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New Mediation Pilot Program Aims to Resolve Landlord—Tenant Disputes

CLEARWATER - In an effort to make it easier for landlords and their tenants to resolve their disputes without the tenant being evicted, the Sixth Judicial Circuit is launching a six-month pilot program whose aim it is to encourage mediation. Historically, once a landlord files a petition to have a tenant evicted, the tenant has to respond in five days and enter the disputed rent in a registry. If the tenant fails to complete either of those two tasks, a judge typically orders the tenant evicted. If, however, the tenant completes those two tasks, the case is set for a hearing. Under the pilot program, a Pinellas County judge will now ask the landlord and tenant to leave the courtroom and see if they can work out their differences.

One of the circuit's contracted mediators will be on hand to assist, said Michelle Ardabily, chief deputy court administrator for the circuit. If the two parties can reach an agreement outside court, both will sign a court document to that effect, which the judge can then approve, Ardabily said. If they cannot, the judge will proceed to hear the full case. The pilot program will take place at the courthouse in downtown St. Petersburg, where county judges Edwin Jagger and Lorraine Kelly handle eviction proceedings. It commenced on Friday, Jan. 4, 2019, and will last through June.



County Judge Lorraine Kelly

Eviction proceedings at the old historic courthouse in Clearwater will proceed as they always have. Eviction proceedings in Pasco, the other county in the sixth circuit, will also proceed as they always have. The pilot program is just one effort made in 2018 by the Residential Eviction Access to Justice Collaborative, to expand access to justice for those in the community facing eviction. Members of the collaborative have visited eviction mediation programs in the judicial circuit in West Palm Beach and in the circuit comprising Seminole and Brevard counties. In addition to working toward setting up the pilot program, the collaborative has also successfully worked toward amending the eviction notices issued by the Pinellas Clerk of Court to include information regarding inexpensive or free legal aid for beleaguered tenants, according to Kimberly Rodgers, executive director for the Community Law Program in St. Petersburg.

Ardabily and Rodgers are members of the collaborative, as are various legal aid attorneys, housing officials, and retired judge David Seth Walker. The collaborative has also established relationships with a handful of agencies that provide rental assistance, and it has secured a small amount of funding itself to pay some tenants' past due rent, Rodgers said.

Funding for the collaborative's efforts in 2018 was provided by Foundation for a Healthy St. Petersburg, a non-profit organization that works toward improving health equity in south Pinellas County. The collaborative has already secured some funding from the Florida Bar Foundation for its 2019 efforts, which will include working with the sixth circuit to monitor and evaluate the circuit's mediation pilot program and supporting its expansion countywide.