

## Order of Reference Procedure for Lexington County

All Order of Reference packages are to be mailed or delivered to the Clerk of Court's office to the attention of Anna Marin along with the attached cover letter and checklist including the check to the clerk of court (motion fee) and the check to the Master in Equity (reference fee.)

- The Clerk of Court will take in their fee and send the package to Judge Spence for review/conflict issues
- After reviewing Judge Spence will send the OR package back to clerk of court for signing and filing.
- Once the clerk of court has signed and filed the OR they will send a copy to the attorney.
- Then the clerk of court will post the Order on the Referral Request Management System to be added to the MIE system.
- Then the MIE will Accept or Reject the case into their system, enter their fee and set up a case in the MIE office.
- After all of the above steps have taken place the Master- In-Equity can then schedule your case for hearing when you are ready.
- It can take up to 4-6 weeks for this process to be completed



Judge Spence Order of Reference Checklist (9-24-2013)

HEARING DATE: \_\_\_\_\_

CASE NAME & CAPTION: \_\_\_\_\_

LIS PENDENS BOOK & PAGE/FILE DATE: \_\_\_\_\_

ORDER OF REFERENCE FILED: \_\_\_\_\_

NOTICE OF HEARING MAILED: \_\_\_\_\_

FORECLOSURE INTERVENTION.COMPLIANCE DATE FILED: \_\_\_\_\_ OR  
IF ORIGINAL INCLUDED WITH OR PACKAGE FOR FILING CHECK HERE \_\_\_\_\_

DEFENDANT(S) SERVED (LIST EACH DEFENDANT AND DATE THEY WERE SERVED)

\_\_\_\_\_  
\_\_\_\_\_

ANSWER OR COUNTERCLAIM FILED? \_\_\_\_\_

AFFIDAVIT DEFAULT DATE FILED: \_\_\_\_\_ NON-MILITARY AFF. DATE FILED: \_\_\_\_\_ OR  
IF ORIGINALS INCLUDED WITH OR PACKAGE FOR FILING CHECK HERE \_\_\_\_\_

PLAINTIFF FIRM/ATTORNEY: \_\_\_\_\_

DEFENDANT FIRM/ ATTORNEY: \_\_\_\_\_/GAL: \_\_\_\_\_/Answer \_\_\_\_\_

BAILIFF: \_\_\_\_\_ DEPUTY: \_\_\_\_\_

COURT REPORTER: \_\_\_\_\_

DEFENDANT APPEARS SRL/RULES EXPLAINED: \_\_\_\_\_

We discuss (1) process/procedure. (2) Record/Order review (3) Loan Mod/ Short sale etc (4) 2011 Admin Order (5) Sales/vacate issues (6) judicial foreclosure issues/right of occupancy(7) SCHELP (8) Plaintiff to send Status email on \_\_\_\_\_

Other: \_\_\_\_\_

Deficiency Judgment Waived/Demanded/USA RIGHT OF REDEMPTION/HOA OR 2<sup>nd</sup> MTG/ Multiple Tracts

Sales Date: \_\_\_\_\_

Note/mtg date: \_\_\_\_\_

Interest Rate: \_\_\_\_\_

Mortgage Recorded: Book \_\_\_\_\_ Page \_\_\_\_\_

Judgment Debt: \_\_\_\_\_

**DOCUMENTS NEEDED TO PROCESS CASE: / NONE NEEDED-READY TO GO!**

- (1) FIC Proof
- (2) Notice of hearing
- (3) Note, Mortgage, Assignment, Property Description
- (4) AOD/Breakdown of Corporate Advances: \_\_\_\_\_
- (5) Attorney fee clarification: \_\_\_\_\_
- (6) Other: \_\_\_\_\_