

IN THE CIRCUIT COURT OF THE  
EIGHTEENTH JUDICIAL CIRCUIT, IN  
AND FOR SEMINOLE COUNTY,  
FLORIDA.

ADMINISTRATIVE ORDER NO:  
13-16-S

**IN RE: FORECLOSURE - RESIDENTIAL MORTGAGE FORECLOSURE MEDIATION NOTICE**

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It has come to the attention of the court that the Clerk of this Court has been asked to include in the summons packet for residential mortgage foreclosures information about mediation that is outdated and incorrect in view of the adoption of Administrative Order No. 12-25-S. The court finds that for the benefit of the clerk and the parties that a standard notice in lieu of all others for those cases should be required by the court.

It is; therefore,

**ORDERED and ADJUDGED** that the Clerk of this Court include the Notice to Homeowner Defendants attached hereto as Exhibit A in the summons packet in every residential mortgage foreclosure case in Seminole County, Florida, to the exclusion of any other notice regarding mediation in those cases. Any other notice furnished by any other entity is to be discarded.

**DONE and ORDERED** this 1<sup>st</sup> day of April, 2013.

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ALAN A. DICKEY  
CHIEF JUDGE

Distribution:  
All Circuit and County Court Judges (Seminole County)  
Court Administration (Brevard and Seminole Counties)  
Clerk of Court (Seminole County)  
Public Defender (Seminole County)  
State Attorney (Seminole County)  
Sheriff (Seminole County)  
Bar Association (Seminole County)  
Law Library (Seminole County)

## **EXHIBIT A**

### **NOTICE TO HOMEOWNER DEFENDANTS**

If you are a homeowner who occupies the property subject of this suit as your primary residence you are entitled to participate in MEDIATION to attempt to settle this legal action. You may be able to negotiate:

- \*Modification of the note and mortgage to retain the property
- \*Sale the property
- \*Surrender of the property

To preserve your rights you should either contact an attorney to file an Answer to the complaint or you must file an Answer with the court on your own, even if you chose mediation. An Answer must be filed as instructed in the Summons served on you.

A Seminole County Administrative Order requires mediation in any foreclosure of an owner occupied homestead if the homeowner requests it in writing in the case.

Successful mediation requires your active participation in full completion of financial applications and cooperation in scheduling financial counseling and mediation.

- \*You have a right to participate in scheduling the date and time of the mediation session.
- \*The plaintiff's attorney does not have the right to send you to a mediator selected by the Lender without your agreement.

**SPECIAL NOTE: UNLESS YOU HAVE BEEN ADVISED BY YOUR ATTORNEY WHO IS REPRESENTING YOU IN THIS CASE (NOT THE LENDERS ATTORNEY) OR UNLESS YOU ARE EXCUSED BY THE TRIAL JUDGE YOU MUST ATTEND ALL SCHEDULED COURT PROCEEDINGS AND MEDIATION. (Bank representatives, mediation counselors and real estate professionals do not have the authority to excuse you).**

**BEWARE OF FORECLOSURE ASSISTANCE SCAMS;** Foreclosure counseling is provided for free by the Foreclosure Mediation Program and through other Housing and Urban Development (HUD) agencies.