

IN THE CIRCUIT COURT OF THE 19TH JUDICIAL CIRCUIT
IN AND FOR ST LUCIE COUNTY, FLORIDA

IN RE: THE FORMER MARRIAGE OF

CASE NO.: 56

Petitioner,

and

Respondent.

ORDER OF REFERRAL TO FAMILY MEDIATION PROGRAM

THIS CAUSE having come before this court and the court having reviewed the file and being duly advised in the premises finds and orders as follows:

A. APPOINTMENT AND SCHEDULING OF MEDIATION

1. The parties are ordered to mediation through the Court's Family Mediation Program. THE PARTIES SHALL IMMEDIATELY CONTACT THE FAMILY MEDIATION PROGRAM TO SCHEDULE A MEDIATION CONFERENCE. (772-807-4370). Through this Order the mediator is authorized to address all issues currently pending before the court.

2. Based upon the financial affidavits filed in this case and/or other evidence presented, the court determines the following:

The parties' combined annual gross income is \$50,000 or less. **The petitioner shall pay \$60.00 and the respondent shall pay \$ 60.00, for one (1), two (2) hour session of mediation. Either party may file necessary indigence paperwork with the Court.**

The parties' combined annual gross income is more than \$50,000 but less than \$100,000. **The petitioner shall pay \$ 120.00 and the respondent shall pay \$120.00, for one (1), two (2) hour session of mediation.**

3. Once the mediation session is scheduled the Family Mediation Program will send a **Notice of Mediation** to both parties (or their lawyers) with the name of the mediator, and the date, time, and location of the mediation session.

4. Mediation shall be completed within **sixty (60)** days of the date of this order. If the mediator is unavailable to complete the mediation, he/she shall immediately advise the parties and the court.

B. GENERAL PROVISIONS

1. Parties ordered to mediation with the Family Mediation Program, other than those certified by the Clerk of Court as indigent, are required to prepay the fee for the mediation session(s). **PAYMENT MUST BE MADE BEFORE THE MEDIATION AND YOU MUST BRING A COPY OF YOUR RECEIPT TO THE MEDIATION CONFERENCE.** All mediation fees shall be paid **IN ADVANCE** at the Clerk of the Circuit Court, St. Lucie County 201 S. Indian River Drive, Fort Pierce, Florida, 34950 or at South County Annex, 250 NW County Club Drive, Port St. Lucie, Florida 34986. Payment may be made only by **CASH, MONEY ORDER, OR CASHIER'S CHECK** made payable to the "**Clerk of Court**". Please bring a copy of this order with you so the Clerk can credit the correct case and bring your receipt to the mediation conference. The fee, and each party's individual responsibility for the fee, as more specifically set forth in paragraph A (2) above, is to pay for one (1), two (2) hour session of mediation.

2. A mediation conference scheduled through the Family Mediation Program may not be canceled or continued without approval of the Family Mediation Program or the referring Court. If a party fails to attend the mediation conference, they shall be responsible for the total cost of mediation (both their cost and the other side's cost). If, within two (2) business days of the scheduled mediation conference, a party request that the mediation be continued and the request is granted, then the party requesting the continuance shall be solely responsible for the total fee for mediation (both their mediation fee and the fee of the other party).

3. The mediation sessions scheduled by the Family Mediation Program are a maximum of two (2) hours in length. If additional mediation time is necessary it will be scheduled in a two (2) hour block and each party will be responsible to pre-pay the Clerk of Court for this additional session. The parties shall pay the same amounts as set forth in paragraph A(2) above, for this additional session of mediation.

4. The parties are ordered to attend the mediation conferences at the date, place and time as set forth in the **Notice of Mediation**. 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 rule 12.741(b)(2), Florida Family Rules of Procedure.

5. If financial matters are at issue, an updated financial affidavit in compliance with Rule 12.902(b) or (c), Florida Family Law Rule of Procedure, **MUST** be brought to the mediation session.

6. If a settlement or partial settlement is reached, it shall be reduced to writing in the presence of the mediator, signed by all parties and their counsel, if present, and submitted to the court within ten (10) calendar days of the completion of the settlement.

7. Pursuant to Section 44.405(1) and 61.183(3), Florida Statutes, all oral or written communications relating to the mediation proceedings shall be confidential and privileged and may not be disclosed without consent of all parties to the proceeding. The requirement for confidentiality commences with the date of this Order.

8. If there are significant domestic violence issues between the parties, either party may object to this Order of Referral to Family Mediation Program through proper motion, notice and hearing

pursuant to Florida Statute 44.102(2)(c).

9. 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 Lisa Jaramillo, 250 NW Country Club Drive, Suite 217, Port St. Lucie, FL 34986, (772) 807-4370 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.

10. Persons who require an interpreter must obtain those services at their own expense.

DONE AND ORDERED at Fort Pierce, St. Lucie County, Florida, on Click or tap to enter a date.

MICHAEL C. HEISEY
Circuit Judge

cc:

Family Mediation Program: adr@circuit19.org; DeLaTejeraM@circuit19.org