

**In the United States District Court for the
Northern District of Florida**

In Re: Allowable Items for Taxation of Costs

Under Local Rule 54.2, costs are taxable in the first instance by the clerk of the court, subject to review by the court on motion filed within five days after entry of the clerk's decision. Recognizing that taxation of costs is subject to various interpretations, but recognizing that some guidance is necessary to assist the clerk in performing the duty to initially determine what costs are to be taxed, the following guidelines are implemented to assist the clerk in performing such duty, while preserving to the litigants the right to seek, or oppose, taxation of any item, and are not meant to remove or restrict the discretion of any judge in determining the taxability of such item on review of the clerk's decision. The clerk will tax costs based on the standards set forth in this administrative order and subject to the clerk's determination of the reasonableness of the amounts claimed. Requests for departure from these standards shall be noted in the original request for (or objection to) taxation of costs by the clerk and then included in a motion for review by the court after entry of the clerk's decision. Inclusion or exclusion of a category of costs from these standards expresses no view of the court on whether such costs ultimately should or should not be taxed on review by the court in a particular case; the intent of this order is to create a clear rule that will be followed by the clerk,

with any appropriate adjustments made by the court based on applicable law separate and apart from this order. Costs incurred in a state court prior to removal are taxable to the same extent as if incurred in this court after removal.

The clerk will tax the following costs:

1. Filing fees paid to the clerk of court.
2. Fees for service of process in an amount not exceeding the amount that would be charged by the United States Marshal for performing the same service.
3. Fees of a court reporter for attendance at, and for the original and a party's first copy of a transcript of, any trial, hearing, or deposition in the case at bar.
4. Fees actually paid to witnesses who were subpoenaed and testified at a trial, hearing, or deposition, for attendance and travel, in an amount not exceeding the statutory rate, and fees for service of subpoenas on such witnesses. Expert witness fees in excess of those payable to nonexpert witnesses are not taxable.
5. The fee paid or cost incurred internally for copies made for the court and adverse parties of exhibits, pleadings, or other papers filed with the court, not including copies of papers that were or properly should have been filed and served electronically. The cost of enlargements, special graphics, computer presentations and animations, and physical exhibits or models will not be taxed by the clerk.
6. The fee of an interpreter incurred in connection with the testimony of a

non-English speaking witness at a trial, hearing, or deposition.

7. The fee of a competent translator of a non-English document that is filed or admitted into evidence.

8. Fees taxable under 28 U.S.C. § 1923.

This order is entered with the concurrence of the judges of the Court.

SO ORDERED this 21st day of September, 2004.

s/Robert L. Hinkle
Chief United States District Judge