

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

JULIE A. SCHLAX,

Petitioner,

v.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D12-5710

JUSTICE ADMINISTRATIVE
COMMISSION,

Respondent.

_____ /

Opinion filed April 3, 2013.

Petition for Writ of Certiorari.

Rick A. Sichta and Susanne K. Sichta, Jacksonville, for Petitioner.

Stuart L. Hartstone and Terence M. Lenamon of The Florida Capital Resource
Center, Miami, Amicus Curiae.

Ana Cristina Martinez, General Counsel, and Christian D. Lake, Assistant General
Counsel, the Justice Administrative Commission, Tallahassee, for Respondent.

PER CURIAM.

Petitioner, Julie A. Schlax, seeks review of an order awarding her \$17,000 in
attorney's fees for representing an indigent criminal defendant in a capital case, instead

of the \$23,670 she requested. Petitioner argues that the trial court departed from the essential requirements of the law in two ways. First, she argues that the trial court erred in limiting her fees without making a finding as to the reasonable number of hours she worked in representing her client. Second, she argues that the trial court impermissibly considered the court's budget when it limited her fee award. For the reasons explained in Fletcher v. Justice Administrative Commission, 1D12-5709 (Fla. 1st DCA 2012), we grant the petition, quash the fee award, and remand for reconsideration. If the trial court determines that an award greater than the statutory cap is justified, it should make the appropriate findings to support the award.

PETITION GRANTED.

BENTON, C.J., ROWE, and MARSTILLER, JJ., CONCUR.