

Judge orders state to increase lawyer's pay

Joe Campoli will get \$110 an hour, instead of a flat \$2,500 fee, if a judge's order stands

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SARASOTA COUNTY — A judge has ordered the state to boost the pay of a criminal defense attorney who is stuck with a case that would otherwise pay him around \$5 an hour for three months' work.

Circuit Chief Judge Lee Haworth called the state's new low fees unconstitutional for this case and ruled that attorney Joe Campoli should get \$110 an hour to defend an accused gang member.

Haworth said Campoli could not give constitutionally required competent representation to Johnny Vazquez if spending time on the case meant jeopardizing Campoli's law practice, which has about \$65 an hour in overhead.

"A lawyer should never get rich representing the indigent, but by taking their cases he should not be forced to join the indigent," Haworth wrote.

The state's Justice Administrative Commission, which compensates private attorneys who defend poor people, did not comment on whether it will contest Haworth's order. JAC attorney Christian Lake declined to comment Tuesday.

"I've got some concerns they will not comply, which will mean appeals, and further delays, and still depriving Mr. Vazquez of competent counsel," said attorney Derek Byrd, who represented Campoli's objection.

It is the first challenge to Florida's new system, which offers a flat fee to private attorneys for representing criminal cases in which the public defender cannot because of a conflict.

Every one of 70 defense attorneys court officials contacted had turned down the case before the courts appointed Campoli.

Johnny Vazquez' case in Manatee County is a rare situation. There are 14 co-defendants, and the gang case has complicated racketeering charges, with more than 300 witnesses and piles of documents.

The state is willing to pay a flat \$2,500 fee. Other defense attorneys said they would usually charge a \$100,000 fee for such a time-consuming case.

Vazquez faces racketeering charges in connection with the street gang SUR 13, and faces up to 60 years in prison if convicted.