

REFEREE CHECKLIST

1. Review Supreme Court Order and Letter Appointing
2. Obtain the present name and number of the Bar Clerk with the Clerk of Supreme Court
3. Review Complaint. Note:
 - Name of Bar Counsel _____
 - Name of Respondent _____
 - Name of Complainant(s) _____
 - Rule(s) allegedly violated _____
4. Determine if ninety (90) day time limit pursuant to Rules 3-5.2(g), or the 180 day time limit for filing report applies
 - Calculated expiration date _____
5. Establish office procedure for:
 - Safely keeping original pleadings, transcribed testimony, exhibits and reports
 - Issuing subpoenas
 - Motions
 - Requesting extensions of time
 - original filed with Clerk of Supreme Court
 - objections of parties noted
 - Scheduling a hearing room
 - Ordering court reporter
 - Filing of documents by parties
 - Filing of documents with the Supreme Court
 - Tracking costs, including travel expenses
6. Schedule sixty (60) day pre-trial/case management conference:
 - Determine venue
 - Set discovery deadlines
 - Set motion deadline
 - Schedule trial date if possible
 - Prepare pre-trial conference Order
 - Forward copy of Order to Clerk of Supreme Court
 - Schedule date for receipt and marking of exhibits

7. Establish Hearing Procedure:

- Determine if parties are willing to conduct the trial in the Referee's county
- Conduct pretrial hearings by telephone
- Pre-marking of exhibits
- Method for noting evidence received
- Method for noting objections

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
 - Recommendation as to Guilt
 - Recommendation as to Sanction
 - 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, if any
 - Recommendation as to Guilt
 - Recommendation as to Sanction
 - State 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 then Order date
- Inventory and prepare record for the Clerk of Supreme Court: See Rule 3-7.6(m)(2), include:
 - prepared index

- pleadings
 - recorded and transcribed testimony
 - exhibits received as evidence
 - Report and Recommendation, Voluntary Dismissal or Consent Judgment
- 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