

**IN THE TWELFTH JUDICIAL CIRCUIT COURT
IN AND FOR DESOTO, MANATEE AND SARASOTA COUNTY, FLORIDA**

Plaintiff,

v.

Case No.:

Defendant.

**ORDER REFERRING CASE TO COURT-ORDERED NONBINDING ARBITRATION
DURING COVID-19**

On ☐ the Court's; ☐ Plaintiff's; ☐ Defendant's motion, the Court refers this case to Court-ordered, nonbinding arbitration pursuant to section 44.103, Florida Statutes, and rule 1.820, Florida Rules of Civil Procedure.

In making this referral to nonbinding arbitration, the court has determined that the following criteria are met:

- a. The case would have been tried during 2020, but due to delays caused by COVID-19, it is unable to be heard; and
- b. The case is likely to resolve based on the results of nonbinding arbitration; and
- c. The referral to nonbinding arbitration will not cause any undue financial hardship or burden to either party.

Any consenting member in good standing with The Florida Bar who has been a member of The Florida Bar for at least for the last five preceding years may be appointed arbitrator in this matter. Section 44.103(3) provides an arbitrator's maximum per diem is \$1500 unless the parties agree otherwise. The Twelfth Circuit maintains a [list of individuals](#) willing to serve as arbitrators.

There will only be one arbitrator unless the parties agree otherwise. Within 10 days of the date of this Order, the parties shall provide the Court with the name of a mutually agreed-to arbitrator or arbitrators. The Court will then enter an order appointing that individual as arbitrator or those individuals as the arbitrators.

If the parties cannot agree within this timeframe, the parties shall each supply the Court with a list of three proposed arbitrators. The parties shall email their proposed arbitrator lists to the Court's judicial assistant with copy to all other parties. No party shall include the name of any person on a proposed arbitrator list who does not agree to the statutory \$1500 maximum per diem rate.

The attorneys or their office staff are permitted to contact potential arbitrators about their

willingness to serve; however, there shall be no communication concerning any information about the case. Nothing in this order obviates the Court's order requiring mediation. Please note, the parties may not combine the nonbinding arbitration with the mediation.

DONE AND ORDERED in ____ County, Florida, on _____.

Circuit Judge

CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of the foregoing has been furnished by email where indicated, otherwise by First Class U.S. Mail on _____, 2020 to:

Judicial Assistant