

July 8, 2014

The following are exempt from paying fees (or pay a reduced fee) for copies of records maintained by the Polk County Clerk's Office:

Agency / Entity	Description of Clerk services/fees	Authority
<p>Judges and those court staff acting on behalf of judges, State Attorneys, Guardians ad Litem, Public Guardians, Attorneys ad Litem, court-appointed private counsel, criminal conflict and civil regional counsel, Public Defenders, and state agencies, while acting in their official capacity.</p> <p>Representative agencies include BOCC; DCF (including Gulf Coast Community Care, Children's Home Society, Devereux, Kid's Hope United, Heartland for Children; DOC; DOR; FDLE; FHP; State Parole &amp; Probation Services; Florida Commission on Offender Review; Polk County Sheriff's Office; Court Administrator's Office; City Police Departments</p> <p><b>NOTE:</b>  <i>-The definition of "state" agency is limited to agencies in the State of Florida. Out-of-state agencies are not exempt from copy fees.</i>  <i>-Does not include state and private universities and colleges under FS 287.012.</i></p>	<p>Exemption from all court-related fees and charges assessed by the Clerk.</p>	<p>Section 28.345, F.S.:  <i>Notwithstanding any other provision of this chapter or law to the contrary, judges and those court staff acting on behalf of judges, state attorneys, guardians ad litem, public guardians, attorneys ad litem, court-appointed private counsel, and public defenders, acting in their official capacity, and state agencies, are exempt from all court-related fees and charges assessed by the clerks of the circuit courts.</i></p> <p>Section 28.24(12)(e)1, F.S.:  <i>The clerk of court or any entity acting on behalf of the clerk of court, including an association, shall not charge a fee to any agency as defined in s. 119.011, the Legislature, or the State Court System for copies of records generated by the Comprehensive Case Information System or held by the clerk of court or any entity acting on behalf of the clerk of court, including an association.</i></p> <p>Section 119.01, F.S.:  <i>"Agency" means any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.</i></p>



Executive Clemency Applicant	Certified copy of applicant's information, indictment, judgment or sentence	Section 940.04, F.S.: <i>In the event any applicant for executive clemency is required to supply a certified copy of the applicant's information, indictment, judgment, or sentence, said document shall be furnished by the clerk of court to the applicant free of charge and without delay.</i>
Florida Bar	Copies of court records used for attorney discipline investigations	Clerk's Office Policy
Indigent Litigant/Pro Bono Attorney	Services of Clerk as described in section 57.081(1), F.S.	Section 57.081(1), F.S.: <i>Any indigent person, except a prisoner as defined in s. 57.085, who is a party or intervenor in any judicial or administrative agency proceeding or who initiates such proceeding shall receive the services of the courts, sheriffs, and clerks, with respect to such proceedings, despite his or her present inability to pay for these services. Such services are limited to filing fees; service of process; certified copies of orders or final judgments; a single photocopy of any court pleading, record, or instrument filed with the clerk; examining fees; mediation services and fees; private court-appointed counsel fees; subpoena fees and services; service charges for collecting and disbursing funds; and any other cost or service arising out of pending litigation. In any appeal from an administrative agency decision, for which the clerk is responsible for preparing the transcript, the clerk shall record the cost of preparing the transcripts and the cost for copies of any exhibits in the record. 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</i>

		<i>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.</i>
Indigent Prisoner	Deferral of prepayment of court costs and fees	Section 57.085(3), F.S.: <i>Before a prisoner may receive a deferral of prepayment of any court costs and fees for an action brought under this section, the clerk of court must review the affidavit and determine the prisoner to be indigent.</i>
US Bureau of Alcohol, Tobacco, Firearms and Explosives	Clerk's Office Policy	ATFE may obtain certified copies of convictions in cases on which they are working.
US Department of Immigration US Department of Homeland Security	Certified copy of complaint, information, or indictment and the judgment and sentence and any other record pertaining to the case of any alien where alien is convicted of a felony or misdemeanor or enters a plea of guilty or nolo contendere to any felony or misdemeanor charge.	Section 943.0535, F.S.: <i>It shall be the duty of the clerk of court to furnish without charge a certified copy of the complaint, information, or indictment and the judgment and sentence and any other record pertaining to the case of any alien to the United States immigration officer in charge of the territory or district in which the court is located in every case in which an alien is convicted of a felony or misdemeanor or enters a plea of guilty or nolo contendere to any felony or misdemeanor charge. The state attorney shall assist the clerk of the court in determining if a defendant entering a plea or convicted is an alien.</i>
U.S. Internal Revenue Service	IRS is charged \$.20 per page for copies	301.7610-1 IRS F.R.(c)(2)(B)(ii) For copies of documents \$.20 per page
Veteran	Recording fee waived for certificate of discharge, separation or service which indicates the character of discharge, separation	Section 28.222(3)(d) <i>That portion of a certificate of discharge, separation, or service which indicates the character of discharge, separation, or service of any citizen of this state with</i>

	or service of any citizen of Florida with respect to US military forces	<i>respect to the military, air, or naval forces of the United States. Each certificate shall be recorded without cost to the veteran, but the clerk shall receive from the board of county commissioners or other governing body of the county the service charge prescribed by law for the recording.</i>
Veterans Benefits Applicant	Any public record required by the US Department of Veterans Affairs to be used in determining the eligibility of any person to participate in benefits made available by the VA	Section 744.637, F.S.: <i>When a copy of any public record is required by the United States Department of Veterans Affairs to be used in determining the eligibility of any person to participate in benefits made available by the United States Department of Veterans Affairs, the official charged with the custody of such public record shall, without charge, provide to the applicant for such benefits or any person acting on her or his behalf, or to the authorized representative of the United States Department of Veterans Affairs, a certified copy of such record. For each and every certified copy so furnished by the official, the official shall be paid by the board of county commissioners the fee provided by law for copies.</i>
Veteran's Administration	All services when VA is conducting work on behalf of veterans or dependents	Section 292.13, F.S. <i>All services performed by any county or city veteran service officer employed hereunder for any veteran or his or her dependents shall be rendered without charge to said veteran or said dependents.</i>