

# Supreme Court of Florida

No. AOSC14-39

IN RE: COMMITTEE ON ALTERNATIVE DISPUTE RESOLUTION  
RULES AND POLICY

## ADMINISTRATIVE ORDER

Chapter 44, Florida Statutes, requires the Supreme Court of Florida to establish rules of practice and procedure for court-ordered mediation and court-ordered arbitration. To assist the Supreme Court in exercising its powers and performing its duties under the statute, the Committee on Alternative Dispute Resolution Rules and Policy was established in 2003 by merging two committees<sup>1</sup> in In re: Committee on Alternative Dispute Resolution Rules and Policy, No. AOSC03-32 (Fla. July 8, 2003).

Members on the committee are appointed to staggered, three-year terms. Some members' terms have expired. Accordingly, the following persons are appointed or reappointed to serve on the committee for a term that expires on June 30, 2017:

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1. The two previously-established court committees were the Committee on Alternative Dispute Resolution Rules and the Committee on Dispute Resolution Policy.

Mr. Eric Dunlap  
Lawyer/ADR Professional/Primary Trainer  
Altamonte Springs, Florida

Ms. Linda Fieldstone, MSW  
ADR Professional/Non-Lawyer  
Supervisor, Family Court Services Program  
Eleventh Judicial Circuit  
Miami, Florida

Mr. Oscar Franco  
ADR Professional/Non-Lawyer  
Weston, Florida

Ms. Jeanne Potthoff  
ADR Professional/Non-Lawyer  
Director, Court Mediation and Arbitration Program  
Seventeenth Judicial Circuit  
Ft. Lauderdale, Florida

Mr. Jake Schickel  
Lawyer/Circuit Court Mediator  
Jacksonville, Florida

The Honorable William Palmer shall serve as Chair until June 30, 2015.

Staff support and expenses for the Committee will be provided by the Office of the State Courts Administrator.

During the next two years, the Committee shall continue to:

1. Monitor court rules governing alternative dispute resolution procedures and recommend to the Court necessary amendments.

2. Monitor legislation and trends in the field and, when necessary and appropriate, recommend rules regarding the implementation of alternative dispute resolution procedures.
3. Recommend for the Court's consideration changes in administrative policies, statutes, and training standards that would enhance the goals of alternative dispute resolution.
4. Assess and develop, if appropriate, recommendations for rules, procedures, and model practices to govern the appropriate use of mediation in criminal and juvenile delinquency cases.
5. Assess how courts are handling mediation cases, including those in which domestic violence is present, and develop recommendations for model practices for handling cases, as appropriate.
6. Review requests from individuals seeking waivers of the qualifications required for arbitrators and mediators or reviews of denial of certification and make recommendations to the Supreme Court for or against certification.
7. Monitor the continuing education, mentorship, and basic mediation and arbitration training requirements and recommend revisions as appropriate.

8. Coordinate with other court committees to further the alternative dispute resolution goals of the Supreme Court.
9. Make such other recommendations that would improve the use of mediation, arbitration, and other alternatives to supplement the judicial process.
10. Perform such other assignments related to alternative dispute resolution as may be directed by the Chief Justice or the Supreme Court.

The Committee is authorized to propose rule changes that are necessary to fulfill the charges in this administrative order. Should the Committee recommend amendments to the rules of court procedure and/or forms, it shall file such recommendations in petition form with the Clerk of the Florida Supreme Court. The Committee is also authorized to propose, in accordance with the applicable state court system protocols, statutory changes that may be necessary to fulfill the charges in this administrative order.

Should the Committee make recommendations that require additional funding or resources to implement, the Committee is directed to establish the necessary liaison relationship with the District Court of Appeal Budget Commission or the Trial Court Budget Commission, as appropriate. At a minimum, the Committee shall provide the chair of the respective budget

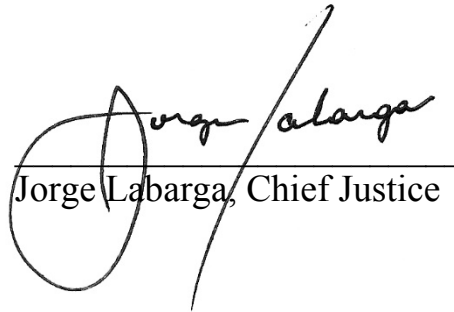
commission with copies of Committee reports and recommendations that reference the need for additional court funding or resources, prior to the finalization of those reports.

Should the Committee make recommendations that impact on court technology, the Committee is directed to establish the necessary liaison relationship with the Florida Courts Technology Commission. At a minimum, the Committee shall provide the Chair of the Florida Courts Technology Commission with copies of Committee reports and recommendations that reference court technology, prior to the finalization of those reports.


Should the Committee make recommendations about the education and training needs of judges and court staff, the Commission is directed to establish the necessary liaison relationships with the Florida Court Education Council. At a minimum, the Committee shall provide the Chair of the Florida Court Education Council with copies of Committee reports and recommendations that reference court education, prior to the finalization of those reports.

Commission reports should be submitted to the Chief Justice through the State Courts Administrator.

DONE AND ORDERED at Tallahassee, Florida, on July 2, 2014.

  
Jorge Labarga, Chief Justice

ATTEST:

  
John A. Tomasino, Clerk of Court

