

**IN THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2014-027
(Supersedes Administrative Order S-1998-106)**

NON-BINDING ARBITRATION

Section 44.103, Florida Statutes, provides that a court may refer any contested civil action to non-binding arbitration, with the exception of those matters specifically excluded by Florida Rule of Civil Procedure 1.800. Rule 1.820(b)(1) requires the chief judge to establish procedures for determining the time and place of the non-binding arbitration hearing and authorizes the chief judge to establish other procedures for the expeditious and orderly operation of arbitration hearings. The chief judge is also required, under Rule 1.810, to maintain a list of qualified arbitrators and establish the compensation of arbitrators subject to statutory limits.

It is necessary for the prompt and efficient administration of justice in this circuit to update the procedures for non-binding arbitration of civil cases by the Thirteenth Judicial Circuit Mediation & Diversion Services Program.

By the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215(b)(2), it is therefore **ORDERED**:

1. Selection of Arbitrators

The court's Mediation & Diversion Services Program will maintain a list of qualified persons who have agreed to serve as arbitrators.

2. Scheduling of Arbitration Hearing(s)

If the parties cannot stipulate to the date, time and location of the arbitration hearing, the presiding judge will decide these matters. Unless otherwise ordered by the presiding judge, a hearing must be scheduled within 20 days of the date of the order referring parties to non-binding arbitration, and the first hearing must be held within 90 days of the order. Any additional hearings will be held in accordance with the time standards set forth in Florida Rule of Civil Procedure 1.820.

3. Case Summary

The parties must each submit a case summary to each arbitrator no later than 10 days before the scheduled hearing.

4. Presentation

The hearing will be conducted in an informal manner. While it is expected that presentation of the case will be made primarily by counsel for the parties and will be in the form of an opening and closing statement at trial, witnesses may be present and give live testimony as they would in a regular trial. If counsel for the parties opt for the abbreviated form of hearing, counsel will present only factual representations supportable by reference to discovery materials, signed statements of witnesses, stipulations and other documents.

5. Compensation

Arbitrators will be compensated in accordance with section 44.103, Florida Statutes, and Rule 11.100 of the Florida Rules for Court-Appointed Arbitrators. If the parties agree to an arbitrator fee higher than the maximum compensation specified in section 44.103, Florida Statutes, a stipulation must be submitted to the court and approved by the court prior to the scheduled arbitration hearing. Payment must be made directly to the arbitrator at the conclusion of the arbitration hearing.

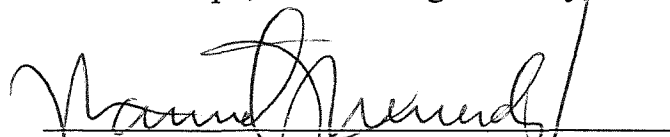
6. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-1998-106 (*General Procedures Associated with Non-Binding and Voluntary Binding Arbitration in Civil Cases*).

7. Effective Date

This administrative order is effective June 1, 2014.

It is ORDERED in Tampa, Hillsborough County, Florida, this 12th day of May, 2014.


Manuel Menendez, Jr., Chief Judge

Original to: Pat Frank, Clerk of the Circuit Court
All General Civil Division Judges
All County Civil Division Judges
Mediation & Diversion Services