \$2.00 for each case filed in the Circuit Court Civil Division be paid to the Second Judicial Circuit Public Guardianship program; and

WHEREAS, the Second Judicial Circuit Public Guardianship program has advised the Board of County Commissioners of Liberty County, Florida that the service charge of \$2.00 for each case filed in the Circuit Court Civil Division is no longer needed; and

WHEREAS, the Board of County Commissioners of Liberty County, Florida desires to impose a service charge of \$5.00 on all cases in filed in Circuit Court Civil Division or County Court Civil Division; and

WHEREAS, the Board of County Commissioners of Liberty County, Florida desires for said surcharge to be paid to the legal services of North Florida, Inc. for the providing of indigent legal services.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA AS FOLLOWS:

Section 1 Section 1(A) of Ordinance 93-03 is hereby deleted and the following

Section 1(A) is to be placed in its stead:

Cases filed in Circuit Court Civil Division and County Court Civil Division pursuant to F.S. 28.241 and F.S. 34.041:
For all civil actions or proceedings:

Service Charge

\$5.00 Legal Services of North Florida, Inc.

The proceeds of court filing fees designated for indigent legal services shall be used for the purpose of establishing and maintaining a fund for the provision of civil legal services to the indigent citizens of Liberty County, Florida. A separate funds will be established to collect these monies and provide the funds to Legal Services of North Florida, Inc. to be distributed to Legai Services of North Florida, Inc.

Section 2. Conflict. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

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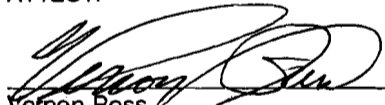
Section 4. Effective Date. This Ordinance shall take effect as provided by law.

DULY PASSED AND ADOPTED by the Board of County Commissioners of
Liberty County, Florida, this 12th day of September 1995.

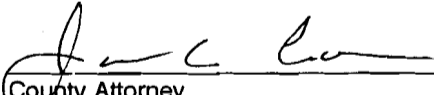
BOARD OF COUNTY
COMMISSIONERS, LIBERTY COUNTY,
FLORIDA.

By: 
John T. Sanders, Chairman

ATTEST:


Vernon Ross,
Clerk of the Circuit Court

APPROVED AS TO FORM:


County Attorney