



CASE NO.:
DIVISION:

Plaintiff(s),
vs.

Defendant(s),

**ORDER REFERRING PARTIES TO COUNTY MEDIATION OF CIVIL ACTION
EXCLUDING SMALL CLAIMS JURISDICTION**

SI INTERPRETE ES NECESSARIO USTED LO TIENE QUE PROVEER

It appearing on the pleadings that the above-captioned case is a contested civil action within the County Court Jurisdiction excluding Small Claims Jurisdiction; It is hereby,

ORDERED that the parties are referred to mandatory mediation for resolution of this case, pursuant to Chapter 44.102, Florida Statutes, and Rule 1.700, Florida Rules of Civil Procedure.

The parties are referred to the County Civil Diversion Program

The court has further determined:

The parties shall pay a set fee for the mediation unless otherwise ordered.

Plaintiff/Defendant is/are unable to pay any portion of the mediation fee.

Moreover, the procedures set forth on the **reverse side** of this order are made in part of and incorporated into this order in reference, and all parties shall be bound by them as if fully set forth herein.

Failure to comply with the terms of this Order may result in involuntary dismissal, default judgment, or other sanctions as provided by law.

It is further **ORDERED AND ADJUDGED**:

That any orders in conflict herewith pertaining to County Mediation are hereby superseded by this order.

DONE AND ORDERED in Chambers in Tampa, Florida this _____ day of _____, _____.

Copies: Mediation & Diversion Services
Counsel for Parties:
Pro-Se Parties

MOREOVER,

1. The parties are referred to the County Civil Diversion Program; however, if the parties wish to select a private mediator to handle their case, then they shall contact the program within ten (10) days from the date of this order to provide the program with written notification of private mediation conference. A list of mediators certified for county mediation may be obtained at www.flcourts.org (search for mediator).

2. If it becomes necessary to reschedule a mediation conference, such rescheduling shall be initiated by the requesting party or his counsel contacting the opposing counsel or Pro-Se party and the Program (or mediator if Private mediation). The Program must be notified in writing of request to reschedule. Written request must include a statement of why the party is requesting to reschedule and also state whether or not the opposing side agrees to reschedule. If opposing party does not agree to reschedule, opposing party must provide the Program with a written objection. The Program will notify the parties of approved and non-approved request.

3. Plaintiff(s), or his counsel of record, must notify Mediation & Diversion Services, in writing of any settlement or dismissal of this action, other than a settlement arrived at during a court-ordered mediation conference, if the settlement or dismissal occurs before the mediation proceedings.

4. The fee for a County Civil Mediation through the program is **\$60.00** per party per session. The fee shall be collected prior to the mediation. Checks should be made payable to the Clerk of the Circuit Court. If payment is not paid prior to or at the time of the mediation the mediation will **NOT** take place.

The \$60.00 mediation fee must be paid prior to the mediation.

5. **IF A PARTY FAILS TO APPEAR AT A SCHEDULED MEDIATION, OR FAILS TO MAKE PAYMENT AT THE TIME OF THE MEDIATION, THE PARTY WILL BE BILLED FOR THE CANCELLED MEDIATION.**

6. When a private county mediator is selected, each party shall pay an equal share of the cost of the mediation conference, unless determined otherwise by the court, to be assessed at the rate of \$100.00 per hour for private county mediators unless a higher rate is stipulated by the parties. At each conference held pursuant to this order, each party shall remit payment in full to the mediator.

7. **All parties and attorneys are required to physically appear at the mediation conference**, unless another mode of appearance is stipulated by the parties or court-ordered, pursuant to Rule 1.720 (b).

8. **If a party requests to appear by telephone, all parties must agree and written evidence of such, along with written statement showing good cause why the party should not appear in person, must be furnished to the mediation program no later than ten days from the date of this order. If there is not consent from all parties, the party desiring to appear by telephone shall have ten days from the date of this order to file a motion requesting telephone appearance. Mediation Program must be notified in writing of motion hearing and result. Fax (813)-301-3706.**

All correspondence related to mediation of this case with the exception of motions to the court, shall be submitted to:

**Mediation & Diversion Services
George Edgecomb Courthouse
800 E. Twiggs Street Room 208
Tampa, Florida 33602
Phone: (813) 272-5642 Fax: (813) 301-3706**

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