

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

Case Number FMCE
Division

Petitioner,

and

Respondent.

ORDER OF REFERRAL TO FAMILY MEDIATION
(Court Mediation and Arbitration Program)

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

A. Appointment of Mediator

1. **Private Mediation**

- a. The parties shall within ten (10) days of entry of this Order submit a stipulation with an order designating the mediator to the undersigned judge. The parties shall provide a copy of the stipulation and order to Court Administration's Court Mediation and Arbitration Program at Room 19150, Broward County Courthouse, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301.
- b. If the parties fail to submit a stipulation with an order designating the mediator, the Court orders the following:

Court Administration's Court Mediation and Arbitration Program to select a mediator by rotation and provide the name, address, and telephone number of the mediator to the parties.

appoints as mediator

Name: _____

Address: _____

Telephone: _____

- c. If the mediator stipulated to by the parties or appointed by the court cannot serve, the parties shall either submit a stipulation with an order designating a substitute mediator or advise the court so that a substitute mediator can be appointed by the court.
- d. Fees for Private Mediation. The private mediator shall be entitled to compensation at the rate of \$_____ per hour subject to any written agreement entered into between the parties and mediator. If any party objects to the mediator's fee, the party shall file an objection as required by the Florida Family Law Rules of Procedure. If the parties do not

object to the mediator's fees, the parties shall pay the total fee for mediation as follows: _____% Petitioner and _____% Respondent, unless otherwise agreed to by the parties.

2. **State Subsidized Mediation.** The parties are ordered to Court Administration's Court Mediation and Arbitration Program located in Room 19150, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301. If the petitioner's last name begins with **A - I** call (954) 831-6313. If the petitioner's last name begins with **J - Z** call (954) 831-6088.

a. Fees for State Subsidized Mediation

Each party to the action shall pay \$60.00 per mediation conference when the parties' combined income is less than \$50,000.00. The total mediation fee is \$120.00.

Each party to the action shall pay \$120.00 per mediation conference when the parties' combined income is greater than \$50,000.00 and less than \$100,000.00. The total mediation fee is \$240.00.

The parties shall pay the total fee for mediation as follows: _____% Petitioner and _____% Respondent, unless otherwise agreed to by the parties. (If the foregoing percentages are not filled in, then the petitioner and respondent shall each be responsible for 50% of said fee.)

b. The mediation conference fee shall be paid to the Clerk of the Courts prior to mediation taking place. **No refund of the mediation fee will be paid to any party after payment is received by the Clerk of Court.**

c. The scheduled mediation conference may be cancelled only if there is a settlement of the issues that were referred to mediation which is reduced to writing and signed or by agreement of both parties. The mediation conference is set for a maximum of three (3) hours. For each additional session, if needed by the parties, the parties shall pay the same amount charged for the prior session.

3. **Indigent Mediation Services.** If a party was declared **indigent by the Clerk of the Courts**, that party is not required to pay for the mediation conference. The parties are referred to Court Administration's Court Mediation and Arbitration Program located in Room 19150, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301. If the petitioner's last name begins with **A - I** call 954-831-6313. If the petitioner's last name begins with **J - Z** call 954-831-6088.

B. General Provisions Applicable to All Court Ordered Mediation

1. The judicial assistant shall furnish a copy of this Order to the Court Mediation and Arbitration Program, Room 19150, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301.
2. The parties are ordered to attend the mediation conference(s) at the office(s) designated for mediation purposes by the program.

3. The parties may present a brief written summary of the case to the mediator at least five (5) calendar days prior to the mediation conference. The summary may also include a list of issues that remain unresolved. If financial matters are at issue, an updated financial affidavit and compliance with Florida Family Law Rule of Procedure 12.285 is required.
4. If a settlement is reached, it shall be reduced to writing in the presence of the mediator and signed by all parties.
5. The conference(s) conducted pursuant to this Order is governed by the Mediation Confidentiality and Privilege Act.
6. Mediations as ordered are governed by the Florida Family Law Rules of Procedure and Chapter 44, Florida Statutes, as now in effect, or as may be amended from time to time.
7. The mediator shall complete the Mediator's Statistical Information Sheet and return it to Court Administration's Court Mediation and Arbitration Program within twenty (20) days after the final mediation conference.
8. All provisions of this Order may be enforced by contempt proceedings or other appropriate actions. The appearance of all parties is mandatory. The court shall have the power to impose sanctions against any party who does not attend the conference in accordance with Florida Family Law Rule of Procedure.
9. The provisions of this Order are subject to a hearing upon proper motion and notice concerning allegations of domestic violence.
10. Persons who require an interpreter must obtain those services at their own expense.
11. If the mediator is unavailable to complete mediation, he/she will immediately advise the parties and the court.
12. Unless otherwise ordered, mediation shall be completed prior to any scheduled hearing or calendar call. Mediation shall be completed within _____ days of this Order.
13. This Order supersedes any previous order of referral to mediation entered by this court.

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

Circuit Judge

Copies Furnished:
Counsel of Record / Parties of Record

Court Mediation and Arbitration Program, Room 19150, 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, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Diana Sobel, Room 20140, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301, 954-831-7721 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

If you are a person with a disability who needs any accommodation in order to participate in a private mediation conference, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the private mediator within two (2) working days of your receipt of this order. If you are hearing or voice impaired, call 711.