

## **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](mailto:e-file@flcourts.org)