



### Chapter News

We had a well-attended Annual Chapter meeting this past August. At the meeting, a Chapter Budget was approved, and your new Board of Directors elected:

President	Ken Starr
President Elect	Carline Emanuel
Vice President	Len Helfand
Secretary	Carol Tresca
Treasurer	Karen Andres
Board Members:	Carol Tyson
	Elinor Robin
	Tom Mack
	Fernaundra Ferguson
	Darryl Wilson
Immediate Past Pres.	Chris Shulman

*\*Regrettably, Bob Jett, who was elected to a two-year term on the Board in 2005, had to resign and will not be able to complete his term.*

### ACR Conference

ACR is having its annual conference in Philadelphia, October 25 – 28, 2006. For more information, including registration info, see [www.acrnet.org/conferences/ac06/ac06-conferenceschedule.htm](http://www.acrnet.org/conferences/ac06/ac06-conferenceschedule.htm). Our Chapter will be represented there by Chapter President Ken Starr and President-Elect Carline Emanuel.

### FL/GA Chapters' Joint Dinner

In conjunction with the ACR conference, attendees from Georgia and from Florida will meet for dinner while at the 2006 ACR Annual Conference. On Thursday, October 26, 2006, attendees from Georgia and from Florida will meet at Tir Na Nog Irish

Restaurant at 8:00 p.m. ET. Join us for good food and good conversation. Restaurant info available at [www.tirnanoghilly.com](http://www.tirnanoghilly.com) or by calling 267-514-1700.

### Conflict Resolution Day

As you will recall, the third Thursday in October has been designated by ACR's Board as Conflict Resolution Day! Your chapter has been very involved in gaining recognition for this event through requests for proclamations of October 19, 2006 as Conflict Resolution Day. So far, the following governmental bodies have proclaimed either that day as Conflict Resolution Day or, in conjunction with Governor Bush's and the Supreme Courts Proclamations of October 15 – 21, 2006 as Mediation Week: Pinellas County; Manatee County; Sarasota County; Palm Beach County; Alachua County; School Board of Alachua County; City of Bradenton; City of Tampa; and City of Atlantic Beach. There may be others but, as of press time, they haven't made into our Newsletter!

Additionally, our own Len Helfand is leading the charge in getting a bill through Congress designating the third Thursday of each October designated National Conflict Resolution Day. If you feel you can help in this effort to secure a Congressional Resolution please contact Leonard Helfand, ACR member, FSU Associate General Counsel, and Co-Chair of the FSU Mediation Day Committee, at (850) 644-1779.

## **How Long Will Pro Bono Mediators Last?**

*Commentary by Al Tarvin,  
Certified Family, County Court and  
Commercial Mediator*

Unknown to the general population County Court Mediators in Northwest Florida do not receive any pay for their efforts to help relieve the court backlog. Proposals have been made at different times to develop a pay schedule, however, as of today the political forces have not moved toward rewarding this large group of volunteers. Then where do we get the many volunteers who perform the pro bono mediations in the court system? To a large degree many of these mediators come from business and military retirees who desire to give something back to the community. The Florida Supreme Court provides a three day free training period for those persons who desire to volunteer their time. There are other sources of training as well. One concern, Conflict Resolutions, of Milton has been certified by the Florida Supreme Court to instruct in the twenty hour program and then to issue certifications of completion to the candidates. After completing the classroom training the trainees then must observe four (4) mediations conducted by a Certified Supreme Court County Court mediator then to also complete four (4) co-mediations which are observed by a certified mediator. After completing these series of training the volunteer is then qualified to mediate cases within the Small Claims Division of the County Court. These same certified volunteers must also complete sixteen (16) hours of continuing education every two years in order to continue their certified (pro bono status) in the county court mediator's rating.

The savings of the court's time and money are generally reported to the mediators at an annual holiday party. On one such occasion it was reported that savings had been

estimated at \$265,000 in dollars and countless hours of the judge's time. The mediators are all praised for the outstanding job they are doing - but sorry, no payment for your services.

All family court actions (divorce, etc) have been ordered to mediation by the First Circuit Jurisdiction of the Florida Court System. Family mediators are paid the court assessed fee when they conduct the mediations, however at a far lesser amount that the mediator can charge for his or her services which could be earned prior to entry into the court system (charges for the pre-filing actions).

The field of mediation will continue grow across the nation. And we can be sure that each state will develop their own rules, ethics and how to file and proceed through the court using mediation, but until that time arrives we will continue to be at the mercy of the money handlers of the government and therefore continue to be pro bono mediators.

### **New Legislative Committee**

ACR FL Chapter President Ken Starr recently announced a new Chapter Legislative Committee. The idea is to involve our Chapter in local, state, and national legislative activities related to Dispute Resolution. The committee would also help keep Florida Chapter members abreast of legislative activity that may have a bearing on our profession(s). Interested persons should contact Ken Starr at [k.r.starr@att.net](mailto:k.r.starr@att.net).

### **Mediation Training Discount!**

South Florida-based Mediation Training Group, which offers Circuit Civil, Family, and Count Mediation Certification Training, as well as Continuing Mediator Education classes, has graciously agreed to extend a 10% discount to all ACR FL Chapter

members who take any of their classes. With great thanks to Mediation Training Group's two principals (ACR FL Board Member Elinor Robin and her partner Susan Dubow), we suggest you contact them at [www.mediationtraininggroup.com](http://www.mediationtraininggroup.com).

### Update on Mediator Certification

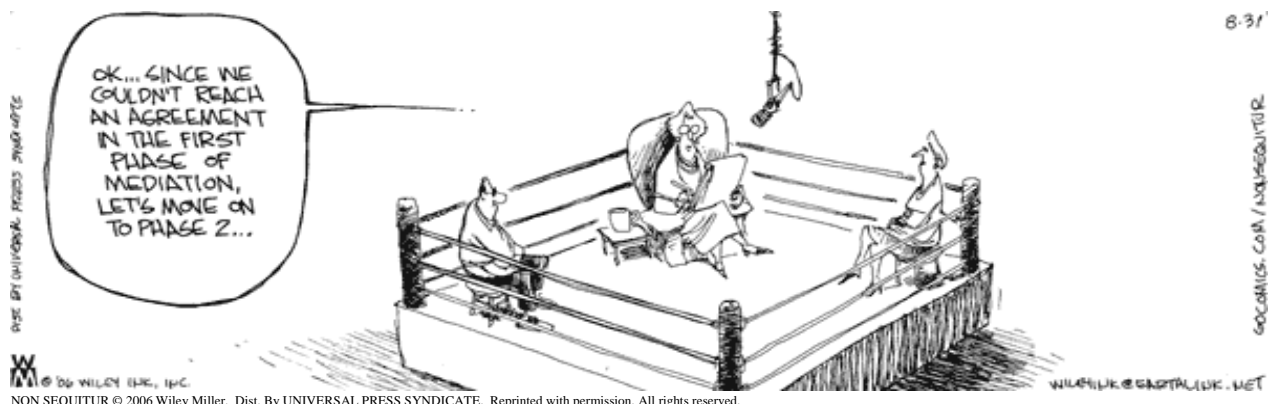
As you have probably heard, the Florida Supreme Court adopted most of the proposed changes to the mediator certification standards proposed by the Court's Committee on ADR Rules & Policy, changing all mediator certification methods to a point system, which generally enlarges the pool of potential mediators for every level of certification. The Committee had recommended that the Court remove the requirement of 5 years' Florida Bar membership to become a Circuit Civil Mediator, but the Court demurred, indicating it had not heard from the Florida Bar as to that proposed change; the Bar was directed to file a response addressing that requirement. The Bar did, recommending the Court retain the requirement that, to be certified as circuit civil mediators, applicants must have been members of either the Florida Bar or some other state bar for at least five years, stating, "It is the uniform [b]elief of the bar that circuit court mediation in the state is extremely effective, that its effectiveness is due in large part to the quality of mediators, and that the quality of mediators is greatly dependent on the minimal qualifications contained in the

rules." The ADR Rules & Policy Committee responded by disagreeing strongly with the Bar's position and noting that the Bar's rationale really provides no specific support for the retention of the attorney-licensure requirement. Both the Committee's and the Bar's filings with the Court are available at the DRC's website: [www.flcourts.org/gen\\_public/adr/index.shtml](http://www.flcourts.org/gen_public/adr/index.shtml). It is not known when the Court might rule on the pending issue.

### Mediation Training Program Evaluations Coming!

This past summer, the Office of the State Court Administrator, put out to bid a contract for the evaluation of the certified Mediation Training Programs statewide. The bid was awarded to the Georgia-based firm of ANSLEY BARTON, LLC, whose principals include experienced mediators, mediation training professionals, and law school/graduate school professors. Undoubtedly their report, due to the DRC some time next June, will be illuminating and may involve some changes in training standards. Information is available at [www.flcourts.org/gen\\_public/purchasing/index.shtml](http://www.flcourts.org/gen_public/purchasing/index.shtml), under the heading "Request for Proposals (RFP) Assessment of Mediation Training for the Florida Courts System RFP 06-001-SP".

### Sidebar ☺





# ACR Florida Chapter News

Issue III, Fall 2006

In this edition:

Chapter News.....	1
ACR Conference.....	1
FL/GA Chapters' Joint Dinner.....	1
Conflict Resolution Day .....	1
How Long Will Pro Bono Mediators Last? .....	2
New Legislative Committee .....	2
Mediation Training Discount!.....	2
Update on Mediator Certification .....	3
Mediation Training Program Evaluations Coming! .....	3
Sidebar ☺.....	3

---

Association for Conflict Resolution – Florida Chapter, Inc.  
a Florida Non-Profit Corporation  
3490 Beach Boulevard  
Jacksonville, FL 32207