

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 5-5.1

**ATTORNEYS' FEES DEPOSIT - DEPARTMENT OF REVENUE
CHILD SUPPORT ACTIONS AGAINST THE UNITED STATES
OF AMERICA AS GARNISHEE DEFENDANT**

WHEREAS, in carrying out its responsibilities for child support enforcement the Florida Department of Revenue from time to time obtains Writs of Garnishment against the United States of America as Garnishee Defendant;

WHEREAS, the United States of America has consented by statute to garnishment actions and has not, on prior occasions, sought reimbursement of attorneys' fees for responding to Writs of Garnishment obtained by the Florida Department of Revenue; and

WHEREAS, §77.28, Florida Statutes, provides for the deposit of \$100.00 with the court to be paid to the Garnishee Defendant for the Garnishee Defendant's attorneys' fees; it is

ORDERED and ADJUDGED that:

1. The Florida Department of Revenue shall not be required to deposit the \$100.00 otherwise required by §77.28, Florida Statutes, into the registry of the court in order to obtain Writs of Garnishment in child support cases in which the United States of America is the Garnishee Defendant.
2. In the event the United States of America makes demand for attorneys' fees in garnishment actions, the Florida Department of Revenue will be obligated to pay into the court the \$100.00 for attorneys' fees pursuant to §77.28, Florida Statutes.
3. The Clerk of the Court shall, pursuant to this Administrative Order, issue Writs of Garnishment in child support actions in favor of the Florida Department of Revenue and against the United States of America as Garnishee Defendant without requiring that \$100.00 be deposited with the Clerk.
4. Administrative Order No. 5-5.0, entered on April 27, 1993, is revoked and superseded by this order.

DONE AND ORDERED on this 2nd day of June, 2010.

J. DAVID LANGFORD
Chief Judge