

FOURTEENTH JUDICIAL CIRCUIT
Calhoun, Gulf, Holmes, Jackson,
& Washington Counties

FAMILY LAW
LEGAL ASSISTANT'S HANDBOOK



2014
(Revised on July 1, 2014)

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INTRODUCTION

This handbook was developed to assist local legal assistants and other staff members in family law practices with the locally approved processes and procedures as they relate to the family law division. Additionally, our hope is that the handbook will also serve as a guide for paralegals who have recently entered the field of family law. The handbook is updated from time to time and our goal is to maintain an updated version on the Fourteenth Judicial Circuit's website at www.jud14.flcourts.org.

Your suggestions to improve or expand the workbook are always welcome. All suggestions can be submitted to the office of the Family Court Manager, Room 312, Bay County Courthouse, 300 East 4th Street, Panama City, FL 32401 or via email at hollandd@jud14.flcourts.org.

FAMILY LAW JUDGES



BAY COUNTY

Judge John L. Fishel, II (Family Law Division A – 33% of family law cases)

Judicial Assistant – Judy Reese

Email: reesej@jud14.flcourts.org

Phone: 850 - 747-5320

Fax: 850 - 914-6454

Address: Bay County Juvenile Justice Courthouse
533 E. 11th Street
Panama City, FL 32401

Judge Peter A. Mallory (Family Law Division N – 67% of family law cases)

Judicial Assistant – Kim Gibson

Email: gibsonk@jud14.flcourts.org

Phone: 850-747-5322

Fax: 850-747-5159

Address: Bay County Courthouse
300 E. 4th Street
Panama City, FL 32401

Judge Allen L. Register

Judicial Assistant – Patty Kelley

Email: kelleyp@jud14.flcourts.org

Phone: 850-747-5341

Fax: 850-914-6454

Address: Bay County Juvenile Justice Courthouse
533 E. 11th Street
Panama City, FL 32401

Assignment: Delinquency, Drug Court, Domestic Violence, and 50% of Shelter and Juvenile Detention hearings.

Judge Brantley S. Clark, Jr.

Judicial Assistant – Frankie Hall

Email: hallf@jud14.flcourts.org

Phone: 850-747-5318

Fax: 850-747-5159

Address: Bay County Courthouse
300 E. 4th Street
Panama City, FL 32401

Assignment: Dependency, Contested and Non-Title IV-D Child Support, and 50% of Shelter and Juvenile Detention hearings. In addition, he hears 25% of Bay County Circuit Criminal Cases (Division B).

CALHOUN COUNTY

Judge Allen L. Register

Judicial Assistant – Patty Kelley

Email: kelleyp@jud14.flcourts.org

Phone: 850-674-5442

Fax: 850-674-6167

Address: Calhoun County Courthouse
20859 East Central Avenue
Blountstown, FL 32424

Assignment: 100% of Circuit Court proceedings.

GULF COUNTY

Judge John L. Fishel, II

Judicial Assistant – Judy Reese

Email: reesej@jud14.flcourts.org

Phone: 850-227-1117

Fax: 850-227-1986

Address: Gulf County Courthouse
1000 Cecil G. Costin Sr. Blvd.
Port St. Joe, FL 32456

Assignment: 100% of Circuit Court proceedings.

HOLMES COUNTY

Judge Christopher N. Patterson

Judicial Assistant – Denise Hendrix

Email: hendrixd@jud14.flcourts.org

Phone: 850-547-1106

Fax: 850-547-0679

Address: Holmes County Courthouse
201 N. Oklahoma Street
Bonifay, FL 32425

Assignment: 100% of Circuit Court proceedings.

JACKSON COUNTY

Judge Shonna Young Gay

Judicial Assistant – Wendy Strickland

Email: stricklandw@jud14.flcourts.org

Phone: 850-482-9659

Fax: 850-482-9123

Address: Jackson County Courthouse
4445 Lafayette Street
Marianna, FL 32446

Assignment: Circuit Civil, Domestic Relations, Probate, Guardianship, and Jimmy Ryce proceedings. She also hears 50% of Domestic Violence, Mental Health, and Shelter hearings.

WASHINGTON COUNTY

Judge Christopher N. Patterson

Judicial Assistant – Denise Hendrix

Email: hendrixd@jud14.flcourts.org

Phone: 850-638-6255

Fax: 850-638-6359

Address: P.O. Box 647 (Washington Co. Courthouse is closed until further notice)
Chipley, FL 32428

Assignment: 100% of Circuit Court proceedings.

GENERAL MAGISTRATES

David C. Johnson (Calhoun, Holmes, Jackson, & Washington Counties)

Administrative Assistant: Susan Petrosino

Email: petrosinos@jud14.flcourts.org

Phone: 850-747-5255

Fax: 850-747-5513

Address: Bay County Juvenile Justice Courthouse
533 E. 11th Street
Panama City, FL 32401

Office: Magistrate Johnson's office is located on the Second Floor of the Jackson County Courthouse.

Assignment: Family Law, Dependency, Foreclosure, Truancy, and other hearings as requested by Judges.

Magistrate Johnson is available to hear Family Law cases in Bay County in the event Magistrate Lord has a conflict of interest.

Shannon C. Lord (Bay & Gulf Counties)

Administrative Assistant: Susan Petrosino

Email: petrosinos@jud14.flcourts.org

Phone: 850-747-5255

Fax: 850-747-5513

Address: Bay County Juvenile Justice Courthouse
533 E. 11th Street
Panama City, FL 32401

Office: Magistrate Lord's office is located on the First Floor of the Bay County Juvenile Justice Courthouse.

Assignment: Family Law, Baker Acts, Marchman Acts, Truancy, & Dependency hearings in Bay County. Also, Family Law, Foreclosures, and Dependency hearings in Gulf County.

Please note all foreclosure cases (for either Magistrate) should be scheduled through the Foreclosure Unit by emailing foreclosure@jud14.flcourts.org.

GENERALLY SPEAKING, the General Magistrate is an attorney appointed by the Chief Circuit Judge to hear certain types of cases and make findings based upon the evidence presented. The findings are reduced to writing in a "Report and Recommendation". This report is the General Magistrate's suggestion for a ruling

in a particular case. If neither party files a timely Exception to the General Magistrate's Report and Recommendation, the Judge assigned to the case will review the Report and Recommendation and if he or she is in agreement with the findings, they will enter an order approving the Report and Recommendation.

IMPORTANT . . . Only certain type cases are automatically referred to the General Magistrate.

Family Law cases:

- 1) If both sides are pro se and it is a contested case.
- 2) If only one side is pro se and it is a contested case, although this may vary from Judge to Judge in the outer counties. **Please check with your assigned Judge's office to be certain.**

Other types of cases the Magistrate may hear:

- 1) Marchman Act petitions
- 2) Baker Act petitions
- 3) Judicial Reviews in Dependency actions
- 4) Foreclosures (outer counties only)

ORDER OF REFERRAL TO GENERAL MAGISTRATE – The Order of Referral is prepared by the attorney requesting hearing time before the Magistrate. Once the Order of Referral is prepared, mail it along with two (2) addressed stamped envelopes to the assigned Judge's office and the Judicial Assistant will mail the signed Order to both attorneys/parties and provide a copy to the Magistrate's Assistant via email.

If either party does not want their case to be heard by the Magistrate, the parties have 10 days from the date of the Order of Referral is signed to file an **OBJECTION TO ORDER OF REFERRAL TO THE MAGISTRATE** (the rules provide for an additional five days for mailing, so it's actually 15 days).

OBJECTION TO ORDER OF REFERRAL – If an objection is filed, please ensure the Judge's JA receives a copy of the objection. If a timely objection is filed, the case will be heard by the Judge assigned to the case. If an objection is not timely filed, the case will continue to be heard by the General Magistrate.

HEARINGS BEFORE THE GENERAL MAGISTRATE – Per the Rules of Family Law Procedure, the General Magistrate must record all hearings, therefore the proceeding will be recorded using CourtSmart technology or another digital recording device. However, the parties have the option to provide their own court reporter for any hearings held before the General Magistrate.

REPORTS & RECOMMENDATIONS vs. ORDERS – The General Magistrate CANNOT SIGN AN ORDER. If the Magistrate requests that an attorney prepare the Report & Recommendation for a hearing held before him or her, it must be in the format of a Report & Recommendation, not an Order. If it is prepared as an Order, then it will be sent back to the attorney for correction. The attorney will have 20 days in which to prepare the Report and Recommendation, distribute it to opposing counsel for review and submit to the Magistrate. Should the attorney incur a delay he or she should contact the Magistrate’s Assistant via email to inform her of the delay.

The attorney must submit the Report and Recommendation, a certificate of service page for the Report and Recommendation for the administrative assistant, and an Order on the Report and Recommendation. (See attached samples – Very Important). Along with the above documents, you should provide four self-addressed stamped envelopes (two for each party) for service of the R&R and the Order on the R&R, unless the assigned Judge prefers to e-serve Orders.

Key Points: The Report and Recommendation title should include a description of what was heard. It is important to remember to include the words “Final Judgment” in the title of the Order if the hearing was a final hearing. Please see *Norris v. Norris*, 28 So.3d 953 (Fla. 2nd DCA 2010).

Also, in the Order approving a Report and Recommendation for a Dissolution of Marriage where the wife is requesting restoration of her name or for a name change case, please include the name change in the actual Order on the Report and Recommendation.

Here are some examples of Report and Recommendation titles and the subsequent Orders for each Report and Recommendation.

REPORT AND RECOMMENDATION ON PETITIONER’S
MOTION FOR CIVIL CONTEMPT

ORDER ON REPORT AND RECOMMENDATION ON PETITIONER’S
MOTION FOR CIVIL CONTEMPT

REPORT AND RECOMMENDATION ON CASE MANAGEMENT
CONFERENCE HELD JANUARY 12, 2012

ORDER ON REPORT AND RECOMMENDATION ON
CASE MANAGEMENT CONFERENCE HELD JANUARY 12, 2012

REPORT AND RECOMMENDATION ON
PETITION FOR DISSOLUTION OF MARRIAGE

FINAL JUDGMENT AND ORDER ON REPORT AND RECOMMENDATION
ON PETITION FOR DISSOLUTION OF MARRIAGE

EXCEPTIONS TO THE REPORT & RECOMMENDATION: Upon receipt of the General Magistrate's Report & Recommendation, if either party believes the General Magistrate has improperly applied the law with his/her Report & Recommendation, they may file an Exception to the Report & Recommendation. The Exception should be clear and concise, and it should specifically state the exception(s) the moving party has regarding the Magistrate's Recommendations. The Exception must be filed no later than 10 days from the date the Report and Recommendation was signed by the Magistrate (the rules provide for an additional five days for mailing, so it's actually 15 days).

Upon filing the exception, a copy must be forwarded to the presiding Judge. Clerks have been asked to notify the Judge when an exception is filed; however to ensure your exception is reviewed timely please forward a copy to the Judge. If a hearing is ordered on the exception, it is typically scheduled 30-45 days from the date of filing the exception. The party who filed the exception is responsible for providing the court and the other party with transcripts of the hearing that occurred before the General Magistrate. The transcripts must be delivered to the Court **no later than 48 hours** prior to the exception hearing. The Judge assigned to the case will have the opportunity to review the transcripts and the Report & Recommendation prior to the exception hearing.

IMPORTANT: The reason the exception hearings are set so far out is to allow the moving party time to order the transcripts. If your attorney files the exception and knows that he or she can get the transcripts in a shorter period of time, please advise the Judicial Assistant and granted the Judge's calendar allows, the exception hearing can be scheduled sooner.

During the exception hearing, the parties are not allowed to bring forth new evidence. The exception hearing is **NOT** a rehearing. The court will only take testimony as to how the moving party believes the General Magistrate improperly applied the law. The opposing party will have an opportunity to respond. After an exception hearing the Judge could do one of the following:

- 1) Approve the General Magistrate's Report & Recommendation as originally written;
- 2) Approve the General Magistrate's Report & Recommendation in part and rule differently on part;

- 3) Change the ruling completely; or
- 4) Remand the matter back to the General Magistrate for a rehearing.

FAQ's regarding General Magistrate Procedures:

1. What if the case began with two pro se litigants or one pro se litigant and an attorney, the case was referred to the Magistrate, and neither party filed an objection; yet, now there are two attorneys or a new attorney who does not want to go before the Magistrate, and files an Objection to the Referral to the General Magistrate after the “timely filing” period has expired?

Answer: The “timely filing” period has expired, neither of the parties filed within that period; therefore **the case will remain with the General Magistrate.** If your attorney wanted to file a motion citing special circumstances, the Judge assigned to the case could review the matter and determine if he or she will take the case back.

2. What if my attorney wants his/her case to be heard by the General Magistrate and there is no referral in place?

Answer: Either party can file a Motion requesting a referral to the General Magistrate if the criteria of the case would not normally qualify for an automatic referral. These requests would be considered on a case-by-case basis. A form for this motion is available at www.flcourts.org.

3. Does the General Magistrate follow the same rules as the Judges when it involves mediation or parenting evaluations in contested cases?

Answer: YES! All contested family law cases are referred to mediation, either through an automatic referral process or via a case management conference held before the General Magistrate. The need for a parenting evaluator is determined on a case-by-case basis.

Attachments in this workbook include examples of a “Motion for Referral to General Magistrate”, “Order of Referral to the General Magistrate”, “Notice of Hearing before a General Magistrate”, “Report and Recommendation of the General Magistrate” and “Order on Report and Recommendation of General Magistrate”. If you have any questions or need additional copies of these forms, please feel free to contact the Family Court Manager.

CHILD SUPPORT HEARING OFFICER

Jacqueline H. Smith (Holmes, Washington & Jackson Counties)

Administrative Assistant: Rhonda Mayo

Email: mayor@jud14.flcourts.org

Phone: 850-482-1237

Fax: 850-482-9123

Address: Jackson County Courthouse
4445 Lafayette Street
Marianna, FL 32446

Office Location: Second floor of the Jackson County Courthouse

Assignment: Title IV-D Child Support Cases (cases involving the Department of Revenue/Child Support Enforcement)

Grant A. Spitzer (Bay, Calhoun, & Gulf Counties)

Administrative Assistant: Jenny L. Grammer

Email: grammerjl@jud14.flcourts.org

Phone: 850-747-5275

Fax: 850-747-5513

Address: Bay County Juvenile Justice Courthouse
533 E. 11th Street
Panama City, FL 32401

Office Location: First floor of the Bay County Juvenile Justice Courthouse

Assignment: Title IV-D Child Support Cases (cases involving the Department of Revenue/Child Support Enforcement)

The Child Support Hearing Officer is an attorney appointed by the Chief Judge to hear cases that are classified as Title IV-D cases. He works under the supervision of a Family Law Judge and typically holds hearings several times a month to address issues such as establishment of child support, modifications of existing orders or contempt. The Child Support Hearing Officer also conducts “Writ of Attachment” hearings on an as-needed basis.

At least one party to these types of cases is assisted by the Florida Department of Revenue’s (DOR) legal counsel, John McDaniel, Esq. If your attorney must schedule a child support hearing in **Calhoun, Holmes, Jackson or Washington County** that is a Title IV-D case, you should contact Mr. McDaniel’s office and

coordinate the hearing with his assistant. Please note that Mr. McDaniel represents the Department, not the party directly.

Contact information for Mr. McDaniel is provided below:

Attorney: John E. McDaniel, Esq.
Legal Assistant: Melissa
Phone: 850-718-0148
Fax: 850-482-9040
Address: P.O. Box 6320
Marianna, FL 32447

If your attorney must schedule a child support hearing in **Gulf County** that is a Title IV-D case, you should contact the Bay County DOR office for a hearing date.

In Bay County, DOR is represented by Casey Bigelow, Esq. If your attorney must schedule a child support hearing in Bay County that is a Title IV-D case, you should contact Mr. Bigelow's office and coordinate the hearing with his assistant.

Contact information for Mr. Bigelow is provided below:

Attorney: Casey Bigelow, Esq.
Legal Assistants: Christie, Beverly, & Rhonda
Phone: 850-873-7067
Fax: 850-873-7011
Address: P.O. Box 35756
Panama City, FL 32412

CASE MANAGEMENT STAFF

David L. Holland

Family Court Manager / Case Manager (Bay & Gulf Counties)

Email: hollandd@jud14.flcourts.org

Phone: 850-747-5497

Fax: 850-914-6415

Address: P.O. Box 1089
Panama City, FL 32402

Cary Godwin

Court Program Specialist II / Case Manager (Calhoun, Holmes, Jackson & Washington Counties)

Email: godwinc@jud14.flcourts.org

Phone: 850-718-0480

Fax: 850-718-0521

Address: P.O. Box 826
Marianna, FL 32447

Trish Riemer

Court Program Specialist II / Case Manager (Bay County)

Email: riemert@jud14.flcourts.org

Phone: 850-747-5247

Fax: 850-914-6415

Address: P.O. Box 1089
Panama City, FL 32402

Jennifer D. Williams

Court Program Specialist II / Case Manager (Bay County)

Email: williamsj@jud14.flcourts.org

Phone: 850-747-5623

Fax: 850-914-6415

Address: P.O. Box 1089
Panama City, FL 32402

Where is case management located?

The Case Management Division is located on the second floor of the Jackson County Courthouse and the third floor of the Bay County Courthouse.

What is case management?

We employ a staff of four (4) people across the Circuit. The Family Court Manager oversees the operation of the Family Court Division in the Circuit and also manages cases in Bay & Gulf Counties. There is one case manager in Jackson County, Cary Godwin, serving Calhoun, Holmes, Jackson, & Washington Counties. There are two case managers in Bay County, Trish Riemer and Jennifer D. Williams, and they manage the majority of cases in Bay County.

What do we do?

While the responsibilities of the case manager continue to grow, we strive to keep track of current trends in case management and continuously work to streamline the many processes involved in family court. The lists below are not intended to be all inclusive.

Case Managers:

- Review files for self-represented litigants and prepare checklists for the litigants outlining what they must do to correct the forms they have submitted and/or what will be their next step procedurally.
- Schedule hearings
- Attend hearings, as directed
- Prepare orders, as directed
- Refer litigants to community services
- Coordinate cases for judicial economy
- Completes Orders Directing Parties to Mediation

Family Court Manager:

- Attends hearings, as requested
- Reviews checklists for litigants as needed
- Completes Orders of Referral to the General Magistrate
- Maintains a database with all Magistrate referral information

- Schedules and coordinates Exception hearings (Bay County only)
- Compiles data and completes monthly, quarterly, and yearly reports regarding the family court division.
- Acts as a court liaison for the community-at-large.
- Serves on various community workgroups and committees that involve family law-related issues.
- Organizes and facilitates the local Family Law Advisory Group meetings and all subcommittee meetings.
- Conducts research and prepares reports for Judicial Officers, Trial Court Administrator and the Office of the State Court Administrator.
- Drafts Administrative Orders, as needed.
- On a daily basis, answers a multitude of questions and works to resolve various issues related to family law.

What can we do for you?

- Coordinate the scheduling of hearings
- Provide an Order of Referral to General Magistrate
- Provide an Order Directing Parties to Mediation
- Provide lists of certified family court mediators, parenting evaluators, and various other community resources.
- Get you connected with someone from a local governmental agency such as the Department of Revenue/Child Support Enforcement, the Department of Children and Families and/or Big Bend Community Based Care, etc.

SCHEDULING PROCEDURES

Scheduling Hearings with the Judicial Assistant or Magistrate's Assistant:

The preferred method for scheduling all hearings, either with the Judge or the Magistrate, is via email.

The subject line for the email should contain the county in which the case is filed, style of the case and case number.

Example: Subject Line: County/ Parties' Names/Case Number

The context of the email should contain the following:

1. Name of Each Party / name of the party's attorney or indicate Pro Se
2. Type of Case
3. Type of Hearing
4. Amount of Time Requested
5. Date of Order of Referral (Magistrate only)
6. Did the parties attend mediation? (needed to set final hearing only)

Example: Wendy,

I need hearing time for:
Jennifer Jones vs. John Jones
Thayer Marts, Esq. vs. John Young Roberts, Esq.
DOM With Prop/No Children
Final Hearing
1 hour
Mediation held – partial agreement

The Judicial Assistant will then reply with four or five dates to choose from. You should confer with the opposing parties' legal counsel to coordinate a time for the hearing. Please do not copy the Judicial Assistant on each email between the attorneys.

VERY IMPORTANT: Once you have cleared a date with opposing counsel you **MUST** email the Judicial Assistant back for a confirmation of the date you chose. It is very possible that she also gave those dates to other law offices, and they confirmed a date you were given before you had a chance to confirm. To avoid any delay or confusion PLEASE remember to confirm the hearing date with the

Judicial Assistant. Once you have an email confirmation, please forward the confirmation to the opposing attorney.

For the unusual case that you have had a particularly hard time trying to confirm a date, you may utilize a conference call with the Judicial Assistant and the opposing counsel. Please contact the Judicial Assistant to inquire as to when would be a good time for the call and when you do place the call, have the other attorney's office on the phone before you call the Judicial Assistant.

If there continues to be a problem with coordinating a time for a hearing, the moving party can request a Case Management Conference (CMC) to address the difficulty they are having with setting a hearing. This is to be strictly on an emergency basis and any misuse of this procedure will be addressed by the assigned Judge. So, make sure you have provided at least eight to ten dates to the opposing counsel before moving to this step. Your email request for a CMC should be brief and only include the items outlined on the foregoing page and all of the dates provided to opposing counsel.

Scheduling Final Hearings:

When scheduling a final hearing for any contested case, there will be a Pre-Trial Conference date given in addition to the final hearing date. The Pre-Trial Conference will typically be 30 days prior to the final hearing.

According to Rule 12.200(b), Florida Family Law Rules of Procedure (Fla.Fam.L.R.P.), the Pre-Trial Conference is set before the court to consider and determine:

- 1) proposed stipulations and/or the simplification of the issues;
- 2) the need to amend pleadings;
- 3) the possibility of obtaining admissions of fact and of documents that will avoid unnecessary proof;
- 4) limiting the number of expert witnesses;
- 5) and, any matters permitted in a case management conference.

The Standing Family Law Pre-Trial Order states that a Pre-Trial Catalogue shall be filed with the court no later than 72 hours prior to the time of the Pre-Trial Conference for the final hearing. A Pre-Trial Catalog, with Exhibits, is required in ALL contested family law cases; dissolution of marriage, paternity and other related relief, and modifications.

Please become familiar with the 14th Judicial Circuit Standing Family Law Pre-Trial Order (attached to Administrative Order #2010-00-01). This order is subject to change; however, this order should be filed and served in all contested family law cases, and if any changes are made all local family law attorneys will be made aware.

Case Management Conference (CMC) vs. Pre-Trial Conference (PTC):

What is the difference? A Case Management Conference can be scheduled numerous times throughout the progress of a case and can be scheduled as early as 30 days after the service of a petition or complaint. Either party or the Court can request a Case Management Conference.

According to Rule 12.200(a)(1), Fla.Fam.L.R.P., the following issues can be addressed at a case management conference:

- 1) schedule or reschedule the service of motions, pleadings or other papers;
- 2) set or reset the time for trial;
- 3) coordinate the progress of the action if complex litigation factors are present;
- 4) limit, schedule, order or expedite discovery;
- 5) schedule disclosure of expert witnesses;
- 6) schedule or hear motions related to admission or exclusion of evidence;
- 7) pursue the possibility of settlement;
- 8) require the filing or preliminary stipulations if issues can be narrowed;
- 9) refer issues to a Magistrate;
- 10) refer the parties to mediation;
- 11) coordinate voluntary binding arbitration;
- 12) appoint court experts and allocate expenses for the appointments;
- 13) refer the cause for a home study or psychological evaluation and allocate the initial expense of the study;
- 14) appoint an attorney ad litem or guardian ad litem for the child and allocate the expense;
- 15) and schedule other conferences or determine other matters that may aid in the disposition of the action.

A Pre-Trial Conference is scheduled near the end of the action and can encompass all of the issues a case management can cover plus the additional issues that are specific to a Pre-Trial Conference.

What if I have to cancel a Pre-Trial Conference?

The local practice regarding canceling a Pre-Trial Conference is as follows:

Either party can file a Motion for Continuance of the Pre-Trial Conference and the trial. Absent an agreement by the parties for a continuance, a hearing will be held on the Motion. If the parties agree, both the Pre-Trial Conference and the Trial may be continued by Order of the Court. The matter must be brought to the Judge's attention and the continuance will be by an Order.

CANCELLING HEARINGS:

When it becomes necessary to cancel a scheduled hearing, it is required that counsel scheduling the hearing contact the Judge's Judicial Assistant as far in advance as possible, thereby freeing up the hearing time for other cases. In addition to canceling the hearing with the Judicial Assistant, you should file a Notice of Cancellation in the court file setting forth the reasons for the cancellation.

IF A HEARING IS CONTINUED OR CANCELLED, IT IS THE RESPONSIBILITY OF THE SCHEDULING ATTORNEY TO ADVISE THE JUDICIAL ASSISTANT/ ADMINISTRATIVE ASSISTANT THAT THE SCHEDULED HEARING IS CONTINUED OR CANCELLED SO THAT IT IS REMOVED FROM THE COURT'S CALENDAR.

CROSS NOTICING:

Please do not cross-notice or "piggyback" motions without confirming with the Judicial Assistant or Magistrate's Assistant that the court's calendar will accommodate the hearing on the additional matters within the scheduled time. Any Motions that are "piggybacked" without the prior consent of the Judicial Assistant or Magistrate's Assistant may not be heard by the Judge or Magistrate.

ALTERNATIVE DISPUTE RESOLUTION (ADR) STAFF

Carol A. Dunaway

ADR Program Director

Supreme Court Certified Mediator in County, Family and Dependency

Email: dunawayc@jud14.flcourts.org

Phone: 850-718-0059

Fax: 850-718-0521

Address: P.O. Box 826
Marianna, FL 32447

Kendyl Sparkman

ADR Program Assistant - responsible for all mediation scheduling

Email: sparkmank@jud14.flcourts.org

Phone: 850-767-3548

Fax: 850-914-6415

Address: P.O. Box 1089
Panama City, FL 32402

Diane Crawford

Mediation Services Coordinator / Staff Mediator

Supreme Court Certified Mediator in County and Family

Email: crawfordd@jud14.flcourts.org

Phone: 850-914-6326

Fax: 850-767-3688

Address: P.O. Box 1089
Panama City, FL 32402

Sue Ann Murray

Mediation Services Coordinator / Staff Mediator

Supreme Court Certified Mediator in County and Dependency

Email: murrays@jud14.flcourts.org

Phone: 850-914-6327

Fax: 850-767-3688

Address: P.O. Box 1089
Panama City, FL 32402

Scheduling Mediation with Alternative Dispute Resolution:

The preferred method for scheduling mediations with the Alternative Dispute Resolution Program (ADR) is by email.

An Order Directing Parties to Mediation is required before any mediation may be scheduled with the ADR Program. You may prepare an Order, send it to the Judicial Assistant with two (2) addressed stamped envelopes, and the Judicial Assistant will mail the signed Order to both parties and email a copy to the ADR Program. Please indicate in your email to the ADR Program the date the Financial Affidavits were filed or the gross income of the parties. This information is required to determine if the parties qualify for participation in the mediation program. The combined gross income can be no more than \$100,000 dollars.

After the Order Directing Parties has been entered, you may contact ADR at (mediation@jud14.flcourts.org), and someone will provide you with possible dates for mediation.

Mediation can be held at any of the courthouses in the Circuit as well as attorney's offices, provided that there is adequate space (a conference room and a smaller break-out room).

Mediators:

The ADR Director, Carol Dunaway, and Mediation Services Coordinator / Staff Mediator, Diane Crawford, are both employees of the court and both certified family law mediators. The mediation program also utilizes contract mediators throughout the Circuit who are certified family law mediators. All are certified with the Florida Supreme Court.

Fees for Mediation:

Depending on the parties' joint income they will either pay \$60 per person or \$120 per person for the mediation. If their joint income is less than \$50K they will each pay \$60, if their joint income is more than \$50K but less than \$100K they each pay \$120. If their joint income is more than \$100K they do not qualify for the court mediation program and must hire a private mediator.

Fees are paid directly to the clerk's office in the county in which the case is filed and must be paid in full prior to mediation.

ODDS AND ENDS

- Please do not forward “spam” email to Judicial Assistants as their mailbox is already very full with requests for hearings and work-related correspondence and it is time consuming to sort through the “spam” to get to the important emails. If you want to forward something other than work-related material, and you feel as though you know the Judicial Assistant well enough, you should ask the Judicial Assistant for their personal email address.
- When sending an Order for the Judge’s signature, please ensure you send the required number of copies as well as stamped self-addressed envelopes for each party, unless your assigned Judge prefers to e-serve Orders.
- When sending an Order to the Judge, you should send a transmittal letter to the Judge with an Order including the style of the case and the case number referenced in the letter. The transmittal letter should be signed by the attorney so the Judge will know the attorney has reviewed the Order for form and content.
- Please do not title an order simply, “Order”. The Order should include the style and subject, so it is easier to docket.
- Please do not put “Done and Ordered” on one page and the Judge’s signature line on the next page; the two should be on one page. Also, Judges prefer to have more than just “Done and Ordered”, date, and signature line on the last page. Try to adjust the content so that some of the body of the Order is on the page with the date and signature line.
- Please do not present a proposed order to a Judge or a proposed Report and Recommendation to the Magistrate until opposing counsel has approved it.



ATTACHMENTS

1. Magistrate/Mediation Referral Checklist
2. Motion of Referral to General Magistrate
3. Order of Referral to General Magistrate
4. Notice of Hearing before General Magistrate
5. Sample Report & Recommendation and Sample Certificate of Service
6. Sample Final Judgment & Order on Report & Recommendation
7. Order Directing Parties to Mediation
8. Administrative Order #2009-00-04
9. Administrative Order #2010-00-01