

**IN THE CIRCUIT COURT IN AND FOR THE FIRST JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

Administrative Order No. 2012-09

**IN RE: CANCELLATION OF FIRST JUDICIAL CIRCUIT MORTGAGE
FORECLOSURE MEDIATION PROGRAM**

Whereas, *IN RE: Managed Mediation Program for Residential Mortgage Foreclosure Cases*, AOSC11-44 cancelled authorization for the state-wide mortgage foreclosure mediation program effective December 19, 2012, and

Whereas, First Judicial Circuit AO2011-67 extended the First Circuit program to receive comments from various stakeholders on the efficacy, authority to continue, and necessity to continue the program, and

Whereas, the outreach has been completed and the stakeholders' comments have been received, the vast majority of which recommend discontinuation of the program with individual presiding judges retaining the authority to refer appropriate cases to mediation, and

Whereas, the relevant statutory, rule, and case law typically vest authority to refer cases to mediation in the presiding or assigned judge,

Therefore, be it resolved that:

1. The respective First Judicial Circuit Clerks of Court shall discontinue referral of cases to the First Judicial Circuit Program Manager, the Collins Center, for all residential mortgage foreclosure cases filed after the close of business February 29, 2012.
2. Any cases referred to the Collins Center shall be resolved not later than June 30, 2012.
3. Judges presiding in civil divisions shall have full authority as provided by law to refer foreclosure cases on their dockets to mediation as they, in their discretion, deem appropriate.

4. It is recommended that presiding judges refer residential mortgage foreclosure cases only to mediators who have successfully completed a certified residential mortgage foreclosure mediation training course.

DONE AND ORDERED in Pensacola, Escambia County, Florida this 23RD day of February, 2012.

/S/ TERRY D. TERRELL

TERRY D. TERRELL
Chief Judge

Copies furnished to:

All Judges, First Judicial Circuit
All Senior Judges, First Judicial Circuit
Honorable Ernie L. Magaha, Clerk, Escambia County
Honorable Don Howard, Clerk, Okaloosa County
Honorable Mary Johnson, Clerk, Santa Rosa County
Honorable Martha Ingle, Clerk, Santa Rosa County
Robin Wright, Trial Court Administrator
The Collins Center for Public Policy