

Selected Cases – State Cases
State Cases Involving Masters in Various Roles
October 2012

Some of the cases that appear in this Appendix were obtained from the Special Master Case Reporter published by David Cohen www.SpecialMaster.biz

(* = *appointment of masters was at issue*)

Alabama

Gilbert v. Nicholson, 845 So. 2d 785 (Ala. 2002) (affirming appointment of special master to inspect and oversee roadway construction and affirming special master's findings).

Blasdel v. Blasdel, No. 2110032, 2012 WL 4241434 (Ala. Civ. App. Sept. 21, 2012) (holding that the court did not err in denying the appointment of a special master to calculate a spouse's equitable interest in a company in a divorce proceeding where, subsequently, neither party offered expert testimony on the company's value).

Antoine v. Oxmoor Preservation/One, LLC, No. 2100839 and 2110139, 2012 WL 2947896 (Ala. Civ. App. July 20, 2012) (remanding case to trial court and ordering the appointment of a special master to oversee further discovery).

Perry v. Perry, No. 2100860, 2012 WL 975611 (Ala. Civ. App. Mar. 23, 2012) (appointing special master to hold hearings on pendent lite issues in divorce proceeding).

Burkett v. Burkett, No. 2090587, 2011 WL 2508195 (Ala. Civ. App. June 24, 2011) (appointing special master in a divorce proceeding to determine the fair market value of the husband's businesses).

Grelier v. Grelier, 44 So. 3d 1092 (Ala. Civ. App. 2009) (reversing trial court's decision that relied on special master's evaluation which was based on erroneous valuation of the husband's closely held business interest).

Arizona

Lund v. Myers ex rel. Cnty. of Maricopa, No. 1-CA-SA12-0027, 2012 WL 3865054 (Ariz. Ct. App. Sept. 6, 2012) (concluding that a different judge appointed as special master for discovery matters was most appropriate for in camera review of documents).

Davis v. Davis, 284 P.3d 23 (Ariz. Ct. App. 2012) (determining that husband's consent to a special master allowed the court to exercise personal jurisdiction over him).

Jioie v. Hosier, No. 1 CA-CV 11-0333 A, 2012 WL 606603 (Ariz. Ct. App. Feb. 27, 2012) (appointing special master to divide husband's 401(k) in divorce proceeding; however, the parties' refusal to pay special master allowed him to terminate his appointment before he made a determination, which resulted in family court dividing the money evenly).

Rye v. Rye, No. 1 CA-CV 10-0888, 2011 WL 6292216 (Ariz. Ct. App. Dec. 15, 2011) (ordering appellant to appear before a special master for a deposition).

Sammons v. Peril, No. 1 CA-CV 09-0664, 2010 Ariz. App. Unpub. LEXIS 1259 (Ariz. Ct. App. Nov. 30, 2010) (affirming superior court appointment of a Parenting Coordinator to help parents in child custody dispute).

Ahwatukee Custom Estates Mgmt. Ass'n v. Turner, 2 P.3d 1276 (Ariz. Ct. App. 2000) (affirming trial court's decision based on the special master's findings concerning a property dispute after hearing three days of testimony and conducting on-site visits).

Arkansas

Givens v. Greene, No. 11-1114, WL 1036203 (Ark. Mar. 29, 2012) (appointing special master to make recommendation for appropriate sanctions in an attorney discipline matter).

Gulley v. State, No. CR11-271, 2012 Ark. LEXIS 343 (Ark. Sept. 6, 2012) (adopting special master's finding of fact regarding attorneys' failure to show cause in contempt proceedings).

White v. Palo, No. 10-1085, 2011 Ark. LEXIS 121 (Ark. Mar. 31, 2011) (reviewing a case in which the court appointed two special masters to organize and liquidate all of deceased's property, including the trust at issue).

Lake View Sch. Dist. No. 25 v. Huckabee, 144 S.W.3d 741 (Ark. 2004) (appointing special master to examine, evaluate, and report on legislative and executive action taken to comply with court order and the constitutional mandate regarding adequacy of school system funding, infrastructure, and curriculum).

Ligon v. Dunklin, No. 04-661, 2004 WL 2036927 (Ark. Sept. 9, 2004) (appointing special master to preside over disbarment proceedings and provide the court with findings of fact).

HRR Ark., Inc. v. River City Contractors, Inc., 87 S.W.3d 232 (Ark. 2002) (noting that the trial court appointed a special master to make an accounting of the company's books, where the case involved a dispute about a sale of assets with provisions related to adjustments for revenue shortfalls, and the parties asserted counterclaims for unpaid commissions and unpaid rent).

California

Tarrant Bell Prop., LLC v. Superior Court, 247 P.3d 542 (Cal. 2011) (finding that the appointment of a referee under the California Code of Civil Procedure Section 638 is permissive, but not mandatory).

Gay (Kenneth Earl) on H.C., No. S130263, 2011 Cal. LEXIS 5338 (Cal. May 18, 2011) (reviewing a decision in which a judge was to be selected as a referee to take evidence and make findings of fact on five questions in the case of *People v. Kenneth Early Gay*).

David (Stanley Bernard) on H.C., No. S116750, 2011 Cal. LEXIS 616 (Cal. Jan. 19, 2011) (reviewing case in which a presiding judge was relieved as referee and another judge was appointed to serve as referee to take evidence and make findings of fact, and prepare and submit a report of the proceedings, the evidence adduced, and the findings).

Rand v. Bd. of Psychology, 142 Cal. Rptr. 3d 288 (Cal. Ct. App. 2012) (upholding revocation of psychologist's license based on his conduct while acting as a special master).

Parness v. Abrams Garfinkel Margolis Bergson, LLP, No. B234762, 2012 WL 3297710 (Cal. Ct. App. Aug. 14, 2012) (finding that the trial court should have conducted an independent review of referee's findings and recommendations).

James E. Adrian v. Carl Wayne Adrian, No. D058877, 2012 WL 967659 (Cal. Ct. App. Mar. 22, 2012) (appointing referee Andrew Allcroft to oversee the partition of jointly owned real estate).

In re Stephanie U., B234401, 2012 WL 909301 (Cal. Ct. App. Mar. 19, 2012) (quoting case law which states that the order of a juvenile court referee becomes final 10 calendar days after service of a copy of the order, and findings if no timely application for rehearing has been made).

Yong Pyo Hong v. Life Univ., No. B226987, 2012 WL 882518 (Cal. Ct. App. Mar. 15, 2012) (discussing whether the party requesting a discovery referee must bear all fees associated with such referee, or whether fees should be divided between the parties).

In re Marriage of Satya v. and Lakshmi Reddi, No. G044888, 2012 WL 833093 (Cal. Ct. App. Mar. 13, 2012) (recommending striking of one party's pleadings for noncompliance with discovery requests by the discovery referee).

In re Adrian A., No. B233960, 2012 WL 681210 (Cal. Ct. App. Mar. 1, 2012) (finding that mother's appeal in a child custody proceeding was untimely because a California statute states that the order of a referee becomes effective without approval of a judge ten days after service of a written copy of the order).

Tidgewell v. Gentry, No. G044710, 2012 WL 676729 (Cal. Ct. App. Feb. 29, 2012) (quoting case law that provides no settlement for an injured worker is valid unless the Workers' Compensation Appeals Board or a workers' compensation referee approves the settlement).

Rodriguez v. Burbank Police Dep't, No. B227414, 2012 WL 646338 (Cal. Ct. App. Feb. 27, 2012) (deciding whether or not certain evidence was privileged was done by the discovery referee).

In re C.G., No. B235724, 2012 WL 599578 (Cal. Ct. App. Feb. 24, 2012) (declaring a presumed father in a paternity dispute case was done by referee).

Gibson v. GJ Park Assocs., No. B224808, 2012 WL 593196 (Cal. Ct. App. Feb. 23, 2012) (awarding of restitution of rents under the unfair competition law was done by referee, after considering the evidence of the case).

In re J.H., No. C065793, 2012 WL 469827 (Cal. Ct. App. Feb. 14, 2012) (reviewing an order made in the juvenile court by referee Peter Helfer that a father have no contact with his children).

Partridge v. Hott Wings, No. A130266, 2012 WL 470458 (Cal. Ct. App. Feb. 14, 2012) (appointing a discovery referee to assist with discovery disputes).

Psychcare v. Windstone Behavioral Health, Inc., No. G044449, 2012 WL 293740 (Cal. Ct. App. Jan. 31, 2012) (appointing a referee at the trial court level to hear the motions and make recommendations; but, the referee had not decided the matter by the time the parties completed the briefing in the appeal).

Ceporius v. Maturo, No. B228418, 2012 WL 275160 (Cal. Ct. App. Jan. 30, 2012) (affirming referee's monetary award to respondent homeowner).

In re Alexander L., No. B232712, 2012 WL 90094 (Cal. Ct. App. Jan. 12, 2012) (discussing a California rule which states that in matters heard by a referee, a notice of appeal must be filed within 60 days after the referee's order becomes final).

Okun v. Morton, No. B227689, 2012 WL 75745 (Cal. Ct. App. Jan. 11, 2012) (reviewing referee's finding that plaintiff was entitled to a share of defendant's business transaction proceeds).

Sutton v. Richardson, No. B230590, 2012 WL 76178 (Cal. Ct. App. Jan. 11, 2012) (appointing referee to appraise the assets of an estate in question).

In re I.G., No. DO60290, 2012 WL 12675 (Cal. Ct. App. Jan. 4, 2012) (affirming a judgment of the Superior Court in which juvenile court referee was assigned).

Johnston v. Kelly, No. F060909, 2012 WL 8319 (Cal. Ct. App. Jan. 3, 2012) (referring to duties of referees in workers compensation cases).

Benjamin, Weill & Mazer v. Kors, 125 Cal. Rptr. 3d 469 (Cal. Ct. App. 2011) (discussing concerns about referees and arbitrators being compromised by economic considerations).

In re Cabrera, 198 Cal. App. 4th 1548, (Cal. Ct. App. 2011) (finding that the reviewing court may appoint a referee and order the referee to hold an evidentiary hearing to resolve the factual disputes).

In re Marriage of Bauer, No. G043361, 2011 WL 4337093 (Cal. Ct. App. Sept. 16, 2011) (mentioning that the trial court sent the couple to a referee to determine the value of assets when dividing marital property).

In re M.H. 2011, No. G044807, 2011 WL 3923546 (Cal. Ct. App. Sept. 7, 2011) (quoting another case to determine that if the court finds material facts in dispute it may appoint a referee and order an evidentiary hearing be held).

Barrera v. Wells Fargo Bank, N.A., No. A129915, 2011 WL 3557318 (Cal. Ct. App. Aug. 12, 2011) (determining that a motion must specify whether the court, a justice, or a special master or referee will take the evidence).

Rickley v. Goodfriend, No. B224442, 2011 Cal. Ct. App. Unpub. LEXIS 5975 (Cal. Ct. App. Aug. 9, 2011) (reviewing an appeal of a post-judgment order appointing a remediation supervisor).

Petrik v. Mahaffey, No. G042114, 2011 WL 2306149 (Cal. Ct. App. June 9, 2011) (determining that the trial court may appoint a referee to conduct a formal accounting).

Ben Eisenberg Prop.–New Mart Bldg., Inc. v. Jackson & Wallace, No. B211714, 2011 WL 1844627 (Cal. Ct. App. May 17, 2011) (referring the dispute to a discovery referee after an extensive discovery dispute).

Andrade v. Superior Court, No. H034960, 2011 WL 1782031 (Cal. Ct. App. May 10, 2011) (stating that the referee is empowered to make a conclusive determination without further action by the court under Cal. Code of Civ. P. section 638).

First Liberty Equities v. Beacon Capital Escrow, No. D055710, 2011 Cal. Ct. App. Unpub. LEXIS 3012 (Cal. Ct. App. Apr. 21, 2011) (reviewing a case in which, shortly after litigation was initiated, the trial court appointed an accountant as a referee under Cal. Code of Civ. P. section 639, and directed the referee to prepare an accounting of the joint venture's finances. After the accounting was prepared, the trial court conducted an evidentiary hearing based upon it).

Fletcher v. Bantan, No. B222418, 2011 WL 1474012 (Cal. Ct. App. Apr. 19, 2011) (affirming trial court order to pay referee costs).

Walsh v. Adams, No. B222638, 2011 WL 1459971 (Cal. Ct. App. Apr. 18, 2011) (dismissing appeal of order adopting referee's report).

Chapman v. Sullivan Motor Cars, LLC, No. B224885, 2011 WL 438536 (Cal. Ct. App. Feb. 9, 2011) (finding that the referee's award of attorney fees was not an abuse of discretion). *In re Marriage of Petropoulos*, 110 Cal. Rptr. 2d 111 (Cal. Ct. App. 2001) (determining that it is not an unauthorized delegation of judicial power to appoint a special master to determine debts and assets of the parties, income of the parties, and the parties' credibility).

Beasley v. Superior Court, No. D057308, 2010 Cal. Ct. App. Unpub. LEXIS 9796 (Cal. App. Dec. 10, 2010) (stating that once a judgment is obtained, the judgment creditor may apply to the proper court for an order requiring the judgment debtor to appear before the court, or before a referee appointed by the court, at a time and place specified in the order, to furnish information and to aid in enforcement of the money judgment).

Akmakjian v. Haider, No. E050146, 2010 Cal. Ct. App. Unpub. LEXIS 9631 (Cal. Ct. App. Dec. 3, 2010) (appointing a referee to manage and sell the property after a partition of the sale of property. The referee then moved for approval of his final accounting and plan for distribution. The costs of partition included the referee's fee and expenses.).

Truckee Carson Irr. Dist. v. Sierra Pac. Power Co., No. C061004, 2010 WL 4461659 (Cal. Ct. App. Nov. 9, 2010) (appointing a referee to decide three different issues; to hear and determine any and all discovery motions and disputes relevant to discovery in the action; and to report findings and make a recommendation).

Snyder v. Carollo, No. F059657, 2010 Cal. Ct. App. Unpub. LEXIS 8760 (Cal. Ct. App. Nov. 3, 2010) (stating that the Probate Code consistently uses the terms "appraise" and "appraisal" to describe the work of the probate referee).

Callan v. CRC Ins. Servs., Inc., No. B211059, 2010 WL 4305043 (Cal. Ct. App. Nov. 2, 2010) (reviewing a motion for a discovery referee).*

Kaplan v. Reiner, No. B220426, 2010 WL 3587401 (Cal. Ct. App. Sept. 16, 2010) (appointing a special master to attend all discovery because of a party's unprofessional behavior during discovery matters).

Regan Roofing Co. v. Superior Court, 27 Cal. Rptr. 2d 62 (Cal. Ct. App. 1994) (mentioning court-appointed special master serving as mediator).

Colorado

People v. Adams, 243 P.3d 256 (Colo. 2010) (deciding that the supreme court may accept a hearing master's findings of fact unless they are clearly erroneous and unsupported by the record).

Valentine v. Mountain States Mut. Cas. Co., 252 P.3d 1182 (Colo. App. 2011) (finding that the insurer, who prevailed on cross-claims asserted by insureds in foreclosure action, was not entitled to recover its share of the costs billed by mediator and special master).

Connecticut

In re Petition of Reapportionment Comm'n, 36 A.3d 661 (Conn. 2012) (accepting report and plan of congressional districting that was designed by special master).

Broadnax v. City of New Haven, 851 A.2d 1113 (Conn. 2004) (appointing a special master to oversee promotions within fire department).*

Liberti v. Liberti, 37 A.3d 166 (Conn. App. Ct. 2012) (noting that before the hearing on a motion to modify child custody was held, the parties participated in a special master session through which they succeeded in securing an agreement to modify their parenting plan).

Lynn v. Lynn, 23 A.3d 771 (Conn. App. Ct. 2011) (appointing a special master to facilitate the sale of the marital home in a marriage dissolution action).

Yao Gong v. Xuanwei Huang, 21 A.3d 474 (Conn. App. Ct. 2011) (reviewing a case in which the court appointed a discovery special master to assess the parties' financial statuses in a marriage dissolution action).

Broadnax v. City of New Haven, No. NNHCV980412193S, 2012 WL 4123184 (Conn. Super. Ct. Aug. 21, 2012) (assigning a special master of the court to monitor, oversee, and report to the court compliance of the City of New Haven with federal, state and municipal law applicable to promotions within the city of New Haven Fire Department).

Targowski v. Targowski, No. FA094011470S, 2011 Conn. Super. LEXIS 3317 (Conn. Super. Ct. Dec. 30, 2011) (noting that the special master held a conference with parties to a divorce proceeding).

Wittman v. Wittman, No. FA104048782, 2011 WL 4347857 (Conn. Super. Ct. Sept. 1, 2011) (mentioning that the husband, in a major dissolution action, failed to disclose his purchase of a new home at a special master's pretrial).

Chambless v. Chambless, No. FA104013999S, 2011 WL 3930318 (Conn. Super. Ct. Aug. 12, 2011) (following a special master's conference, the trial court held a final hearing on the marriage dissolution).

Korosidis v. Papanicolaou, No. FA104013409S, 2011 WL 3891354 (Conn. Super. Ct. Aug. 4, 2011) (following a special master's conference, the trial court held a final hearing on the marriage dissolution).

Capoccitti v. Capoccitti, No. FA104013845S, 2011 WL 2536214 (Conn. Super. Ct. June 1, 2011) (following a special master's conference, the trial court held a final hearing on the marriage dissolution).

Feher v. Feher, No. FA084010491S, 2011 WL 1888197 (Conn. Super. Ct. Apr. 27, 2011) (following a special master's conference, the trial court held a final hearing on the marriage dissolution).

Klein v. Bratt, No. FSTCV055000502S, 2011 WL 1028004 (Conn. Super. Ct. Feb. 18, 2011) (stating that a special master's pre-trial was unable to resolve financial differences between two cohabiting adults who terminated their romantic relationship).

Korab v. Ridgeway, No. FA104012889S, 2011 WL 783609 (Conn. Super. Ct. Feb. 14, 2011) (following a special master's conference, the trial court held a final hearing on the marriage dissolution).

Webb v. Warden, No. CV000003239S, 2011 WL 724774 (Conn. Super. Ct. Jan. 25, 2011) (ordering the bifurcation of the petitioner's claim alleging that racial bias infects Connecticut's capital punishment procedures and transferring said claim to the authority of the special master appointed to coordinate the scheduling of hearings of all racial disparity claims in death penalty cases).

Bushnell v. Bushnell, No. FA064005252S, 2011 WL 263186 (Conn. Super. Ct. Jan. 4, 2011) (mentioning that special masters met with the children in a child custody case).

Newman v. Newman, No. FA094012578S, 2010 WL 5646052 (Conn. Super. Ct. Dec. 30, 2010) (following a special master's conference, the trial court held a final hearing on the marriage dissolution).

Carter v. Carter, No. FA094012225S, 2010 WL 5573754 (Conn. Super. Ct. Dec. 14, 2010) (following a special master's conference, the trial court held a final hearing on the marriage dissolution).

Mahaney v. Mahaney, No. FSTFA104018517S, 2010 WL 5573708 (Conn. Super. Ct. Dec. 8, 2010) (deferring a ruling on a motion to appoint a special master until after an update and further report by the parties on the status of discovery).

Mercer v. Blanchette, No. HHBCV105014999, 2010 WL 5493506 (Conn. Super. Ct. Dec. 8, 2010) (mentioning that a federal district court appointed monitors in the nature of special masters and delegated to them the function of overseeing the remedies that had been put in place as part of the court order in the *Doe v. Meachum* litigation, another case in which the plaintiff was involved).

Farrington v. Farrington, No. FA104013052S, 2010 WL 5188441 (Conn. Super. Ct. Nov. 30, 2010) (following a special master's conference, the trial court held a final hearing on the marriage dissolution).

Delaware

Plummer v. R.T. Vanderbilt Co., Inc., 49 A.3d 1163 (Del. 2012) (holding that order dismissing complaint became final when trial court entered order for dismissal, not the date that the special master, unaware of the court's disposition, granted an omnibus motion to dismiss).

Danenberg v. Fittracks, Inc., 2012 Del Ch. LEXIS 53, 4-5 (Del. Ch. Mar. 5, 2012) (refusing to appoint a special master to review fees).

Price v. E.I. DuPont de Nemours & Co., 26 A.3d 162 (Del. Super. Ct. 2011) (affirming special master's finding that the motion to amend was futile).

District of Columbia

Jordan v. Jordan, 14 A.3d 1136 (D.C. 2010) (finding that the rule governing special masters authorized the trial court to appoint a parenting consultant in a high-conflict custody proceeding where it awarded joint custody).

Florida

Moriber v. Dreiling, 95 So. 3d 449 (Fla. Dist. Ct. App. 2012) (following special master's recommendation to deny motion finding that defendant did not obtain an unfair advantage when he inadvertently received plaintiff's confidential mediation statement).

In re Drummond, 69 So.3d 1054 (Fla. Dist. Ct. App. 2011) (reviewing the magistrate's report resolving an exception in contested involuntary placement proceedings under the Baker Act).

Cnty. of Orange v. Ligatt, 46 So. 3d 130 (Fla. Dist. Ct. App. 2010) (reversing circuit court decision rejecting the special master's finding that a structure was not a "dock" within the meaning of county ordinance).

TID Servs. v. Dass, 65 So. 3d 1 (Fla. Dist. Ct. App. 2010) (reviewing the circuit court's appointment of a special magistrate to take immediate possession of and sell a property in accordance with Fla. State section 64.061(4) (2008)).

Brooks v. State, 816 So. 2d 199 (Fla. Dist. Ct. App. 2002) (denying appeal of trial court decision based on special master's findings after conducting an evidentiary hearing regarding petitioner's entitlement to a belated appeal).

Williams v. State, 816 So. 2d 718 (Fla. Dist. Ct. App. 2002) (requesting appointment of a special master to conduct a hearing regarding a party's right to raise a claim of ineffective assistance of counsel).

Leo's Gulf Liquors v. Lakhani, 802 So. 2d 337 (Fla. Dist. Ct. App. 2001) (mentioning that the trial court appointed a special master to monitor protracted discovery, which took place over three years).

Gaton v. Health Coal., Inc., 774 So. 2d 59 (Fla. Dist. Ct. App. 2000) (determining that a court may, at its discretion, order an *in camera* hearing by a special master to inspect the materials in question).

Georgia

In re Peterson, 725 S.E.2d 252 (Ga. 2012) (departing from special masters recommendation of twelve month sanction in lawyer disciplinary action).

Small v. Irving, 729 S.E.2d 323 (Ga. 2012) (holding that the trial court erred in adopting the special master's finding that plaintiff not entitled to recover mense profits in an ejectment proceeding).

In re Gammage, 721 S.E.2d 902 (Ga. 2012) (accepting special master's recommendation that the court accept the petition for the voluntary surrender of attorney's license).

In re Maccione, 720 S.E.2d 646 (Ga. 2012) (accepting special master's recommendation that court accept Defendant's voluntary surrender of his attorney's license).

In re Wathen, 721 S.E.2d 899 (Ga. 2012) (acting on the default report and recommendation of the special master, the court held attorney's conduct warranted disbarment).

Washington v. Brown, 722 S.E.2d 65 (Ga. 2012) (adopting special master's finding that Brown was the owner of a piece of property in a quiet title action).

In re Peterson, Nos. S11Y0423, S11Y0424, 2012 WL 904681 (Ga. Mar. 19, 2012) (adopting special master's findings that an attorney had committed misconduct and should be disciplined).

In re Wisenbaker, No. S12Y0932, 2012 WL 952229 (Ga. Mar. 19, 2012) (accepting special master's recommendation that the court accept the petition for the voluntary surrender of attorney's license).

Goodson v. Ford, No. S11A1740, 2012 WL 685802 (Ga. Mar. 5, 2012) (presuming special master's factual findings were supported by the evidence).

In re Davis, Nos. S12Y0401, S12Y0402, 2012 WL 603273 (Ga. Feb. 27, 2012) (adopting findings and conclusions of special master, who recommended disbarment of attorney).

Gotel v. Thomas, 592 S.E.2d 78 (Ga. 2004) (affirming a final judgment adopting the report of the special master in an action to quiet title and noting that the appellate court could not review special master's consideration of an argument first raised on appeal because no transcript of the hearing before the special master was available).

Simmons v. Bearden, 596 S.E.2d 136 (Ga. 2004) (holding that if no demand for a jury trial is requested prior to the time that the special master hears the evidence, "the special master is the arbiter of law and fact and decides all issues in the case unless the master 'on his own initiative . . . [requires] a trial by a jury of any question of fact'").

Watkins v. Hartwell R.R. Co., 597 S.E.2d 377 (Ga. 2004) (reversing superior court's decision to deny a jury trial and adopt special master's conclusion resolving a right-of-way dispute between railroad and property owner).

In re Rutherford, 569 S.E.2d 840 (Ga. 2002) (accepting special master's recommendation that the court accept attorney's voluntary surrender of attorney's license).

McKemie v. City of Griffin, 537 S.E.2d 66 (Ga. 2000) (reviewing trial court determination based on special master's finding regarding evidence as to the fair market value of property sought to be condemned).

Patel v. Epps, 731 S.E.2d 62 (Ga. Ct. App. 2012) (dismissing direct appeal of special master's findings for lack of jurisdiction because appealing the decision of a special master appointed under Georgia's auditor statute requires following the appeal procedure listed in OCGA § 5-6-35).

Standard Bldg. Co., Inc. v. Schofield Interior Contractors, Inc., 726 S.E.2d 760 (Ga. Ct. App. 2012) (holding Superior Court's referral of defendants' motion for a new trial or judgment notwithstanding the verdict to a special master did not constitute an abuse of discretion).

Alston & Baird, LLP v. Mellon Ventures II, L.P., 706 S.E.2d 652 (Ga. Ct. App. 2010) (determining that in a legal malpractice action, the trial court had inherent authority to appoint a private attorney as a special master to submit a written report making recommendations as to evidentiary disputes and as to disposition of parties' motions for partial summary judgment).

Pounds v. Brown, 695 S.E.2d 66 (Ga. Ct. App. 2010) (affirming in part and reversing in part the trial court's decision which, itself, reversed the findings of the special master who was appointed to consider an emergency motion to enforce a settlement agreement in a derivative suit), *aff'd in part, rev'd in part*, 711 S.E.2d 646 (Ga. 2011).

Res. Life Ins. Co. v. Buckner, 698 S.E.2d 19 (Ga. Ct. App. 2010) (affirming trial court appointment of special master to determine whether sanctions should be applied against plaintiff for failure to disclose information during discovery, and ultimately the special master's findings).

Idaho

City of Pocatello v. Idaho, 275 P.3d 845 (Idaho 2012) (finding the city failed to preserve its claims for appellate review because city did not challenge the special master's recommendations).

In re SRBA, 237 P.3d 1 (Idaho 2010) (affirming special master's denial of a motion to alter or amend did not change the period allowable for filing a challenge despite stated confusion on behalf of the party of the deadline, and holding that the special master had the requisite authority to hear and recommend the city's motion for attorney fees and costs despite the argument that fees cannot be determined until the case is concluded by the judge and not the master).

City of Pocatello v. Idaho, No. 37723-2010, 2012 WL 987518 (Idaho 2012) (affirming special master's findings of fact and conclusions of law in water rights dispute).

Idaho Sch. for Equal Educ. Opportunity v. State, 97 P.3d 453 (Idaho 2004) (reviewing a case in which a special master was appointed to investigate the conditions of the school buildings during school funding reform).

Illinois

Molony v. Ill. Dep't of Emp. Sec., No.1-10-1872, 2012 Ill. App. LEXIS 1560 (Ill. App. Ct. June 28, 2012) (holding that referee acted properly in taking an active role in developing the

evidence and ascertaining the positions of the parties, who were unrepresented by counsel).

City of Chi. v. St. John's United Church of Christ, 935 N.E.2d 1158 (Ill. App. Ct. 2010) (appointing a special master to “advise and assist the court” in a lawsuit brought by a class of people with property interests in a cemetery to prevent the city from condemning the cemetery).

Indiana

Long v. State, 962 N.E.2d 671 (Ind. Ct. App. 2012) (holding that judicially appointed master commissioner lacked authority to enter a final judgment on defendant’s sentence where commissioner did not preside over the criminal trial).

Lees Inns of Am., Inc. v. William R. Lee Irrevocable Trust, 924 N.E.2d 143 (Ind. Ct. App. 2010) (holding that trial court did not abuse its discretion by denying corporation's motion to appoint a special master or appraiser regarding the valuation of a corporation).

Iowa

In re T.E., No. 12–0034, 2012 WL 4513877 (Iowa Ct. App. Oct. 3, 2012) (holding that a “hospitalization referee” has no jurisdiction in cases involving the involuntary hospitalization of minors).

In re Marriage of Ryan, 801 N.W.2d 33 (Iowa Ct. App. 2011) (reviewing a case in which a special master was appointed to value certain property, conduct an accounting, and pay certain of the parties' outstanding obligations).

C. Line, Inc. v. Malin, No. 10-1600, 2011 WL 6058580 (Iowa Ct. App. Dec. 7, 2011) (affirming court-appointed special master’s findings on license appeal of adult cabaret business).

Armstrong v. Armstrong, 791 N.W.2d 428 (Iowa Ct. App. 2010) (finding that the lower court properly modified the master's report to account for taxes that became due between the report and final judgment; master was appointed to assist in resolving disputes regarding real property and business interests owned by siblings and their spouses).

Kansas

Wilson v. Jenkins, 268 P.3d 11 (Kan. Ct. App. 2012) (appointing special master for fact finding in a case involving the dissolution of a family partnership).

In re Twilleger, 263 P.3d 199 (Kan. Ct. App. 2011) (reviewing district court’s decision not to appoint an examiner).

Westar Energy, Inc. v. Wittig, 235 P.3d 515 (Kan. Ct. App. 2010) (affirming trial court decision to appoint special master to decide the reasonableness of legal fees and sort through the large volume of legal bills from both firms, and later deciding to accept additional documentation after both parties objected to the master’s findings).

Kentucky

Greene v. Commonwealth, 349 S.W.3d 892 (Ky. 2011) (holding that limited waiver of sovereign immunity for negligence in performance of ministerial acts under Board of Claims Act did not apply to claim against former county master commissioner for intentional conversion of judicial sale proceeds for his personal use).

Hall v. Swan Fork Land Co., Inc., No. 2009-CA-001815-MR, 2011 Ky. App. Unpub. LEXIS 482 (Ky. Ct. App. May 27, 2011) (granting master commissioner authority to execute deed if parties failed to execute quit claim deed within timeframe).

Louisiana

Watters v. Dep't of Soc. Servs., 2011–1174 (La. App. 4 Cir. 4/14/12); 2012 WL 860386 (appointing special master to distribute settlement funds).

Ambush v. Mount Zion Baptist Church, Inc. ex rel. its Bd. of Trustees, 11–1028 (La. App. 3 Cir. 2/22/12); 2012 WL 555151 (appointing special master to conduct a church's election of its board of trustees).

Ficarra v. Ficarra, 11–569 (La. App. 5 Cir. 2/14/12); 2012 WL 469891 (appointing special master to determine assets and liabilities of the community, reimbursement claims, and appellant's earnings for child support purposes).

Adams v. CSX R.R., 2011–0286 (La. App. 4 Cir. 12/14/11); 2011 WL 6225172 (appointing special master to recommend distributions of settlement money).

Hightower v. Hightower, 2010-1352 (La. App. 1 Cir. 12/22/10); 57 So. 3d 605 (reviewing special master's findings with regard to division of property).

Pollard v. Alpha Technical, Chevron U.S.A., Inc., 2008–1486, 2009–0266 to 2009–0273 31 So. 3d 576 (La. App. 4 Cir. 1/28/10) (affirming trial court appointment of special master to conduct evidentiary hearing on issue of class certification, and its decision to deny class certification based on special master's recommendation).

Palmisano v. Tranchina, 44,948 (La. App. 2 Cir. 1/27/10); 31 So. 3d 543 (finding that a magistrate was entitled to absolute immunity from action for damages based on allegations of lack of professionalism and misuse of role as special master, since magistrate was a court-appointed expert performing in a quasi-judicial capacity as a special master at the time the allegations occurred).

Terrebonne Parish Sch. Bd. v. Castex Energy, Inc., 2001–2634 (La. App. 3/19/04); 878 So. 2d 522 (reversing the appointment of a special master to oversee marshland restoration project), *rev'd on other grounds*, 893 So. 2d 789 (La. 2005).*

Maine

Boschetti v. Anderson, No. Oxf-10-473, 2011 Me. Unpub. LEXIS 76 (Me. May 17, 2011) (holding that referee's findings of fact and conclusions of law, as adopted by the court, were not clearly erroneous).

Bar Harbor Hous. Auth. v. Staples, 8 A.3d 622 (Me. 2010) (holding that objections to referee's findings are necessary to preserve issues for appeal; objections to referee's report must be decided by a justice who has not heard testimony, nor been given the opportunity to appraise credibility of witnesses).

Gorman v. Gorman, 10 A.3d 703 (Me. 2010) (holding that appeal from a referee's report will not be entertained unless a proper objection was made in the court that appointed the referee, and that husband and wife did not have authority to agree to bypass the requirement of filing objections to referee's report in trial court prior to appeal).

Young v. Hayward, No. RE-01-35, 2003 WL 21957120 (Me. Super. July 31, 2003) (denying summary judgment and stating that a referee must be appointed to determine the cause of water contamination).

Sandler v. Lalone, No. CV-10-443, 2011 Me. Super. LEXIS 126 (Me. Super. June 29, 2011) (holding that divorce agreement containing language asserting that it did not supersede the Referee's Report and Divorce Judgment did not incorporate the Report and Divorce Judgment into the agreement).

Maryland

Dep't of Human Res. v. Mitchell, 12 A.3d 179 (Md. 2011) (discussing child support hearings conducted by special master).

Friolo v. Frankel, 28 A.3d 752 (Md. 2011) (holding that plaintiff is responsible for special master's fees as a litigation expense).

Neustadter v. Holy Cross Hosp. of Silver Spring, Inc., 13 A.3d 1227 (Md. 2011) (appointing special master to resolve parties' ongoing discovery disputes).

Massachusetts

Blonde v. Antonelli, No. SJ-11197, 2012 Mass. LEXIS 683 (Mass. July 27, 2012) (appointing a special master to sell parties' former marital home in divorce proceedings).

Adams v. Adams, 945 N.E.2d 844 (Mass. 2011) (appealing order adopting special master's valuation of marital estate in divorce action, among others).

Perez v. Boston Hous. Auth., 400 N.E.2d 1231 (Mass. 1980) (affirming that the housing board's mismanagement necessitated the appointment of a temporary receiver to assume functions of the Boston Housing Authority).*

Tatarinov-Levin v. Tatarinov-Levin, No. 10-P-309, 2012 Mass. App. Unpub. LEXIS 890 (Mass. Ct. App. July 13, 2012) (appointing special master to sell parties' marital home in divorce proceedings).

Ronayne v. Rancourt, No. 11-P-1508, 2012 Mass. App. Unpub. LEXIS 529 (Mass. Ct. App. Apr. 26, 2012) (appointing special master to sell parties' marital home in divorce proceedings).

Spero v. Johnson, 948 N.E.2d 919 (Mass. App. Ct. 2011) (appealing family court order adopting report of special master in divorce action).

Savage v. Oliszczyk, 928 N.E.2d 995 (Mass. App. Ct. 2010) (affirming trial court appointment of special master to review the motion for summary judgment concerning the triggering of an in terrorem clause in a trust and adoption of the special master's recommendation. Plaintiffs appealed claiming that the special master failed to conduct a hearing and the motion judge failed to hear objections to the master's report).

Yankee Adver. Co. v. Outdoor Adver. Bd., 464 N.E.2d 410 (Mass. App. Ct. 1984) (reviewing decision of special master appointed to review property dispute case arising under the state's administrative procedure act).

Perez-Vasquez v. Smith-Rivera, No. 3D03-3256, 2003 WL 23006699 (Mass. Dist. Ct. Dec. 23, 2003) (quashing the order of the appointment of special master without the consent of the parties).*

Michigan

Davenport v. Mosholder, 792 N.W.2d 339 (Mich. 2011) (discussing referee's evidentiary recommendations in family law action).

Great Wolf Lodge of Traverse City, LLC v. Pub. Serv. Comm'n, 799 N.W.2d 155 (Mich. 2011) (discussing use of referee where owner of waterpark resort filed complaint with Public Service Commission challenging utility rate increases and seeking a refund of overpayments).

Schreur v. Dep't of Human Servs., 795 N.W.2d 124 (Mich. 2011) (discussing referee's dismissal of plaintiff's petition for an administrative hearing).

Anglers of the AuSable, Inc. v. Dep't of Env'tl. Quality, 793 N.W.2d 596 (Mich. 2010) (discussing use of referee in action against energy company and the Department of Environmental Quality alleging violations of surface-water law, riparian law, and the Michigan Environmental Protection Act).

Ilanckamban v. Twp. of Pittsfield, No. 303113, 2012 Mich. App. LEXIS 431 (Mich. Ct. App. Mar. 13, 2012) (referee was appointed to oversee a tax valuation matter. Referee determined plaintiff did not meet their burden to challenge tax determination).

Ulloa v. Lafave, No. 301955, 2012 Mich. App. LEXIS 321 (Mich. Ct. App. Feb. 23, 2012) (referee appointed in a family dispute. The court goes through the requirements for reviewing or using a referee's proposed order in a domestic case).

Wuebben v. Twp. of Franklin, No. 299573, 2011 Mich. App. LEXIS 2342 (Mich. Ct. App. Dec. 22, 2011) (referee appointed to review tax valuations, order was modified by the trial court).

Mitan v. New World Television, Inc., No. 225530, 2002 WL 31928598 (Mich. Ct. App. Nov. 12, 2002) (upholding circuit court's appointment of a special master for discovery, and various discovery sanctions imposed by the master and adopted by the circuit court, because both parties stipulated to the appointment), *rev'd*, 669 N.W.2d 813 (Mich. 2003).*

Minnesota

Moorhead Econ. Dev. Auth. v. Anda, 789 N.W.2d 860 (Minn. 2010) (holding that statute governing powers and duties of commissioners in eminent domain proceedings does not require that contamination evidence be admitted or that contaminated property be valued as contaminated; evidence before court-appointment of commissioner can be considered).

U.S. Bank Nat'l Ass'n v. Cold Spring Granite Co., 802 N.W.2d 363 (Minn. 2010) (discussing valuation and other findings of special master appointed in case arising from reverse stock split in which minority shareholders were forced to accept cash in exchange for shares).

Holmes v. Holmes, No. 27-FA-08-3313, 2012 Minn. App. Unpub. LEXIS 896 (Minn. Ct. App. Sept. 17, 2012) (appealing special master's recommendation in divorce proceedings).

Effrem v. Effrem, No. 27CV0823808, 2012 Minn. App. LEXIS 55 (Minn. Ct. App. June 18, 2012) (reviewing special master's recommendations about the appropriate value of attorney's lien).

Cnty. of Dakota v. Cameron, A11-1273, 2012 Minn. App. LEXIS 27 (Minn. Ct. App. Mar. 26, 2012) (appointing three commissioners to oversee an eminent domain case).

City of Moorhead v. Red River Valley Coop. Power Ass'n, A11-705, 2012 Minn. App. LEXIS 13 (Minn. Ct. App. Jan. 30, 2012) (appointing commissioners to determine damages between two utility companies).

Keystone Redev. Partners, LLC v. Pa. Gaming Control Bd., 788 N.W.2d 160 (Minn. Ct. App. 2010) (appointing special master to value stock and determine the propriety of both the stock split and redemption of fractional shares).

Murrin v. Mosher, No. A09-314, 2010 WL 1029306 (Minn. Ct. App. Mar. 23, 2010) (holding that a special master has the authority, without any further action of the district court, to impose binding, non-contempt sanctions).

Buller v. Minn. Lawyers Mut., 648 N.W.2d 704 (Minn. Ct. App. 2002) (affirming district court's adoption of the special magistrate's finding of fact that respondent's insurance policy did not provide coverage for malpractice claim).

In re Temp. Funding of Core Functions of the Exec. Branch of Minn., No. 62-CV-11-5203, 2011 WL 2556036 (Minn. Dist. Ct. June 29, 2011) (appointing special master to oversee requests for budgetary funding during the temporary state shutdown in June 2011).

Edwards v. Long Beach Mortg. Co., No. CT 02-16446, 2004 WL 2137824 (Minn. Dist. Ct. July 22, 2004) (determining that it was advisable to appoint a special master to work with parties on discovery and class notice).

Mississippi

Miss. Bar v. Brown, No. 2012-BD-00540-SCT, 2012 Miss. LEXIS 474 (Miss. Oct. 4, 2012) (appointing special master to investigate and report on fraudulent actions of attorney).

Lewis v. Lewis, 54 So.3d 216 (Miss. 2011) (holding that complex, sizable marital estate that involved alleged transfers from trusts and tax transfers warranted consideration of appointment of special master experienced in business valuation).

Zweber v. Zweber, No. 2010-CA-01629-COA, 2012 WL 453117 (Miss. Ct. App. Feb. 14, 2012) (appointing special master to oversee a divorce proceeding to determine how much each parent would be responsible for in tuition costs for child).

Broome v. Broome, 75 So. 3d 1132 (Miss. Ct. App. 2011) (appointing special master to determine the value of business and obligations of the parties).

Delta Hous. Dev. Corp. v. Johnson, 48 So. 3d 573 (Miss. Ct. App. 2010) (affirming the chancery court's holding that the special master's findings of the true boundary line between the two properties was valid and Delta waived any objection to such finding when it failed to object to the finding in the chancery court).

Penton v. Penton, No. 2007-CA-02046-COA, 2010 WL 1444537 (Miss. Ct. App. Apr. 13, 2010) (reviewing appeal of a decision based on a special master's findings regarding an inventory of assets and debts to determine equitable distribution in divorce).

Wallin (Drewery) v. Drewery, 783 So. 2d 786 (Miss. Ct. App. 2001) (affirming decision that special master did not have a conflict of interest).

Missouri

McMahon v. Geldersma, 317 S.W.3d 700 (Mo. Ct. App. 2010) (appointing special master to hear issues raised in discovery and report conclusions to the court).

Libby v. Vachon, No. CV-02-651, 2004 WL 1433690 (Mo. Ct. App. Apr. 22, 2004) (holding that a referee's factual finding must be adopted unless they are clearly erroneous).

Lasker v. Johnson, 123 S.W.3d 283 (Mo. Ct. App. 2003) (appointing a special master to hear evidence because matter and discovery disputes in child support case presented exceptional conditions).

Shaner v. Sys. Integrators, Inc., 63 S.W.3d 674 (Mo. Ct. App. 2001) (deciding that the accountant's report is a nullity not to be considered on remand where appellant had no notice that accountant was appointed special master; the accountant did not take an oath or meet with parties; and appellant had no opportunity to make record or challenge report).*

Montana

Conner v. City of Dillon, 270 P.3d 75 (Mont. 2012) (reversing special master's finding that no contract existed between the parties because plaintiff's water use was not illegal).

In re Marriage of Alderson & Bargmeyer, No. DA 11-0204, 2012 WL 555193 (Mont. Feb. 21, 2012) (affirming District Court's finding that special master's decision apportioned marital debt inequitably).

Mont. Trout Unltd. v. Beaverhead Water Co., 255 P.3d 179 (Mont. 2011) (discussing court's power to appoint "water masters").

BNSF Ry. Co. v. Mont. Eighth Judicial Dist. Court, No. OP 11-0114, 2011 Mont. LEXIS 285 (Mont. Mar. 17, 2011) (discussing standard of review to be applied by district courts when reviewing the discovery rulings of a special master).

Judicial Stds. Comm'n v. Not Afraid, 245 P.3d 1116 (Mont. 2010) (discussing appointment of masters).

Nebraska

State ex rel. Counsel for Discipline of Neb. Supreme Court v. Ellis, 808 N.W.2d 634 (Neb. 2012) (upholding the findings of a referee regarding attorney misconduct).

State ex rel. Counsel for Discipline of the Neb. Supreme Court v. Herzog, 805 N.W.2d 632 (Neb. 2011) (appealing findings of referee regarding attorney misconduct).

State ex rel. Counsel for Discipline of the Neb. Supreme Court v. Shirk, 803 N.W.2d 518 (Neb. 2011) (appealing findings of referee regarding attorney misconduct).

State ex rel. Counsel for Discipline of the Neb. Supreme Court v. Thew, 794 N.W.2d 412 (Neb. 2011) (appealing referee's finding of misconduct in attorney disbarment hearing).

State ex rel. Counsel for Discipline of the Neb. Supreme Court v. Carter, No. S-10-811, 2011 WL 5008559 (Neb. Oct. 21, 2011) (discussing report of referee favoring disbarment).

Bd. of Trs. of the Neb. State Colls. v. State Coll. Educ. Ass'n, 787 N.W.2d 246 (Neb. 2010) (affirming the Commission of Industrial Relations' holding that the Bargaining Act does not permit additional evidence to be submitted to the Commission after an order is issued by the special master, and restating that the Commission should give great deference to the findings of the special master).

Nebraska v. State Code Agencies Teachers Ass'n, 788 N.W.2d 238 (Neb. 2010) (holding that the special master had jurisdiction to resolve the dispute under the Bargaining act; the parties in a labor contract dispute cannot present additional evidence to the commission after the special master's hearing; the commission was within its powers when it affirmed the special master's decision to include some school districts for comparable wages; and it was not erroneous for the commission to give deference to the special master's decision concerning the negotiation of a contract despite sufficient salary data being unavailable at the time).

Nevada

In re Endoscopy Ctr. & Associated Buss., No. 53676, 2010 WL 5550541 (Nev. Dec. 22, 2010) (challenging district court's order affirming special master's order authorizing discovery as to petitioner).

S. Nev. Health Dist. v. Eighth Judicial Dist. Court of State ex rel. Cnty. of Clark, No. 57056, 2010 WL 5276811 (Nev. Dec. 14, 2010) (appealing district court's affirmation of special master's order authorizing discovery).

Venetian Casino Resort, LLC v. Eighth Judicial Dist. Court of Nev., 41 P.3d 327 (Nev. 2002) (denying petition to the extent that it challenges the district court's decision to refer the lien foreclosure proceedings to special master, but granting petition with respect to the scope of the district court's referral order and its review of the special master's recommendations).

New Hampshire

New Jersey

In re Wigenton, No. D-131 September Term 2010, 2012 N.J. LEXIS 375 (N.J. Apr. 3, 2012) (reviewing special master's finding that special master reasonably, but mistakenly, believed he was entitled to the funds in the misappropriation charges pled).

Abbott ex rel. Abbott v. Burke, 20 A.3d 1018 (N.J. 2011) (authorizing special master to entertain any evidence as he sees fit).

State v. Henderson, 27 A.3d 872 (N.J. 2011) (holding that courts generally defer to a special master's credibility findings regarding the testimony of expert witnesses).

Toll Bros. v. Twp. of W. Windsor, 803 A.2d 53 (N.J. 2002) (appointing special master to determine how many affordable housing units a certain property could yield).

Abbott v. Burke, 710 A.2d 450 (N.J. 1998) (stating that the special master's recommendation is consistent with whole-school reform's focus on early childhood education initiatives), *clarified by*, 751 A.2d 1032 (N.J. 2000).

S. Burlington Cnty. NAACP v. Mount Laurel Twp., 456 A.2d 390 (N.J. 1983) (determining that trial court may appoint special master to assist municipal officers in developing constitutional zoning and land use regulations).

N.J. Dep't of Env'tl. Prot. v. Occidental Chem. Corp., No. A-4620-10T2, 2012 N.J. Super. Unpub. LEXIS 899 (N.J. Ct. App. Apr. 24, 2012) (accepting special master's findings and recommendations).

In re Integrity Ins. Co./John Crane, Inc., 2012 WL 952251 (N.J. Super. Ct. App. Div. Mar. 22, 2012) (special master appointed to resolve disputes arising from the integrity liquidation proceedings and decision of the special master was affirmed).

Hebern v. Am. Cyanamid Co., No. L-7530-09, 2011 WL 135779 (N.J. Super. Ct. App. Div. Jan. 13, 2011) (holding that special master's decisions are reviewable by the Federal Claims Court; petitioner may elect to withdraw a petition if special master has not made decision within 240 days; special master erred in his interpretation of the Vaccine Act).

New Mexico

Charter Bank v. Francoeur, No. 30,551, 2012 N.M. App. LEXIS 47 (N.M. Ct. App. May 15, 2012) (reviewing special master's sale of defendant's property at a public action in default judgment action).

State ex. re. Office of the State Eng'r v. Elephant Butte, No. 30,584, 2012 N.M. App. LEXIS 35 (N.M. Ct. App. Apr. 26, 2012) (reviewing special master determination of abandonment and forfeiture of water rights in irrigation rights case).

Behles Law Firm, P.C. v. Hanlen, 2012 WL 874747 (N.M. Ct. App. Feb. 23, 2012) (holding that it was improper for the District Court to treat issues relating to the special master's fees as separate from the underlying merits of the claim).

New York

Yatauro v. Mangano, 927 N.Y.S.2d 868 (N.Y. Sup. Ct. 2011) (appointing a special master to formulate a remedial districting plan after the county commission formulated a plan and presented a final recommendation and report, which the Board of Supervisors failed to adopt).

Lipco Elec. Corp. v. ASG Consulting Corp., 789 N.Y.S.2d 345 (N.Y. Sup. Ct. 2004) (designating a special referee, pursuant to N.Y. C.P.L.R. 3104 (McKinney 2011), to hear and determine all discovery issues raised in the motion and the case generally).

In re Cox, 89 A.D.3d 147 (N.Y. App. Div. 2011) (appointing special master to monitor respondent's practice for two years in attorney disciplinary action).

United Cos. Lending Corp. v. Candela, 740 N.Y.S.2d 543 (N.Y. App. Div. 2002) (instructing trial court to appoint a referee to determine outstanding mortgage balance in a foreclosure action).

North Carolina

Cleveland Constr. v. Ellis-Don Constr., 709 S.E.2d 512 (N.C. Ct. App. 2011) (holding that where exceptions are taken to a referee's findings of fact and law, it is the duty of the trial judge to consider the evidence and give his own opinion and conclusion, both upon the facts and the law).

Dobson v. Substitute Tr. Servs., Inc., 711 S.E.2d 728 (N.C. Ct. App. 2011) (leaving open plaintiff's motion requesting appointment of a referee).

Edgecomb Cnty. Dept. of Soc. Servs. v. Hickman, 712 S.E.2d 209 (N.C. Ct. App. 2011) (holding that plaintiff failed to except to any specific findings of fact as made and adopted by the ESC; therefore, referee's findings are presumed correct).

Honeycutt Contractors v. Otto, 703 S.E.2d 857 (N.C. Ct. App. 2011) (determining that trial court acted within its discretion by imposing discovery sanction after the plaintiff failed to "cooperate fully and completely with [two] referees").

Rushing v. Aldridge, 713 S.E.2d 566 (N.C. Ct. App. 2011) (reviewing Rule 53(a), which provides that (1) upon consent of the parties, (2) upon application of one of the parties, or (3) upon its own motion, a trial court may order that a referee determine issues of fact raised by the pleadings and evidence; and that the rule does not require that the referee conduct a hearing, examine witnesses, receive evidence, or make findings of fact unless the order of reference so directs).

Thomas Jefferson Classical Acad. v. Rutherford Cnty. Bd. of Educ., 715 S.E.2d 625 (N.C. Ct. App. 2011) (denying defendant's request for an appointment of a referee to provide an accounting of the number of students and applicable revenues involved in the controversy in a case in which both parties sought judgments regarding funding for the school).

Tri-Arc Food Sys., Inc. v. Towns, 712 S.E.2d 747 (N.C. Ct. App. 2011) (affirming trial court's decision reversing in part and affirming in part the appeals referee's finding of fact and decision).

North Dakota

Eberhardt v. Eberhardt, 672 N.W.2d 659 (N.D. 2003) (sending child support question to a judicial referee).*

Ohio

Sate ex rel. Kobly v. Youngstown City Council, 132 Ohio St.3d 1405, 2012-Ohio-2425, 968 N.E.2d 488 (Ohio 2012) (appointing a new special master for the purpose of receiving and ruling on evidence).

State ex rel. Bell v. Pfeiffer, 961 N.W.2d 181 (Ohio 2012) (upholding appellate court's adoption of magistrate's decision denying writ of prohibition).

Boron v. Boron, No. 11 CO 25, 2012 WL 4097277 (Ohio Ct. App. Sept. 11, 2012) (dismissing appeal in which defendant claimed the court lacked statutory authority to appoint a special master).

In re J.N.N.Z., No. 12AP-51, 2012 WL 3200827 (Ohio Ct. App. Aug. 7, 2012). (discussing the appointment of special master to find biological mother and father of infant in adoption proceeding).

State ex rel. Culbert v. Indus. Comm'n, No. 11AP-172, 2012 WL 986760 (Ohio Ct. App. Mar. 22, 2012) (upholding magistrate's denial of a writ of mandamus).

Toliver v. Duwel, No. 24768, 2012 WL 691730 (Ohio Ct. App. Mar. 2, 2012) (holding that the magistrate was not required to hold an oral hearing on motions for summary judgment, but could issue decision based on written submissions).

Yoel v. Yoel, No. 2009-L-063, 2012 WL 553453 (Ohio Ct. App. Feb. 21, 2012) (upholding that the father failed to establish bias on part of two magistrates to whom the child custody matter was referred; any removal of magistrates was left to the discretion of the appointing judge).

In re E.W., No. 14-10-31, 2012 WL 258263 (Ohio Ct. App. Jan. 30, 2012) (upholding magistrate's decision regarding custody and child support).

Yeckley v. Yeckley, No. 96873, 2012 WL 112608 (Ohio Ct. App. Jan. 12, 2012) (stating that the court did not have jurisdiction to hear appeal on an interlocutory order issued by a magistrate until there is a final order entered).

Carpenter v. Johnson, No. 24128, 2011 WL 4424942 (Ohio Ct. App. Sept. 23, 2011) (holding that magistrates do not constitute a judicial tribunal independent of the court that appoints them, but are instead adjuncts of their appointing courts, which remain responsible to critically review and verify the work of the magistrates they appoint).

Miller v. Miller, No. 10 CAF 09 0074, 2011 WL 2175905 (Ohio Ct. App. May 26, 2011) (voiding judgment where Magistrate signed judge's name to judgment entry decree of divorce).

Fields v. Brackney, No. 23852, 2011 WL 846700 (Ohio Ct. App. Mar. 11, 2011) (clarifying that Ohio R. Civ. P. 53(E)(4)(b) contemplates a de novo review of any issue of fact or law that a magistrate has determined when an appropriate objection is timely filed; that the trial court may not properly defer to the magistrate in the exercise of the trial court's de novo review; and that the magistrate is a subordinate officer of the trial court, not an independent officer performing a separate function).

Seminatore v. Climaco, Climaco, Seminatore, Lejkowitz & Garofoli, Gen. P'ship, 774 N.E.2d 1233 (Ohio Ct. App. 2002) (referring winding-up of a partnership to a special master).

Oklahoma

In re Okla. Code of Judicial Conduct, No. 5704, 2010 WL 5129087 (Okla. Jan. 11, 2011) (discussing judge's authority under Rule 2.13 to appoint counsel, referees, commissioners, special masters, and receivers; and guardians, clerks, secretaries, and bailiffs).

In re Okla. Code of Judicial Conduct, SCBD No. 5704, 2010 WL 5129087 (Okla. Dec. 13, 2010) (discussing Oklahoma Code of Judicial Conduct Rule 2.13 regarding appointees of a judge including special masters, and that consent by the parties to an appointment or an award of compensation does not relieve the judge of the obligation prescribed by paragraph (A)).

Hough v. Hough, 92 P.3d 695 (Okla. 2004) (appointing special master to control all matters relating to discovery, valuation, and preservation of the parties' marital estate, and holding that an order requiring husband to pay special master's fees was in nature of support to wife and thus, non-dischargeable in bankruptcy, and that special master was not entitled to appeal-related attorney's fees).

Pennsylvania

Pennsylvania State Ass'n. of Cnty. Comm'rs v. Commonwealth, No. 112 WM 1992, 2012 WL 4374214 (Pa. Sept. 26, 2012) (denying a motion to enforce special master's recommendations when the legislature essentially "effectuated the first phase of the master's recommendations").

Samuel-Bassett v. Kia Motors Am., Inc., 34 A.3d 1 (Pa. 2011) (holding that there was no compelling reason to believe that individual damages could not be calculated at further class proceedings or at a proceeding before a special master).

Commonwealth v. Banks, 29 A.3d 1129 (Pa. 2011) (holding that where court appoints trial judge to essentially act as master while retaining jurisdiction, the standard of review is de novo).

Jackson v. Hendrick, 321 A.2d 603 (Pa. 1974) (affirming appointment of a master to assist parties in formulating plan to eliminate unconstitutional prison conditions).*

Goodemote v. Goodemote, 44 A.3d 74 (Pa. Super. Ct. 2012) (discussing special master's valuation of marital property in dissolution proceeding).

Reber v. Reiss, 42 A.3d 1131 (Pa. Super. Ct. 2012) (discussing special master's recommendation that frozen pre-embryos in a divorce proceeding be awarded to the wife).

Childress v. Bogosian, 12 A.3d 448 (Pa. Super. Ct. 2011) (appointing master in a divorce case to determine alimony and division of property).

Wetzel v. Heiney, 17 A.3d 405 (Pa. Super. Ct. 2011) (dismissing appeal of trial court's decision to approve and enter master's order dealing with appraisals and discovery, and tentatively scheduling a settlement conference).

Spigelmyer v. Comm'r Dep't. of Transp., 41 A.3d 941 (Pa. Commw. Ct. 2012) (discussing fees related to court appointed masters).

Fisher v. Cranberry Twp. Hearing Bldg., 819 A.2d 181 (Pa. Commw. Ct. 2003) (appointing a referee to conduct hearings, review evidence, and make findings of fact regarding property rezoning).

Warren v. Eckert Seamans Cherin & Mellott, 45 Pa. D.&C.4th 75, (Allegheny Cnty. Ct. 2000) (appointing an expert with initial duties as a judicial tutor and also, if necessary, as a witness at trial on a patent issue).

Rhode Island

Hazard v. E. Hills, Inc., 45 A.3d 1262 (R.I. 2012) (holding that the trial court did not err in confirming the master's report).

Krivitsky v. Krivitsky, 43 A.3d 23 (R.I. 2012) (holding that the trial court was entitled to facilitate a sale of property through a commissioner in a divorce proceeding).

Gordon v. State, 18 A.3d 467 (R.I. 2011) (briefly mentioning that the special master set the amount of restitution to be paid).

In re D'Ambrosio, 29 A.3d 1241 (R.I. 2011) (ordering special master to take possession of all of respondent's client files and accounts, to inventory them, and to take whatever steps are necessary to protect the clients' interests).

Hazard v. E. Hills, Inc., No. WC 2007-0533, 2011 R.I. Super. LEXIS 28 (R.I. Super. Ct. Feb. 23, 2011) (upholding special master's determination of chain of title with respect to a property in dispute as not clearly erroneous).

South Carolina

S.C. Dep't of Transp. v. Horry Cnty., 705 S.E.2d 21 (S.C. 2011) (affirming special referee's finding that SCDOT did not hold a valid easement with respect to property at issue).

Skinner v. Westinghouse Elec. Corp., 716 S.E.2d 428 (S.C. 2011) (reversing special referee's findings).

Linda Mc Co., Inc. v. Shore, 703 S.E.2d 499 (S.C. 2010) (holding that appellate court must affirm the special referee's factual findings unless there is no evidence that reasonably supports those findings).

Allen v. Pinnacle Healthcare Sys., LLC, 715 S.E.2d 362 (S.C. Ct. App. 2011) (holding that when reviewing an action at law referred to a master or special referee for final judgment with direct appeal to the Supreme Court or the Court of Appeals, the Court of Appeals' jurisdiction is limited to correcting errors of law, and the Court will not disturb the master or special referee's findings of fact as long as they are reasonably supported by the evidence).

Major v. Penn Cmty. Servs., Inc., 717 S.E.2d 70 (S.C. Ct. App. 2011) (holding that when some or all of the causes of action in a case are referred to a master-in-equity or special referee, the master or referee shall enter final judgment as to those causes of action and an appeal from an order or judgment of the master or referee must be to the supreme court or the court of appeals).

Neeltec Enters., Inc. v. Long, 705 S.E.2d 57 (S.C. Ct. App. 2011) (holding that special referee's order granting a substitution was not immediately appealable because the order on appeal is not final, nor does the order fit within a statutory exception permitting an appeal from an interlocutory order).

Pendarvis v. Cook, 706 S.E.2d 520 (S.C. Ct. App. 2011) (reversing findings of special referee regarding use of property).

Scalise Dev., Inc. v. Tideland Invs., LLC, 707 S.E.2d 440 (S.C. Ct. App. 2011) (affirming special referee's decision to grant partial motion for summary judgment).

Se. Site Prep, LLC v. Atl. Coast Builders & Contractors, LLC, 713 S.E.2d 650 (S.C. Ct. App. 2011) (affirming special referee's denial of motion for sanctions).

South Dakota

In re Discipline of Russell, 797 N.W.2d 77 (S.D. 2011) (holding that if referee's findings are supported by the evidence, they will not be disturbed by the reviewing court, but that reviewing courts need not give any particular deference to a referee's recommended sanction).

Tennessee

State ex rel. Junghanel v. Hernandez, No. E2011-02619-COA-R3CV, 2012 WL 4465865 (Tenn. Ct. App. Sept. 26, 2012) (vacating and remanding the trial court's order for a hearing on defendant's objections to the Special Master's report).

Univ. Corp. v. Wring, No. W2011-01126-COA-R3CV, 2012 WL 4078517 (Tenn. Ct. App. Sept.

18, 2012) (reversing and remanding trial court's holding which was based on special master's findings).

Town of Middleton v. City of Bolivar, No. W2011-01592-COA-R3CV, 2012 WL 2865960 (Tenn. Ct. App. July 13, 2012) (discussing the Chancery court's entry of judgment based on amounts calculated by the special master).

Nasgovitz v. Nasgovitz, No. M2010-02606-COA-R3CV, 2012 WL 2445076 (Tenn. Ct. App. June 27, 2012) (discussing the involvement of a special master determining possession of marital residence, parenting plan, and child support).

Edwards v. Edwards, No. M2010-02223-COA-R3CV, 2012 WL 2337535 (Tenn. Ct. App. June 19, 2012) (discussing the special master's distribution of monies in a divorce proceeding).

Delta Dev. Corp. v. F. Fani Gulf Int'l, No. M2010-02437-COA-R3CV, 2012 WL 1142304 (Tenn. Ct. App. Apr. 3, 2012), appeal denied (Aug. 16, 2012) (affirming special master's and trial court's findings).

Metro. Gov't of Nashville & Davidson Cnty. v. BFI Waste Servs., LLC, No. M2011-00586-COA-R3-CV, 2012 WL 1018946 (Tenn. Ct. App. Mar. 22, 2012) (appointing special master to oversee discovery proceedings).

Neal v. Hayes, No. E2011-00898-COA-R3-CV, 2012 WL 260005 (Tenn. Ct. App. Jan. 30, 2012) (appointing special master to oversee custody dispute).

Sanders v. Breath of Life Christian Church, Inc., No. W2010-01801-COA-R3-CV, 2012 WL 114279 (Tenn. Ct. App. Jan. 13, 2012) (appointing special master to determine all issues of damages beyond base contract damages).

FILMtech, Inc. v. McAnally, No. E2011-00659-COA-R3-CV, 2011 WL 6780176 (Tenn. Ct. App. Dec. 22, 2011) (appointing special master to conduct a hearing to take proof on all issues and to report to the Court on all matters, including findings of fact and conclusions of law).

Furlong v. Furlong, No. E2010-02456-COA-R3-CV, 2011 WL 4864344 (Tenn. Ct. App. Oct. 14, 2011) (reviewing special master's finding that husband violated Order of Protection).

In re Green, No. M2011-00069-COA-R3-CV, 2011 WL 4582485 (Tenn. Ct. App. Oct. 4, 2011) (affirming trial court's authority to direct special master to screen filings and adoption of special master's recommendations regarding nonpayment of court costs).

Schroer v. Schroer, No. M2010-01478-COA-R3-CV, 2011 WL 3793499 (Tenn. Ct. App. Aug. 25, 2011) (discussing trial court's decision to affirm special master's findings and recommendations in divorce action).

State ex rel. Creighton v. Creighton, No. M2010-01171-COA-R3-CV, 2011 WL 1344638 (Tenn. Ct. App. Apr. 7, 2011) (clarifying that "Substitute Judge" of record was actually a special master).

Cooper v. Tabb, 347 S.W.3d 207 (Tenn. Ct. App. 2010) (appointing special master to hear numerous discovery disputes).

Davis v. Goodwin, No. W2010-01340-COA-R3-CV, 2010 WL 5449844 (Tenn. Ct. App. Dec. 23, 2010) (discussing trial court's affirmance of special master's report).

In re Alexandra J.D., No. E2009-00459-COA-R3-JV, 2010 WL 5093862 (Tenn. Ct. App. Dec. 10, 2010) (discussing special master's presiding over a Order of Protection hearing).

McQuade v. McQuade, No. M2010-00069-COA-R3-CV, 2010 WL 4940386 (Tenn. Ct. App. Nov. 30, 2010) (discussing trial court's finding that special master's calculation of income was incorrect).

Hollow v. Ingram, No. E2010-00683-COA-R3-CV, 2010 WL 4861430 (Tenn. Ct. App. Nov. 29, 2010) (confirming sale of property by special master).

Fox v. Fox, No. M2009-01884-COA-R3-CV, 2010 WL 4244356 (Tenn. Ct. App. Oct. 26, 2010) (discussing trial court's approval of special master's report in an absolute divorce case).

Nicholson v. Nicholson, No. M2010-00042-COA-R3-CV, 2010 WL 4065605 (Tenn. Ct. App. Oct. 15, 2010) (affirming in part and vacating in part trial court's decision, which relied in part on special master's report in divorce action).

Hall v. Hall, No. E2009-01889-COA-R3-CV, 2010 WL 3893763 (Tenn. Ct. App. Oct. 5, 2010) (reviewing findings of special masters in numerous hearings over the course of several years).

Simmons v. KC Constr. & Consulting, Inc., No. E2009-01005-COA-R3-CV, 2010 WL 1221429 (Tenn. Ct. App. Mar. 30, 2010) (affirming appointment of special master to handle the issues surrounding a potential breach of contract claim and trial court's adoption of special master's report after plaintiff's repeated motions for continuance were denied by the special master).

Houston v. Mounger, No. E2002-00779-COA-R3-CV, 2003 WL 22415363 (Tenn. Ct. App. Oct. 23, 2003) (appointing a special master as a surveyor and fact-finder in a property boundary line dispute).

Texas

In re Puig, 351 S.W.3d 301 (Tex. 2011) (discussing county court's appointment of master to act as attorney-in-fact for purposes of executing a special warranty deed).

In re Keller, No. 10-0001, 2010 WL 4840863 (Tex. Oct. 11, 2010) (appointing special master to conduct a hearing on evidence and make a report to the State Commission on Judicial Conduct on appeal of an Order of Public Warning made against a Judge).

Khan v. GBAK Properties, Inc., 371 S.W.3d 347 (Tex. App. 2012) (discussing the appointment of a special master in a court-ordered receivership).

Lesikar v. Moon, No. 14-11-01016-CV, 2012 WL 3776365 (Tex. App. Aug. 30, 2012) (concluding that the trial court did not abuse its discretion in admitting the trial master's report for the purposes of determining attorney's fees).

In re Pierce, No. 13-12-00125-CV, 2012 WL 3525638 (Tex. App. Aug. 10, 2012) (discussing an order which incorporated recommendations from a court appointed special master).

In re D & KW Family, L.P., No. 01-11-00276-CV, 2012 WL 3252683 (Tex. App. Aug. 9, 2012)

(denying the petition for writ of mandamus because petitioner failed to demonstrate that the court clearly abused its discretion in a case in which a special tax master was utilized).

HSBC Bank USA, N.A. v. Watson, No. 05-10-00676-CV, 2012 WL 2217037 (Tex. App. June 15, 2012) (discussing the involvement of a court-appointed special master in an unrelated case).

Smith v. Aldridge, No. 14-11-00673-CV, 2012 WL 1071246 (Tex. App. Mar. 29, 2012) (affirming trial court's refusal to appoint a special master).

Khan v. Gbak Props., Inc., No. 01-10-00238-CV, 2012 WL 1065879 (Tx. Ct. App. Mar. 29, 2012) (finding that court-appointed receiver and special master in a court-ordered receivership of GBAK, conveyed the interest held by GBAK to Parkway Crossing).

Swallow v. QI, LLC, No. 14-10-00859-CV, 2012 WL 952246 (Tex. App. Mar. 20, 2012), review denied (July 13, 2012) (mentioning the appointment of a special master "because of the length and volume of discovery").

Lackey v. State, No. PD-1621-10, 2012 WL 716023 (Tex. Ct. App. Mar. 7, 2012) (appointing special master at trial court level to preside over hearing to demonstrate harm).

Bailey v. Gallagher, 348 S.W.3d 322 (Tex. Ct. App. 2011) (discussing settlement awards made by special master, who placed each plaintiff on a grid based upon objective medical criteria).

Leighton v. Rebeles, 343 S.W.3d 270 (Tex. Ct. App. 2011) (vacating trial court's temporary injunction order including the appointment of a special master for failure to adhere to statutory requirements unrelated to appointment).

Cortez v. Mann Bracken, LLP, No. 03-09-00615-CV, 2011 WL 4424293 (Tex. Ct. App. Sept. 22, 2011). (appointing master in chancery).

PRSI Trading Co. LP v. Astra Oil Trading NV, No. 01-10-00517-CV, 2011 WL 3820817 (Tex. Ct. App. Aug. 25, 2011) (discussing appointment of special master to hear discovery disputes).

In re Holmes, No. 09-11-00153-CV, 2011 WL 1312317 (Tex. Ct. App. Apr. 5, 2011) (affirming trial court's appointment of special master with authority to make recommendations for docket control, to require production of evidence, and to rule upon admissibility of evidence).

Bahar v. Lyon Fin. Servs., Inc., 330 S.W.3d 379 (Tex. Ct. App. 2010) (holding that court of appeals lacks jurisdiction to review an order appointing a master in chancery).

In re Harris, 315 S.W.3d 685 (Tex. Ct. App. 2010) (holding that trial court abused its discretion by appointing forensic examiner as special master).

In re Stern, 321 S.W.3d 828 (Tex. Ct. App. 2010) (holding that trial court abused its discretion in appointing special master and forensic examiner with power to search attorney's hard drive).

Mendoza v. Ramirez, 336 S.W.3d 321 (Tex. Ct. App. 2010) (addressing question of whether a special master's report is the same as a district court judgment for purposes of res judicata).

In re Marriage of Robbins, No. 06-10-00019, 2010 WL 3168402 (Tex. Ct. App. Aug. 12, 2010) (affirming trial court's holding, which used the special master's finding that a bank account was community property, and stating that the court would not review the master's findings. The court also found that the appellant did not meet the burden of showing that the decision was manifestly unfair.).

City of Garland v. Walnut Villa Apts., LLC, No. 05-01-00234-CV, 2001 WL 789298 (Tex. Ct. App. July 12, 2001) (appointing a special master to hear evidence regarding temporary injunctive relief in a property dispute).

Tollett v. Carmona, 915 S.W.2d 562 (Tex. Ct. App. 1995) (stating that trial courts may appoint discovery masters only in exceptional cases, for good cause, and a mere showing that a case is complicated or time-consuming or that the court is busy does not support exceptional circumstances).*

Lackey v. State, 364 S.W.3d 837 (Tex. Crim. App. 2012) (discussing the appointment of a special master in an unrelated criminal case and the impact the special master had on that trial court's holding).

Utah

ASC Utah, Inc. v. Wolf Mountain Resorts, L.C., 245 P.3d 184 (Utah 2010) (discussing district court's appointment of a special master to assist with extensive discovery because of ongoing disputes between the parties).

In re Anderson, 82 P.3d 1134 (Utah 2004) (appointing special master to gather additional evidence in a juvenile court judge misconduct proceeding).

Taylor v. Taylor, 263 P.3d 1200 (Utah Ct. App. 2011) (appointing special master for determinations on "further proceedings," after trial court entered a bifurcated divorce decree).

Wright v. Wright, 268 P.3d 861 (Utah Ct. App. 2011) (holding trial court had authority under Utah R. Civ. P. 53(c) to grant a special master the limited power to resolve disputes between divorcing parties regarding the implementation of parent time orders).

Failor v. MegaDyne Med. Prods., 213 P.3d 899 (Utah Ct. App. 2009) (holding that the trial court did not err in overruling the objections to the special master's procedures because the special master's actions were either harmless error or were not improper; and declining to review objections to the special master's report given that the objections had not yet been ruled on by the trial court).

Hi-Country Estates Homeowners Ass'n v. Bagley & Co., 928 P.2d 1047 (Utah Ct. App. 1996) (noting that a special master might be helpful in determining the value of improvements to a water system).

Vermont

McNally v. Dep't of Health, 31 A.3d 333 (Vt. 2011) (holding that the Supreme Court reserves the right in appeals to retain a master to review factual disputes over attorney fees).

Price v. Bowen, No. 651-10-00, 2010 Vt. Super. Lexis 96 (Vt. Super. Ct. Nov. 24, 2010) (remanding case to trial court for evidentiary hearing as to defendant's understanding of the role, consequences, and power of a special master).

Virginia

Piney Meeting House Invs., Inc. v. Hart, 726 S.E.2d 316 (Va. 2012) (holding that sufficient evidence supported the commissioner's finding that a well and propane tank, as modified, would not unreasonably interfere with dominant estate owner's use of easement).

Carlson v. Wells, 705 S.E.2d 101 (Va. 2011) (appealing the awarding of the fees for commissioner in chancery).

Washington

McCleary v. State, 269 P.3d 227 (Wash. 2012) (holding that the court could possibly retain jurisdiction or appoint a special master to monitor implementation of learning goals in current Washington law).

Schnall v. AT&T Wireless Servs. Inc., 259 P.3d 129 (Wash. 2011) (dissenting, "the trial court abused its discretion by determining that a nationwide class was not feasible without first considering whether state law differences could be managed by subclasses and special masters.").

In re Marriage of Ganjaie, No. 65813-1-I, 66410-7-I, 66710-6-I, 2012 Wash. App. LEXIS 1443 (Wash. Ct. App. June 11, 2012) (holding a trial court had the authority to order the sale of a house by special master in a divorce proceeding).

Johnson v. Chevron U.S.A., Inc., 244 P.3d 438 (Wash. Ct. App. 2011) (appointing special master to address pretrial discovery issues).

Fallahzadeh v. Ghorbanian, 82 P.3d 684 (Wash. Ct. App. 2004) (reversing trial court decision which included appointment of a special master to determine minimum rent due, and a judgment based on special master's finding).

Peterson v. Koester, 92 P.3d 780 (Wash. Ct. App. 2004) (appointing special master to serve as Architectural Control Committee governing a subdivision).

West Virginia

Renner v. Bonner, 709 S.E.2d 733 (W. Va. 2011) (holding that the commissioners' recommendation failed to make findings of fact necessary to demonstrate why the subject property could not be partitioned in kind, and reversing lower court's decision).

State ex rel. Justice v. Bd. of Educ., 539 S.E.2d 777 (W. Va. 2000) (accepting special master's findings that a county board of education failed to fully comply with its legal duty to provide special educational services to the petitioner's child).

Wisconsin

Ottman v. Town of Primrose, 796 N.W.2d 411 (Wis. 2011) (noting that statute allowed court to appoint a referee to take evidence and report findings of fact and conclusions of law as it directs, which shall constitute part of the proceedings upon which the court's determination shall be made).

Lawton & Cates, S.C. v. Alswager, Appeal No. 2010AP2638, 2012 Wisc. App. LEXIS 50 (Wis. Ct. App. Jan. 19, 2012) (finding that Wisconsin statute allows costs and fees for all the necessary disbursements and fees allowed by law, including the compensation of referees).

Jahimiak v. Long, 800 N.W.2d 958 (Wis. Ct. App. 2011) (noting that court may appoint referee when it is unable to find a suitable location for a partition line).

Acevedo v. City of Kenosha, 793 N.W.2d 500 (Wis. Ct. App. 2010) (noting that statute allowed court to appoint a referee to take evidence and report findings of fact and conclusions of law as it directs, which shall constitute part of the proceedings upon which the court's determination shall be made).

Kruse v. Walworth Cnty. Dep't of Land Use & Res. Mgmt., 794 N.W.2d 928 (Wis. Ct. App. 2010) (noting that statute allowed court to appoint a referee to take evidence and report findings of fact and conclusions of law as it directs, which shall constitute part of the proceedings upon which the court's determination shall be made).