

County Mediation Matters

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May your blessings outnumber the shamrocks
that grow,
And may trouble avoid you wherever you go.

- Irish Blessing

"After appropriate disclosure, the mediator may serve if all parties agree. However, if a conflict of interest clearly impairs a mediator's impartiality, the mediator shall withdraw regardless of the express agreement of the parties."

Newsletter Online

The monthly newsletter may now be viewed online at www.circuit8.org/pubs. If you would like to receive e-mail notification when the newsletter has been posted instead of a hard copy in the mail, please let Janet know.

Upcoming Events and Dates

March 9 - FAPM/FAPFM Seminar
March 15 - CME Luncheon
March 29 - Court closed for Good Friday
April 19 - CME Luncheon
May 10 - CME Luncheon (tentative)

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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.

Ethics Opinions Online

The Mediator Ethics Advisory Committee publishes their opinions in both the Resolution Report and on the Florida Courts web site at www.flcourts.org. Click on the link to Judicial Administration, then click on Alternative Dispute Resolution, and finally on the link to Mediator Ethics Advisory Committee Opinions.

For those of you who do not have internet access, Janet maintains a notebook in her office that contains all of the committee's opinions.

CME Luncheon

This month's CME luncheon will be on March 15th in the Grand Jury Room at noon. Susan Lindgard will be presenting a program on "Breaking Impasse." Lunch will be provided.

Continuations

We realize that occasionally one or both parties, or their representatives, are not willing to take the time to return to the Clerk in person to schedule a continuation. Since mediators should never place themselves in an adversarial position with any party, just do the best you can to encourage parties to comply. The policy that has been established by the Clerk of the Court saves both time and money for the court by avoiding the necessity of preparing and mailing a

notice. However, if the parties don't wish to return to court, just let the Clerk know and they will handle it from there.

February Stats

Volunteers mediated 47 cases in Alachua County in February. Sixty-four percent were settled, with the outcome pending in eight cases. Five of 15 cases were settled in the neighboring counties, with the outcome pending in three cases. Circuit-wide, year-to-date, 126 cases have been mediated with agreements reached in 61 percent.

Conflicts of Interest

It is the responsibility of the mediator to determine initially if a conflict of interest exists that would ethically preclude the mediator from handling a particular case. If you feel that you have a clear conflict on a case to which you are assigned, just let us know and we will assign another mediator. We will not ask you about the nature of the conflict or question your judgment in coming to that determination. Of course, if you have a question about whether or not you should serve as mediator, please ask.

If you are aware of, or become aware of, a potential conflict of interest you must disclose this to the parties as soon as practical.

Specifically, Rule 10.340(c) states:

Eighth Judicial Circuit County Mediation Program Results

February 2002

County	Cases Mediated	Written Agreements Reached	Percent Written Agreements	Continued Cases Pending	Continued Cases Defaulted
Alachua	47	25	64%	8	0
Baker	5	2	50%	1	0
Bradford	4	1	50%	2	0
Levy	4	1	25%	0	0
Union	2	1	50%	0	0
Total	62	30	59%	11	0

2002 Year-To-Date

County	Cases Mediated	Written Agreements Reached	Percent Written Agreements	Continued Cases Pending	Continued Cases Defaulted
Alachua	106	61	65%	12	0
Baker	5	2	50%	1	0
Bradford	4	1	50%	2	0
Levy	8	2	25%	0	0
Union	3	2	67%	0	0
Total	126	68	61%	15	0

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