

THE THIRTEENTH JUDICIAL CIRCUIT COURT FOR HILLSBOROUGH COUNTY, FLORIDA  
FAMILY DIVERSION

Petitioner,

CASE NO.:  
DIVISION:

and

Respondent.  
\_\_\_\_\_

**ORDER REFERRING PARTIES TO FAMILY MEDIATION**

It is appearing on the pleading the above-captioned case is a contested family action appropriate for mediation; it is hereby,

ORDERED that the parties are referred to mediation for resolution of this case, pursuant to Chapter 44, Florida statutes and Rule 1.700, Florida Rules of Civil Procedure. Issues to be addressed in mediation are \_\_\_\_\_

The parties are referred to:      \_\_\_ Private Mediator \_\_\_ Family Diversion Mediator

The court has further determined: (Check One)

- \_\_\_ 1. The parties shall share in the expense of mediation.
- \_\_\_ 2. The \_\_\_\_\_ is/are unable to pay any portion of the mediation fee.  
(Petitioner/Respondent/parties)
- \_\_\_ 3. The mediation fee and the administrative fee shall be waived due to the parties' financial status.

Attorney for Petitioner: \_\_\_\_\_ Attorney for Respondent:

If not represented please provide:

Petitioner's Address \_\_\_\_\_ Respondent's Address:

**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.

**All** correspondence related to mediation of this case with the exception of motions to the court, shall be submitted to Mediation & Diversion Services.

It is further ORDERED AND ADJUDGED:

That any orders in conflict herewith pertaining to Family Mediation are hereby superseded by this order.

DONE AND ORDERED in Chambers in Tampa, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

Copies:           Both Parties  
                    Mediation & Diversion Services, 800 E. Twiggs Street., Room 208, Tampa, Fl. 33602  
                    Counsel for the parties

MOREOVER,

1. The parties shall have ten (10) days from the date of this order to select a mediator and schedule a date and time for a mediation conference. A list of mediators certified for family mediation may be obtained by contacting Mediation & Diversion Services.

Petitioner's counsel is appointed lead counsel for purposes of notifying Mediation & Diversion services of the mediator selected and the proposed date and time of mediation. If Family Diversion is selected to mediate, petitioner's counsel shall contact the Program office to schedule the appointment. Both parties must agree to mediate prior to scheduling. Mediation & Diversion Services shall prepare and send a Notice Of Mediation Conference. If necessary, staff shall reserve a conference room.

2. (a) If Mediation and Diversion Services is not notified within ten (10) days of the date of this order the case will be closed and the outcome form will be filed the court file indicating the parties did not contact the Program office.

(b) If it becomes necessary to reschedule a mediation conference, such rescheduling shall be initiated by the party's counsel requesting the rescheduling with opposing counsel and the mediator. The Program must be notified by counsel initiating the rescheduling of the new date and time so that notices may be prepared.

3. Petitioner, 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, whether the settlement or dismissal occurs before or after the mediation proceedings.

4. When Family Diversion is selected, each party shall be assessed a fee based upon the total gross annual income of the parties. The parties will furnish proof of income at the time of the mediation conference in the form of a pay check stub, the previous year's income tax return, W-2, or family law financial affidavit. If the total gross income for the parties together is \$50,000 or less, each party shall pay a mediation fee of **\$60.00**. If the total gross income for the parties exceeds \$50,000, each party shall pay a mediation fee of **\$120.00**. If a party does not furnish proof of income, a fee of **\$120.00** will be charged to each party. If payment is not made at the time of the mediation, the mediation will not take place. **IF A PARTY FAILS TO APPEAR AT A SCHEDULED MEDIATION, OR FAILS TO MAKE PAYMENT AT THE TIME OF THE MEDIATION, OR FAILS TO GIVE AT LEAST 24 HOURS PRIOR WRITTEN NOTICE (NOT COUNTING WEEKENDS OR COURT HOLIDAYS) TO FAMILY DIVERSION OF CANCELLATION OF A MEDIATION SESSION, THE PARTY WILL BE BILLED FOR THE CANCELLED MEDIATION.** When a private state certified mediator is selected each party shall pay an equal share of the cost of the mediation conference, unless determined otherwise by the court. If the mediation conference lasts one hour or less, there shall be a one-hour minimum charge assessed pro rata among the parties. Each party shall remit payment in full to the private mediator at the end of each conference.

**Checks should be made payable to The Clerk of the Circuit Court.**

**Mediation & Diversion Services  
800 E Twiggs Street, Room 208  
Tampa, FL 33602  
Phone 813-272-5642 Fax 813-301-3705**

**Upon motion or request of a party, a court shall not refer any case to mediation if it finds there has been a history of domestic violence that would compromise the mediation process. In such circumstances, contact the Mediation & Diversion Services office at the above address.**

**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 Mediation & Diversion Services at the address shown above. If you are hearing or voice impaired, call 1-800-955-8770.**