

IN THE COUNTY COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA

Case Number: _____

Plaintiff,

vs.

Defendant

*Please contact your attorney or visit
www.marioncountyclerk.org to confirm the
status of your court event prior to the scheduled
date.*

SUMMONS/NOTICE TO APPEAR FOR PRETRIAL CONFERENCE/MEDIATION

THE STATE OF FLORIDA:

TO ALL AND SINGULAR THE SHERIFFS OF THE STATE OF FLORIDA:

YOU ARE HERBY COMMANDED to serve this summons and a copy of the complaint upon the Defendant:

YOU ARE HEREBY NOTIFIED that you are required to appear in person or by an attorney at the MARION COUNTY Courthouse, in _____ located at 110 NW 1ST AVE OCALA FL 34475 on _____ at _____ for a PRETRIAL CONFERENCE.

IMPORTANT – READ CAREFULLY

THE CASE WILL NOT BE TRIED AT THE PRETRIAL CONFERENCE,

BUT MAY BE MEDIATED AT THAT TIME

DO NOT BRING WITNESSES. YOU MUST APPEAR IN PERSON OR BY ATTORNEY

The Defendant(s) must appear in court on the date specified in order to avoid a default judgment. The Plaintiff(s) must appear to avoid having the case dismissed for lack of prosecution. A written MOTION or ANSWER to court by the plaintiff(s) or the defendant(s) shall not excuse the personal appearance of a party or its attorney in the PRETRIAL CONFERENCE/MEDIATION. The date and time of the pretrial conference CANNOT be rescheduled without good cause and prior court approval.

A corporation may be represented at any stage of the trial court proceedings by an officer of the corporation, or any employee authorized in writing by an officer of the corporation. Written authorization must be brought to the Pretrial Conference/Mediation.

The purpose of the pretrial conference is to record your appearance, to determine if you admit all or part of the claim, to enable the court to determine the nature of the case, and to set the case for trial if the case cannot be resolved at the pretrial conference. You or your attorney should be prepared to confer with the court and to explain briefly the nature of your dispute, state what efforts have been made to settle the dispute, exhibit any documents necessary to prove the case, state the names and addresses of your witnesses, stipulate to the facts that will require no proof and will expedite the trial, and estimate how long it will take to try the case.

Mediation

Mediation may take place during the time scheduled for the pretrial conference. Whoever appears for a party must have full authority to settle. Failure to have full authority to settle at this pretrial conference may result in the imposition of costs and attorney fees incurred by the opposing party. Mediation is a process whereby an impartial and neutral third person called a mediator acts to encourage and facilitate the resolution of a dispute between two or more parties, without prescribing what the resolution should be. It is an informal and non-adversarial process with the objective of helping the disputing parties reach a mutually acceptable and voluntary agreement.

In mediation, decision making rests with the parties. Negotiations in county court mediation are primarily conducted by the parties. Counsel for each party may participate, however, presence of counsel is not required. If a full agreement is not reached at mediation, the remaining issues of the case will be set for trial. Mediation communications are confidential and privileged except where disclosures are required or permitted by law.

If you admit the claim, but desire additional time to pay, you must come and state the circumstances. The court may or may not approve a payment plan and may withhold judgment or execution or levy.

RIGHT TO VENUE. The law gives the person or company who has sued you the right to file in anyone of the several places as listed below. However, if you have been sued in any place other than one of these places, you, as the defendant(s), have the right to request that the case be moved to a proper location or venue. A proper location or venue may be one of the

following: (1) where the contract was entered into; (2) if the suit is on an unsecured promissory note, where the note is signed or where the maker resides; (3) if the suit is to recover property or to foreclose a lien, where the property is located; (4) where the event giving rise to the suit occurred; (5) where one or more of the defendants sued resides; (6) any location agreed to in a contract; (7) in an action for money due, if there is no agreement as to where suit may be filed, where payment is to be made.

If you, as the defendant(s), believe the plaintiff(s) has/have not sued in one of these correct places, you must appear on your court date and orally request a transfer, or you must file a WRITTEN request for transfer in affidavit form (sworn to under oath) with the court 7 days prior to your first court date and send a copy to the plaintiff(s) or plaintiffs(s)' attorney, if any.

Both plaintiff(s) and defendant(s) must keep the Clerk of Court informed of their current address. Should any changes in court dates or scheduling be required, notice will be sent by regular mail to the last known address on file with the clerk.

A copy of the statement of claim shall be served with this summons.

WITNESS my hand and the seal of said Court on _____ of _____, 20__.

GREGORY C. HARRELL
CLERK OF COURT

by _____
Deputy Clerk

AMERICANS WITH DISABILITIES ACT (ADA)

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at the Office of the Trial Court Administrator, Marion County Judicial Center, 110 NW First Avenue, Ocala, Florida 34475, Telephone (352)401-6710, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

IF YOU NEED AN INTERPRETER

No later than ten (10) days prior to the scheduled court hearing, if an interpreter is needed, the person requiring the interpreter's services must request an appropriate court interpreter for the hearing via the Fifth Circuit website:

<https://www.circuit5.org/programs-services/interpreting-services/>

Additional information on Court Interpreting Services is located at www.circuit5.org under the Programs & Services section.

SI NECESITA UN INTERPRETE

Si alguien necesita intérprete, la persona que requiere los servicios de un intérprete debe solicitar un intérprete apropiado por lo menos diez (10) días antes de la audiencia judicial programada. El pedido se hace por el sitio web del Quinto Circuito:

<https://www.circuit5.org/programs-services/interpreting-services/>

Información adicional acerca de los Servicios de Interpretación Judicial está disponible en el sitio web www.circuit5.org bajo la sección titulada "Programs & Services."