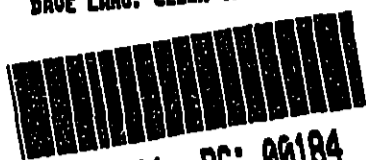


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IN THE SECOND JUDICIAL
CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 2000-06

IN RE: **DIVERSION OF CITY OF TALLAHASSEE ANIMAL CONTROL
CASES TO MEDIATION**

WHEREAS, the Neighborhood Justice Center has been approved by the Chief Justice of the Florida Supreme Court to operate as a citizens dispute settlement center in accordance with Section 44.201, Florida Statutes; and

WHEREAS, the Neighborhood Justice Center has a group of volunteer mediators who have been certified by the Florida Supreme Court as county court mediators; and

WHEREAS, the City of Tallahassee recognizes the need to divert certain categories of animal control cases that involve two or more citizens;

WHEREAS, Section 5-23 of the City of Tallahassee Code states that persons cited for violation of the animal control code shall be deemed to be charged with a civil infraction and may be cited to appear in county court; and

WHEREAS, it is the desire of the Leon County judges to divert appropriate animal control cases to mediation;

It is **THEREFORE**,

ORDERED that:

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1. The Leon County Neighborhood Justice Center is hereby charged with the responsibility of mediating appropriate animal control cases that are referred to the center for mediation.

2. Personnel of the Tallahassee Leon Community Animal Service Center shall have the discretion to refer animal control cases to the Neighborhood Justice Center for mediation. The following categories of cases are deemed to be appropriate for referral:

- A. Barking and noisy animals.
- B. Loose animal cases.
- C. Nuisance cases.
- D. Certain dangerous or aggressive animal cases.
- E. Contested citations which involve two or more parties.

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3. Parties referred to the Neighborhood Justice Center must demonstrate a good faith effort to resolve the dispute in question. Cases shall not be docketed on the court's calendar without a "Notice of Impasse" from the Neighborhood Justice Center. Upon receipt of a "Notice of Impasse," the clerk of the court shall set the case on the court's calendar.

4. A procedure shall be jointly developed by the Neighborhood Justice Center and the City of Tallahassee to establish the process to refer cases to the Neighborhood Justice Center for mediation. The procedure shall also be devised to provide information to the City of Tallahassee on the outcome of the mediation or attempts to initiate a mediation session.



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LEON COUNTY

5. The Director of the Neighborhood Justice Center shall prepare, on a quarterly basis, a report summarizing the number of cases diverted to the Neighborhood Justice Center for mediation, the number of cases mediated, and the number of cases in which settlement is reached.

Done and Ordered in Chambers at Tallahassee, Leon County, Florida, this

11 day of April, 2000.


JUDITH W. HAWKINS
LEON COUNTY ADMINISTRATIVE JUDGE

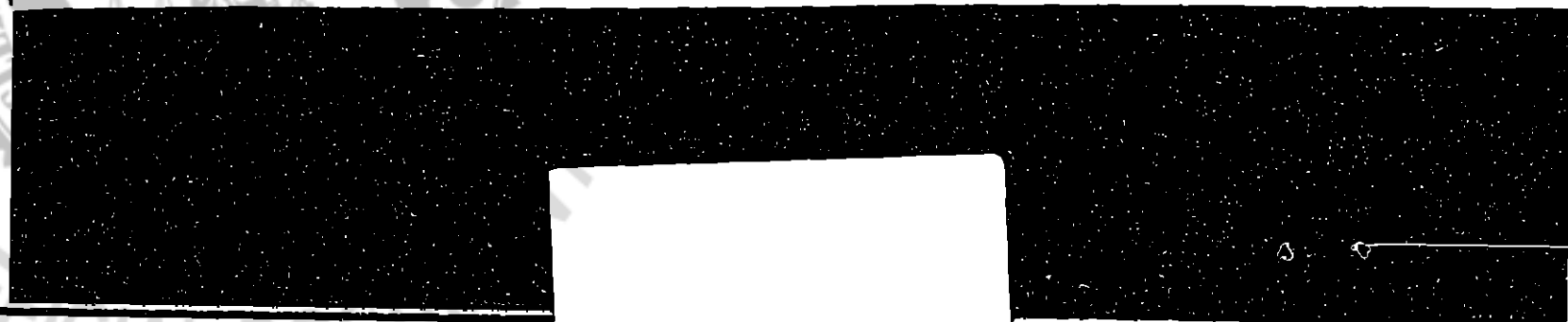
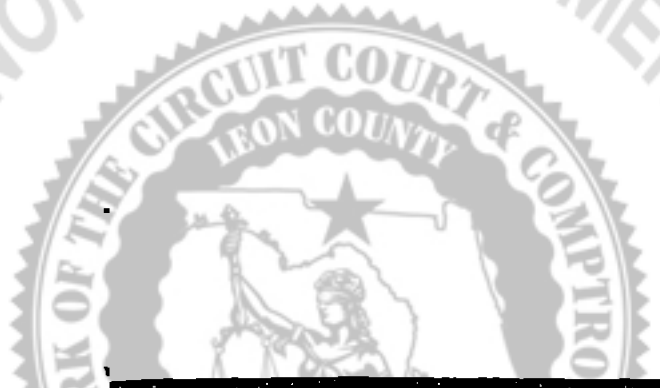

GEORGE S. REYNOLDS, III
CHIEF JUDGE

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**DIVERSION OF CITY OF TALLAHASSEE ANIMAL
CONTROL CASES TO MEDIATION**

Procedures:

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1. Before implementing this diversion program, Tallahassee-Leon Community Animal Service Center staff shall receive training on recognizing referable cases from the staff of the NJC.
2. When an officer recognizes a neighborhood conflict with regard to a first time offense of a referable call per Administrative Order No. 2000 - 06 courtesy notices will be issued to the owner and/or complainant.
3. For second and subsequent offenses which have not previously been referred to the NJC, both parties will be given courtesy notices. The ACO will refer the case to the NJC who shall then contact both parties to decide if the dispute can be mediated, and if so, they will begin the mediation. If the owner does not want to participate in mediation, a citation will be issued for the civil violation. If the complainant does not want to participate in the mediation, the complaint will be dismissed and no citation will be issued to the owner.
4. If the owner violates the terms of the mediation, a citation will be issued for the original complaint.
5. Tallahassee-Leon Community Animal Service Center shall keep a log which tracks the status of the above actions.

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