

IN THE CIRCUIT COURT OF THE SEVENTEENTH  
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Order Number 2007-81-Civ

**ADMINISTRATIVE ORDER ESTABLISHING  
PROCEDURES FOR NON-BINDING ARBITRATION**

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(a) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge shall “develop an administrative plan for the efficient and proper administration of all courts within that circuit.”

(b) §44.103, Fla. Stat., and Florida Rules of Civil Procedure require the chief judge to establish procedures with regard to non-binding arbitration for contested civil actions.

(c) In accordance with the authority vested in the chief judge by Florida Rule of Judicial Administration 2.215, it is ordered:

(1) The Administrative Judge of the Circuit Civil Division and Administrative Judge of County Court shall approve applicants for addition to the list of individuals qualified to serve as arbitrators in this Circuit and County.

(2) Applications are available from the Court Mediation and Arbitration Program, Room 565, Broward County Courthouse, 201, S.E. Sixth Street, Fort Lauderdale, Florida 33301. Completed applications should be returned to the Court Mediation and Arbitration Program, Room 565, Broward County Courthouse, 201, S.E. Sixth Street, Fort Lauderdale, Florida 33301.

(3) The required order of referral to non-binding arbitration and notice of arbitration hearing are attached hereto and the procedures and requirements of non-binding arbitration are incorporated by reference.

(4) Only arbitrators who meet the qualifications set forth at Florida Rules for Court-Appointed Arbitrators 11.010 and 11.020 shall be appointed by the judge. The individuals meeting the qualifications of Florida Rules for Court-Appointed Arbitrators 11.010 and 11.020 shall be separately designated on the list as either a member of The Florida Bar or not a member of The Florida Bar.

(5) If a party to the action has been declared indigent by the Clerk of Court the case shall not be referred to arbitration.

(6) If an arbitrator fails to submit the statistical summary to the Court Mediation and Arbitration Program, then in the discretion of the Administrative Judge of the Circuit Civil Division and Administrative Judge of County Court, the arbitrator may be removed from the list of qualified arbitrators for this Circuit and County.

(7) This Administrative Order vacates and supersedes Administrative Order I-05-T-1A.

DONE AND ORDERED in chambers at Fort Lauderdale, Broward County, Florida on December 5, 2007.

s/ Victor Tobin  
Victor Tobin, Chief Judge

IN THE COUNTY COURT IN AND FOR BROWARD COUNTY, FLORIDA  
 IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

Case Number  
Division

Plaintiff,

v.

Defendant.

\_\_\_\_\_ /

**ORDER REFERRING CASE TO ARBITRATION**  
**(Single Arbitrator)**

THE COURT  sua sponte/  upon the motion of a party, hereby refers the above captioned matter to non-binding arbitration as authorized by statute and rules of procedure. It is ORDERED as follows:

1. The parties shall within fifteen (15) days of the date of this order select an arbitrator from those individuals authorized to conduct arbitrations for this County/Circuit. The parties shall file the original joint notice of the name, address, and telephone number of the selected arbitrator with the Court Mediation and Arbitration Program, Room 565, Broward County Courthouse, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301.
2. If the parties cannot agree, the Court appoints the following arbitrator:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

3. The parties shall provide the arbitrator with a copy of the Order Referring Case to Arbitration.
4. The first arbitration hearing shall be held within sixty (60) days of this order in Broward County, Florida.

5. The arbitrator within thirty (30) days of this order shall notify the parties of the date, time and place of the arbitration hearing. The form Notice of Arbitration Hearing is attached and all terms are incorporated by reference into this order.
6. If there is lack of cooperation and/or a failure to meet the time limits imposed by this order, the arbitrator shall file a Notice of Non-Compliance and shall serve same upon counsel for each party and all pro se litigants with a courtesy copy to the undersigned judge and the Court Mediation and Arbitration Program.
7. The arbitrator shall complete the Arbitrator Statistical Summary Form and return it to the Court Mediation and Arbitration Program within twenty (20) days after the time for filing any motions directed to the written decision has expired.

DONE AND ORDERED in chambers at Fort Lauderdale, Broward County, Florida on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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County Judge/Circuit Judge

Copies furnished:

Counsel of Record

Parties of Record

Court Mediation and Arbitration Program, Room 565, Broward County Courthouse, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301

If you are a person with a disability who needs any accommodation in order to participate in this proceeding at the Broward County Courthouse, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Court Administrator's ADA coordinator, Cheryl Anderson, 201 S.E. Sixth Street, Room 470, Fort Lauderdale, FL 33301, at (954) 831-7721, within two (2) working days of your receipt of this order. If you are hearing or voice impaired, call 711.

IN THE COUNTY COURT IN AND FOR BROWARD COUNTY, FLORIDA  
 IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

Case Number  
Division

Plaintiff,

v.

Defendant.

\_\_\_\_\_ /

**ARBITRATOR ACCEPTANCE FORM  
(Single Arbitrator)**

**In accordance with Order Appointing Arbitrator:**

- ( ) The undersigned parties hereby agree to the arbitrator(s) assigned by the Judge.
- ( ) The undersigned parties **did not agree on the selection** of an arbitrator(s) selected by the Judge. Within fifteen (15) days of the signed Order, they have selected the following arbitrator:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

\_\_\_\_\_  
Attorney for Plaintiff/Plaintiff's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney for Defendant/Defendant's Signature

\_\_\_\_\_  
Date

**PLEASE RETURN ORIGINAL TO:**

Court Mediation and Arbitration Program, Room 565, Broward County Courthouse,  
201 S. E. 6th Street, Ft. Lauderdale, Fl. 33301  
Tel. (954) 831-6313 Fax: (954) 831-6079

IN THE COUNTY COURT IN AND FOR BROWARD COUNTY, FLORIDA  
 IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Case Number  
Division

Plaintiff,

v.

Defendant.

\_\_\_\_\_ /

**NOTICE OF ARBITRATION HEARING  
(Single Arbitrator)**

You are hereby notified that the court ordered arbitration in this matter shall take place as follows:

Name of Arbitrator \_\_\_\_\_

Address of Arbitration \_\_\_\_\_

Date of Arbitration \_\_\_\_\_

Time of Arbitration \_\_\_\_\_

ARBITRATION PROCEDURES

1. The parties and arbitrator shall comply with Florida Rules of Civil Procedure 1.700, 1.800, 1.810, and 1.820.
2. The parties and arbitrator shall comply with §44.103, Fla. Stat.
3. The arbitrator shall be compensated in an amount not to exceed \$1,500.00 per day, unless otherwise agreed to by the parties and arbitrator. The parties shall equally be responsible for the arbitrator's compensation.
4. A minimum fee of \$175.00 shall be paid to the arbitrator ten (10) days prior to the commencement of arbitration. The parties shall equally be responsible for the arbitrator's minimum compensation.
5. Any compensation due the arbitrator upon conclusion of the hearing shall be equally paid by the parties.
6. The arbitrator shall have the power to administer oaths or affirmations and conduct the arbitration proceedings.
7. Individual parties or authorized representatives of corporate parties shall attend the arbitration hearing, unless excused in advance for good cause by the arbitrator. If a

party, an authorized representative of corporate parties, or an attorney for any party fails to attend an arbitration hearing, the arbitrator may proceed with the hearing and enter his or her written decision.

8. When the parties, attorneys, and witnesses are at the hearing, the arbitrator shall make all decisions with regard to the proceedings.
9. The arbitration hearing shall be conducted as follows:
  - a. each party will present an opening statement;
  - b. each party will present evidence or testimony;
  - c. each party will present a final summation.
10. The arbitrator in his or her decision shall indicate which party prevailed on each claim, counter-claim, or cross-claim. The arbitrator's decision shall also indicate if a party is required to pay costs or attorney's fees, as applicable, and the amount of the fees and costs to be awarded.
11. The arbitrator shall file his or her decision and the original of any transcripts with the Clerk of Court in a sealed envelope and on the face of the envelope indicate the contents are exempt from public access pursuant to Florida Rule of Civil Procedure 1.820(g)(3).
12. Florida Rules of Civil Procedure 1.080 and 1.090 shall govern the manner in which the arbitrator shall serve his or her decision upon the parties and the time by which the parties must file any motions directed to the decision. A copy of any motion directed to the decision shall also be served upon the arbitrator.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by  
 hand delivery/ mail/ telecopier and mail upon

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ on  
\_\_\_\_\_, 20\_\_\_\_.

Signature of Arbitrator \_\_\_\_\_

Printed Name of Arbitrator \_\_\_\_\_

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact \_\_\_\_\_ [name of coordinator for arbitrator] ADA coordinator, \_\_\_\_\_ [address of coordinator for arbitrator] at \_\_\_\_\_ [telephone number of coordinator for arbitrator], within two (2) working days of your receipt of this Notice for Court Ordered Arbitration; if you are hearing or voice impaired, call 711.**

IN THE COUNTY COURT IN AND FOR BROWARD COUNTY, FLORIDA  
 IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

Case Number  
Division

Plaintiff,

v.

Defendant.

\_\_\_\_\_ /

**ORDER REFERRING CASE TO ARBITRATION**  
**(Panel Arbitration)**

THE COURT  sua sponte /  upon the motion of a party, hereby refers the above captioned matter to a non-binding arbitration panel as authorized by statute and rules of procedure. It is ORDERED as follows:

1. The plaintiff and defendant shall within fifteen (15) days of the date of this order each select an arbitrator from those individuals authorized to conduct arbitrations for this County/Circuit. The arbitrators selected by the parties shall select a third arbitrator from those individuals authorized to conduct arbitrations for this County/Circuit who shall serve as the chief arbitrator.
2. The parties shall file the original joint notice of the names, addresses, and telephone numbers of the selected arbitrators on the panel with the Court Mediation and Arbitration Program, Room 565, Broward County Courthouse, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301.
3. If the parties cannot agree, the Court appoints the following arbitrators:

Name \_\_\_\_\_  
Chief Arbitrator  
Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
Telephone Number \_\_\_\_\_

4. The parties shall provide the arbitrators with a copy of the Order Referring Case to Arbitration.
5. The first arbitration hearing shall be held within sixty (60) days of this order in Broward County, Florida.
6. The chief arbitrator within thirty (30) days of this order shall notify the parties of the date, time and place of the arbitration hearing. The form Notice of Arbitration Hearing is attached and all terms are incorporated by reference into this order.
7. If there is lack of cooperation and/or a failure to meet the time limits imposed by this order, the chief arbitrator shall file a Notice of Non-Compliance and shall serve same upon counsel for each party and all pro se litigants with a courtesy copy to the undersigned judge and the Court Mediation and Arbitration Program.
8. The chief arbitrator shall complete the Arbitrator Statistical Summary Form and return it to Court Mediation and Arbitration Program within twenty (20) days after the time for filing any motions directed to the written decision has expired.

DONE AND ORDERED in chambers at Fort Lauderdale, Broward County, Florida on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Judge/Circuit Judge

Copies furnished:

Counsel of Record/Parties of Record

Court Mediation and Arbitration Program, Room 565, Broward County Courthouse, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301

If you are a person with a disability who needs any accommodation in order to participate in this proceeding at the Broward County Courthouse, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Court Administrator's ADA coordinator, Cheryl Anderson, 201 S.E. Sixth Street, Room 470, Fort Lauderdale, FL 33301, at (954) 831-7721, within two (2) working days of your receipt of this Order. If you are hearing or voice impaired, call 711.

IN THE COUNTY COURT IN AND FOR BROWARD COUNTY, FLORIDA  
 IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

Case Number  
Division

Plaintiff,

v.

Defendant.

\_\_\_\_\_ /

**ARBITRATOR ACCEPTANCE FORM  
(Panel Arbitration)**

**In accordance with Order Appointing Arbitrator:**

( ) The undersigned parties hereby agree to the arbitrators assigned by the Judge.

( ) The undersigned parties **did not agree on the selection** of an arbitrators selected by the Judge. Within fifteen (15) days of the signed Order, they have selected the following arbitrators:

Name, Chief Arbitrator

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

Telephone Number

\_\_\_\_\_

Name

\_\_\_\_\_

Address

\_\_\_\_\_

\_\_\_\_\_

Telephone Number

\_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

\_\_\_\_\_  
Attorney for Plaintiff/Plaintiff's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney for Defendant/Defendant's Signature

\_\_\_\_\_  
Date

**PLEASE RETURN ORIGINAL TO:**

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201 S. E. 6th Street, Ft. Lauderdale, Fl. 33301

Tel. (954) 831-6313 Fax: (954) 831-6079

IN THE COUNTY COURT IN AND FOR BROWARD COUNTY, FLORIDA  
 IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Case Number  
Division

Plaintiff,

v.

Defendant.

\_\_\_\_\_ /

**NOTICE OF ARBITRATION HEARING  
(Panel Arbitration)**

You are hereby notified that the court-ordered arbitration in this matter shall take place as follows:

Name of Chief Arbitrator \_\_\_\_\_  
Name of Arbitrator \_\_\_\_\_  
Name of Arbitrator \_\_\_\_\_  
Address of Arbitration \_\_\_\_\_  
\_\_\_\_\_  
Date of Arbitration \_\_\_\_\_  
Time of Arbitration \_\_\_\_\_

ARBITRATION PROCEDURES

1. The parties and arbitrators shall comply with Florida Rules of Civil Procedure 1.700, 1.800, 1.810, and 1.820.
2. The parties and arbitrators shall comply with §44.103, Fla. Stat.
3. Each arbitrator shall be compensated in an amount not to exceed \$1,500.00 per day, unless otherwise agreed to by the parties and arbitrators. The parties shall equally be responsible for the arbitrators's compensation.
4. A minimum fee of \$175.00 shall be paid to each arbitrator ten (10) days prior to the commencement of arbitration. The parties shall equally be responsible for the arbitrators minimum compensation.
5. Any compensation due the arbitrators upon conclusion of the hearing shall be equally paid by the parties.
6. The arbitrators shall have the power to administer oaths or affirmations and conduct the arbitration proceedings.

7. Individual parties or authorized representatives of corporate parties shall attend the arbitration hearing, unless excused in advance for good cause by the chief arbitrator. If a party, an authorized representative of corporate parties, or an attorney for any party fails to attend an arbitration hearing, the arbitrators may proceed with the hearing and enter their written decision.
8. When the parties, attorneys, and witnesses are at the hearing, the arbitrators shall make all decisions with regard to the proceedings.
9. The arbitration hearing shall be conducted as follows:
  - a. each party will present an opening statement;
  - b. each party will present evidence or testimony;
  - c. each party will present a final summation.
10. The arbitrators in their decision shall indicate which party prevailed on each claim, counter-claim, or cross-claim. The arbitrators's decision shall also indicate if a party is required to pay costs or attorney's fees, as applicable, and the amount of the fees and costs to be awarded.
11. The chief arbitrators shall file the decision and the original of any transcripts with the Clerk of Court in a sealed envelope and on the face of the envelope indicate the contents are exempt from public access pursuant to Florida Rule of Civil Procedure 1.820(g)(3).
12. Florida Rules of Civil Procedure 1.080 and 1.090 shall govern the manner in which the chief arbitrator shall serve the decision upon the parties and the time by which the parties must file any motions directed to the decision. A copy of any motion directed to the decision shall also be served upon the arbitrators.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by  
 hand delivery/ mail/ telecopier and mail upon \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ on \_\_\_\_\_  
 \_\_\_\_\_, 20\_\_\_\_.

Signature of Arbitrator \_\_\_\_\_

Printed Name of Arbitrator \_\_\_\_\_

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**ARBITRATION STATISTICAL SUMMARY**

Style of Case \_\_\_\_\_

Case Number \_\_\_\_\_

Judge \_\_\_\_\_  Circuit  County

Date of Arbitration \_\_\_\_\_

Number of Hearing(s) \_\_\_\_\_

Hours \_\_\_\_\_

Total Charges \_\_\_\_\_

Type of Case  
(Primary basis for  
lawsuit)

- Consumer
- Contract
- Eminent Domain
- Employment
- Malpractice
- PIP
- Personal Injury
- Products Liability
- Property Damage
- Real Property/Mortgage Foreclosure
- Other (please  
indicate)\_\_\_\_\_

A party to the arbitration filed a motion seeking a trial de novo after no later than twenty (20) days after the final decision was served?  Yes  No

Signature of Arbitrator \_\_\_\_\_

Printed Name of Arbitrator \_\_\_\_\_

Date \_\_\_\_\_

**RETURN TO:**

Court Mediation and Arbitration Program, Room 565, Broward County Courthouse,  
201 S. E. 6th Street, Ft. Lauderdale, Florida 33301

Tel: (954) 831-6313 Fax: (954) 831-6079