

REFEREE CHECKLIST

1. Review Supreme Court Order and Letter Appointing
2. Obtain the name and number of the current Bar Clerk with the Florida Supreme Court.
3. Review Complaint. Note:
 - name of Bar Counsel: _____
 - name of Respondent: _____
 - name of Complainant(s): _____
 - rule(s) and subsections allegedly violated: _____
 - _____
4. Determine if ninety (90) day time limit or the 180 day time limit for filing report applies. *See* Rule 3-5.2(g)
calculated expiration date: _____
5. Establish office procedure for:
 - safely keeping original pleadings, transcribed testimony, exhibits and reports
 - issuing subpoenas
 - motions
 - requesting extensions of time.
 - assuring original motion, order and/or stipulation filed with Clerk of Supreme Court as well as, any objections in opposition
 - ordering court reporter
 - filing of documents by parties with your office
 - filing of documents with the Supreme Court
 - tracking referee costs, including travel expenses
6. Schedule sixty (60) day pre-trial/case management conference:
7. Conduct sixty (60) day pre-trial /case management conference:
 - Issue to discuss:
 - determine location of final hearing/trial
 - discovery deadlines
 - motion deadlines

- trial date
- schedule date for receipt and marking of exhibits
- Method for conducting pretrial hearings (phone, in person)
- Method for marking exhibits received or not received
- Method for noting objections to testimony, physical evidence etc.

Prepare Order.

- If extended by motion, order or stipulation forward to Clerk of Supreme Court with facts and objections noted.
- If held forward copy of Order to Clerk of Supreme Court.

8. Report and Recommendation/Voluntary Dismissal/Consent

Judgment:

calculate due date (within 30 days of Final Hearing or ten (10) days of receipt of transcripts) _____

Prepare Affidavit/Voucher for The Florida Bar concerning referee costs and travel expenses.

Prepare Report and Recommendation or, if taken under advisement, obtain proposed reports by e-mail from Fla. Bar Counsel and Respondent which must contain:

- Findings of Facts as to each charged violation
- Recommendation as to Guilt or Not Guilty of as to each charged violation
- Recommendation as to Sanction as to each violation found guilty
- Statement of past disciplinary sanctions imposed
- Statement of costs and recommendation for taxation
NOTE if costs are by consent of Respondent or attach Bar Affidavit
- 14-point Times New Roman type.

Make sure if matter ends with a Voluntary Dismissal or Consent Judgment that they contain:

- Stipulations of Findings of Fact as to each violation charged,
- Recommendation as to Guilt or Not Guilty as to each violation charged
- Recommendation as to Sanction as to each violation found guilty
- Statement of costs and recommendation for taxation

NOTE if costs are by consent of Respondent or attach Bar Affidavit

- Include all effective disciplinary dates if different than Order date.

Inventory and prepare record for the Clerk of Supreme Court: See Rule 3-7.6(m)(2), include:

- prepare index
- pleadings
- recorded and transcribed testimony
- exhibits received as evidence
- Report and Recommendation, Voluntary Dismissal or Consent Judgment
- Certify Record. See Rule 3-7.6(n)(3)

Make sure the Report and Recommendation, Voluntary Dismissal or Consent Judgment contains a Certificate of Service or a cc:

Mail copy of report and recommendation to all parties; including Respondent if not represented and The Florida Bar Staff counsel.

Mail entire record to Clerk of Supreme Court.

E-file final Report and Recommendation of Referee to Clerk of Supreme Court

- Must be in Microsoft Word
- e-file@flcourts.org