

County Mediation Matters

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Creativity involves breaking out of established patterns in order to look at things in a different way.

-Edward De Bono
Physician and Educator

THE FOLLOWING ITEMS ARE VERY IMPORTANT

Court Files

Please make sure that the court file remains in your possession ***at all times***. We recently had a situation in which we believe that someone inadvertently picked up the court file and left the courthouse with it. We have not yet recovered the file. To help prevent this from happening in the future, we suggest that mediators place the original of the Results of Mediation form inside the court file. (Leave it loose and unattached. Only the Clerk is permitted to attach or detach items in the court file.) By making this a habit, you will always have the court file in your hands at the conclusion of the mediation.

Default Final Judgment Amount

During June, roughly one-third of the mediation settlement agreements that required a default judgment amount did not have one specified (Item 2 on the Results of Mediation Form). As we have written and discussed on numerous previous occasions, this is a *very important* part of the mediation agreement. Do not omit or ignore it.

The ***only*** situations in which a default amount would not be necessary are if the parties agree to the entry of a final judgment (the judgment amount must be specified in the agreement), if the complaint is dismissed at mediation, or if the case is resolved with a single cash payment at mediation.

Remember too, that the default judgment amount is negotiable and is not necessarily required to be the amount listed in the original law suit.

June Stats

Volunteers mediated 62 cases in Alachua County in June and settled 67 percent. The outcome is pending in four cases. Five of seven cases were settled in the neighboring counties. Circuit-wide, the year-to-date settlement rate is 62 percent.

Mediator Stats

Several of you have asked recently about your individual mediation statistics. So, accompanying this newsletter is an individual summary of the cases that each of you mediated in all of 2001 and in the first six months of 2002. We are going to try to provide this information at the end of each calendar quarter - time permitting. If you have any questions, please see Janet.

Arbitration Training

The DRC is again offering arbitration training concurrent with the annual conference. Please note that the DRC has made a determination that arbitration training does not fulfill the CME requirement. Therefore, volunteer mediators cannot use their annual stipend to pay for arbitration training.

CME Luncheons

We will be resuming the monthly CME Luncheon meetings in September and are now scheduling and planning programs for September, October, and November. If you have any suggestions for topics or ideas for programs, please let us know.

How to reach us:

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If you are a person with a disability who needs any accommodation in order to participate in county mediation proceedings you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Court Administrator's Office by phone at (352) 337-6237 or in person or in writing at 201 E. University Ave, Gainesville FL 32601 within 2 working days of your receipt of this newsletter; if you are hearing impaired, call (800) 955-8771; if you are voice impaired, call (800) 955-8770.

Eighth Judicial Circuit County Mediation Program Results

June 2002

County	Cases Mediated	Written Agreements Reached	Percent Written Agreements	Continued Cases Pending	Continued Cases Defaulted
Alachua	62	39	67%	4	0
Baker	2	2	100%	0	0
Bradford	5	3	60%	0	0
Gilchrist	0	0	NA	0	0
Levy	0	0	NA	0	0
Union	0	0	NA	0	0
Total	69	44	68%	4	0

2002 Year-To-Date

January through June

County	Cases Mediated	Written Agreements Reached	Percent Written Agreements	Continued Cases Pending	Continued Cases Defaulted
Alachua	348	211	63%	13	6
Baker	10	7	70%	1	0
Bradford	17	10	67%	1	0
Gilchrist	1	1	100%	0	0
Levy	23	11	48%	0	1
Union	8	4	50%	0	0
Total	407	244	62%	15	7

Note: Percent written agreements does not include continued cases that are pending.