

IN RE:

Petitioner,

and

Respondent.

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT, IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

FAMILY DIVISION

Case No.:

Section:

ORDER OF REFERRAL TO MEDIATION

TYPE OF MEDIATION:

_____ All Case Issues _____ Parenting Plan or Children's Issues only

_____ Injunction or history of domestic violence exists between the parties and they may proceed with mediation.

Pursuant to Chapter 44 of the Florida Statutes, Rules 12.740-12.741 of the Florida Family Law Rules of Procedure, and the current Administrative Order governing procedures for mediation, the above styled cause is hereby referred to mediation:

1. Within () **business** days of this Order of Referral, the parties may mutually agree upon the designation of any Mediator of their choice and shall attend mediation within () **business** days. If able to agree on a mediator, the petitioner shall, within the time period set forth above, file with the Clerk of Court, and serve upon the respondent and the Mediation Division of the 11th Judicial Circuit (address: 155 NW 3rd Street, Room 4330, Miami, Florida 33128; telephone (305) 679-1640; Fax (305) 679-1644) a Notice of Stipulation of Mediator which shall identify the name, address, and telephone number of the mediator. Upon filing the Notice of Stipulation of Mediator, said mediator shall be deemed designated to mediate without further court order.

2. In the event the parties are unable to agree upon the selection of a mediator within the above specified period, the petitioner shall make a Request for Appointment of Mediator from the Mediation Division within five days thereafter, requesting said Division to select the next available mediator. Said Request for Appointment of Mediator shall be filed with the Clerk of the Court and copies shall be accompanied by a sufficient number of stamped addressed envelopes in order for the Division to serve a Notice of Designation of Mediator upon the parties and the selected mediator.

3. Within the times periods set forth above, if the parties are unable to either select their own mediator in accordance with Paragraph One (1) above, and the parties have made the required Request for Appointment in accordance with Paragraph two (2) above:

_____ a) The Division shall select the next available mediator from the rotating list of certified mediators (Parties joint income exceeds two hundred thousand dollars, [\$200,000], annually.) for the above-indicated type of mediation

or

_____ b) The Court's in-house mediation division is hereby appointed as mediator in this case for the above-indicated type of mediation

Case No.:

The parties shall be responsible for the payment of fees in accordance with the fee schedule provided in Paragraph 4 herein. Please contact: Mediation Division, Dade County Courthouse, 73 West Flagler St. Room 1801, Miami Florida 33128, Tel (305) 349-7344, Fax (305) 349-7342. Coordinators may be contacted through mediationdivision@jud11.flcourts.org to schedule your mediation. **Subject line should include: Appointment Request and the Case Number.**

4. Mediation Fees: (Please mark one box per Petitioner and Respondent pursuant to income)

☐ Petitioner ☐ Respondent determined to be indigent by the Clerk of Court and shall not be assessed fees for mediation.

☐ Petitioner ☐ Respondent has an Individual income of less than fifty thousand \$50,000 a year and shall pay \$60.00 per session (non-indigent party).

☐ Petitioner ☐ Respondent has an Individual income of greater than fifty thousand dollars (\$50,000) per year, but less than one hundred thousand dollars per year (\$100,000), and shall pay \$120.00 per session (non-indigent party).

5. Payments for mediation session must be made in advance of the session. Parties will not be permitted to mediate unless payment has been made.

6. The parties and designated mediator are ordered and directed to proceed with mediation in accordance with the Family Law Rules of Procedure. If any of the parties or attorneys fails to appear or otherwise comply with the obligations set forth herein to ensure that mediation is accomplished expeditiously, the court may, on its own motion or on motion of any party, dismiss the case, strike pleadings, enter a default, remove the case from the trial calendar, or impose any other sanctions that it may deem appropriate under the circumstances.

DONE AND ORDERED in Miami-Dade County, Florida, on this _____ day of _____, 2021.

CIRCUIT COURT JUDGE LAURA SHEARON CRUZ

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 the Eleventh Judicial Circuit Court's ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave., Suite 2702, Miami, FL 33128, Telephone (305) 349-7175; TDD (305) 349-7174, Fax (305) 349-7355 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.