

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA

**IN RE: CASE MANAGEMENT OF RESIDENTIAL
FORECLOSURE CASES AND
MANDATORY REFERRAL OF MORTGAGE
FORECLOSURE CASES INVOLVING
HOMESTEAD RESIDENCES TO MEDIATION**

**ADMINISTRATIVE
ORDER
NO. 1.12
- VACATED -**

WHEREAS, local Administrative Order No. 1.12 was entered in accordance with Supreme Court of Florida Administrative Orders AOSC09-54 and AOSC10-57, which established a statewide managed mediation program for residential foreclosure cases, and mandated that each judicial circuit enter a model administrative order for the purpose of implementing the statewide program; and

WHEREAS, on December 19, 2011, the Supreme Court of Florida entered Administrative Order No. AOSC11-44 indicating that it had reviewed the reports on the statewide managed mediation program for residential foreclosure cases and determined that it could not justify continuation of the program, and, therefore, terminated the statewide managed mediation program; and

WHEREAS, Supreme Court of Florida specifically provided in Administrative Order No. AOSC11-44 that cases already referred to and pending in a mediation program on December 19, 2011, will remain in the program through completion of the mediation, but after December 19, 2011, no new cases may be referred to mediation pursuant to the statewide managed mediation program;

IT IS ORDERED that, in strict accordance with the Supreme Court of Florida Administrative Order AOSC11-44 and the intent stated therein, the Twentieth Judicial Circuit's

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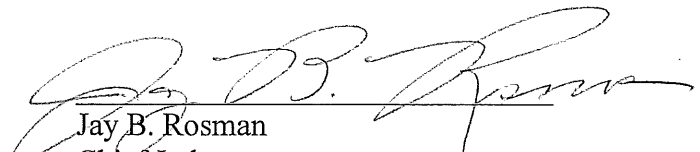
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FILED LEE CO. FLORIDA
CLERK OF COURTS

Administrative Order 1.12 locally implementing the statewide managed mediation program is hereby vacated, effective December 20, 2011, *nunc pro tunc*. As provided for by Supreme Court of Florida Administrative Order AOSC11-44, cases already referred to and pending in the managed mediation program for residential foreclosure cases on December 19, 2011, will remain in the program through completion of the mediation, but after December 19, 2011, no new residential foreclosure cases may be referred to the managed mediation program.

As noted by the Florida Supreme Court in Administrative Order No. AOSC11-44, vacating local Administrative Order 1.12 does not prohibit mediation of residential foreclosure cases pursuant to section 44.102, Florida Statutes, and Florida Rule of Civil Procedure 1.700(a), nor does it prohibit the use of any other subsequent measures permitted by statute or court rule to manage pending and new residential mortgage foreclosure cases.

DONE AND ORDERED in Chambers in Fort Myers, Lee County, Florida this 21st day of December, 2011.


Jay B. Rosman
Chief Judge

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History. – Administrative Order 1.12 (June 29, 2010); Administrative Order 1.12 (December 6, 2010).

STATE OF FLORIDA, COUNTY OF LEE
FILED FOR RECORD

This 21 Day of Dec 2011 Recorded in CLERK
Book 55 Page 22-73 and Record Verified.

CHARLIE GREEN By M. Montgomery
Clerk Circuit Court Deputy Clerk

I certify this document to be a true and correct copy of the original on file in my office, Charlie Green, Clerk Circuit Court, Lee County, Florida
Dated: 12/21/11

By M. Montgomery
Deputy Clerk

