

What are Due Process Costs?

Due process costs are those costs of enumerated elements associated with providing due process to an indigent person. These elements, as set forth in s. 29.007, F.S., ensure due process in criminal and civil proceedings in accordance with state and federal constitutional guarantees. Among the allowable due process costs are:

- Court reporting and transcription costs;
- Witness and expert witness fees;
- Mental health professionals;
- Reasonable pretrial consultation fees and costs; and
- Travel costs for witness and pro bono counsel. Travel costs for privately retained counsel are overhead expenses and are not reimbursable as due process costs.

The legislature sets the compensation rates of due process service providers through the General Appropriations Act in cases where the court has appointed counsel or declared a person indigent for costs. For Fiscal Year 2007/2008 and Fiscal Year 2008/2009, the rates in effect are the rates previously set by the circuit Indigent Services Committees