

**IN THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT
IN AND FOR CLAY, DUVAL, AND NASSAU COUNTY, FLORIDA**

SECOND AMENDED ADMINISTRATIVE ORDER NO. 1997-10

IN RE: FAMILY MEDIATION

REF: SUPERSEDES AMENDED ADMINISTRATIVE ORDER NO. 97-10

WHEREAS, pursuant to section 44.108, Florida Statutes, and Rule 12.740(b), Florida Family Law Rules of Procedure, mediation is authorized in family law matters and should be accessible to all parties; and

WHEREAS, the judges of the Fourth Judicial Circuit have determined that the use of certified family law mediation is necessary and appropriate in family law cases; and

WHEREAS, a large number of *pro se* family law cases, including original actions and requests for modification of existing orders, are being filed, and Florida law imposes time limitations for the resolution of such cases; and

WHEREAS, the interests of the public and of the litigants require the expeditious, flexible, and efficient resolution of family law matters, and it is therefore necessary to enter administrative orders to facilitate access to the Court and the administration of justice.

NOW THEREFORE, by the authority vested in me as Chief Judge of the Fourth Judicial Circuit of Florida, and pursuant to the Florida Rules of General Practice and Judicial Administration, as well as the Florida Family Law Rules of Procedure, it is

ORDERED that:

1. All family law cases involving two or more represented parties who have filed a **Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or 12.902(c)** (hereinafter "Financial Affidavit"), and thereby established that they meet the income-eligibility requirements of section 44.108, Florida Statutes, as may be amended from time to time,

whether newly filed or seeking modification of an existing order, are hereby referred to the Family Mediation Unit (hereinafter also “the Unit”) upon joint email communication from counsel requesting that mediation be scheduled.

a. If the Family Mediation Unit determines that the parties do not qualify for mediation based on income, the Unit shall refer the matter to the presiding judge for further proceedings.

b. Nothing in this Order prevents a party from seeking a court order of referral when an opposing represented party fails to file a Financial Affidavit, provided the requesting party has filed their own Financial Affidavit.

c. A represented party may not seek referral to the Family Mediation Unit without first filing a Financial Affidavit either contemporaneously with, or subsequent to, the pleading or motion for which referral is sought.

2. All Family Law cases involving one or more *pro se* litigants, whether seeking modification of an existing order or originally filed, shall be automatically referred to the Family Mediation Unit for eligibility screening pursuant to section 44.108, Florida Statutes, and for mediation, if the case is otherwise appropriate for family mediation. If the Unit determines that the parties do not qualify for mediation based upon income, the Unit shall refer the matter to the presiding Judge for further proceedings.

3. Parties in Family Law cases who are referred to mediation, either by separate order or pursuant to this Administrative Order, are required to pay fees to the Clerk of Court in accordance with the fee schedule set forth in section 44.108, Florida Statutes.

4. Parties in Family Law cases in which the parties' combined incomes exceed the statutory limit set forth in section 44.108, Florida Statutes, are not eligible to utilize the Court's Family Mediation Unit and must therefore be referred to private mediation.

5. The Family Mediation Unit shall schedule a mediation conference in all cases referred to the Unit, whether by separate court order or pursuant to this Administrative Order, for the purpose of facilitating the amicable resolution of the parties' dispute, unless the case is returned or referred to the presiding Judge pursuant to Section 1 or Section 2 of this Order.

6. Parties scheduled for a mediation conference shall attend the conference as scheduled by the Unit and shall participate in mediation in good faith. If represented by counsel, attorneys for the parties may attend the mediation conference; however, a party may waive the attendance of his or her attorney.

7. FAILURE TO APPEAR – If either party fails to appear for a scheduled mediation session, and such failure causes the mediation session to be cancelled or rescheduled, the **non-appearing** party shall be billed for the entire cost of the session. If both parties fail to appear, both parties shall be billed for their respective portions of the cancelled mediation session.

8. RESCHEDULING – If it becomes necessary to reschedule a mediation session due to an attorney conflict, hardship, or other emergency, ten (10) days' advance notice shall be provided to the Family Mediation Unit, excluding weekends and legal holidays, when practicable. If less than ten (10) days' advance notice is provided, the responsible party, unless good cause can be shown, may be charged for the entire session. If a case settles, or is dismissed prior to a scheduled mediation session, the Family Mediation Unit shall be promptly notified. Failure to provide such notice may result in the parties being charged for the mediation session.

9. Failure to pay any costs for mediation sessions attended or not attended may result in a civil contempt of Court proceeding being initiated against the nonpaying party.

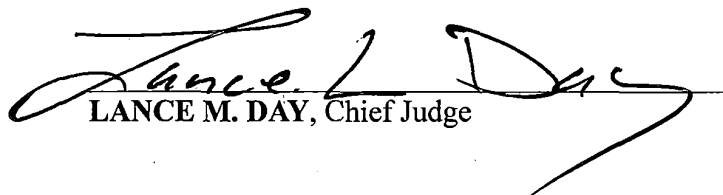
10. Mediation fees may be taxed against either party as costs in these proceedings. Any party who furnishes a certificate of indigency as provided by section 57.081, Florida Statutes, shall not be charged fees.

11. This Administrative Order shall be effective immediately and shall remain in effect until further Order of the Court. All terms and conditions set forth in this Administrative Order shall apply unless otherwise ordered by the Court.

12. This Order supersedes and rescinds Amended Administrative Order Number 97-10.

13. This Order shall be recorded in the Official Records of the Clay, Duval, and Nassau counties in the State of Florida.

DONE at Jacksonville, Duval County, Florida, this 7th day of July 2026.


LANCE M. DAY, Chief Judge

[INTENTIONALLY LEFT BLANK FOR FORMATTING PURPOSES]

Copies to:

All Judges, Fourth Judicial Circuit
All Magistrates and Support Enforcement Officers, Fourth Judicial Circuit
The Honorable Steven Whittington, Administrative Judge, Clay County
The Honorable John I. Guy, Administrative Judge, Duval Family Division
The Honorable Steven Fahlgren, Administrative Judge, Nassau County
The Honorable Tara S. Green, Clerk of the Court, Clay County
The Honorable Jody Phillips, Clerk of the Court, Duval County
The Honorable Mitch L. Keiter, Clerk of the Court, Nassau County
Eve Janocko, Fourth Judicial Circuit Trial Court Administrator
Claude T. Colvin, Chief Deputy Trial Court Administrator
Jim Kowalski, Esquire, Executive Director JALA
Charles Bishop, Family Court Manager, Fourth Judicial Circuit
Shannon L. Shaw, Esquire, General Counsel, Fourth Judicial Circuit
Fourth Circuit Court Law Library, Duval County
Judicial Staff Attorneys, Fourth Judicial Circuit
Christopher Douglas, Deputy Director, Strategic Improvement, Duval County Clerk of the Court
Austin Eler, Senior Manager, Duval County Clerk of the Court
Laura Lentini, Assistant to General Counsel, Fourth Judicial Circuit