

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT, IN AND
FOR MARION COUNTY, FLORIDA.

Administrative Order No.M97-12

**ESTABLISHMENT OF FAMILY LAW DIVISION MEDIATION PROGRAM
IN AND FOR THE FIFTH JUDICIAL CIRCUIT OF FLORIDA**

WHEREAS Chapter 44, Florida Statutes (1995), Rules 12.740 and 12.741, Florida Family Law Rules, authorize and provide for mediation of contested family matters and issues;

WHEREAS mediation has proven to be effective and successful in assisting litigants in reaching mutually acceptable agreements of contested family related disputes;

WHEREAS mediation has proven to be a process that promotes and improves judicial efficiency and administration;

WHEREAS there is a continuing need for mediation in family law actions, particularly when litigants are indigent or otherwise unable to pay mediation fees;

WHEREAS it is necessary to establish a procedural framework for the Family Law Division Mediation Program;

It is therefore ORDERED:

1. A Family Law Division Mediation Program shall be established in the Fifth Judicial Circuit, in and for Marion County, Florida.

2. The Family Law Division Mediation Program shall originate and be located in the Family Law Coordinator's Office of the Marion County Judicial Center in Marion County, Florida.

3. The Family Law Coordinator's Office shall appoint a Family Law Division Mediation Program Director. The Family Law

Division Mediation Program Director shall:

- a) Maintain a list of certified family law mediators within the Fifth Judicial Circuit and provide said list to the Court and to the public;
- b) Provide to the public the appropriate forms to request Court-ordered mediation;
- c) Work in conjunction with the Court to coordinate mediation in family law matters;
- d) Oversee the Family Law Division Mediation Program procedures, scheduling, and other administrative matters;
- e) Maintain records of mediations and the Mediation Program; and
- f) Shall serve in the position at the discretion of the Chief Judge of the Fifth Judicial Circuit.

4. The Family Law Division Mediation Program for the Fifth Judicial Circuit, in and for Marion County, shall provide a mediator for those family law cases in which the Court finds that a party, or the parties, to a family law action are indigent or otherwise unable to pay mediation fees and in which the Court refers the case to the Mediation Program Director for mediation.

5. The Family Law Division Mediation Program mediator shall serve at the discretion of the Chief Judge of the Fifth Judicial Circuit.

6. The family law judges of the Fifth Judicial Circuit, in and for Marion County, may refer family law cases to the Mediation Program Director for mediation at any stage of the legal

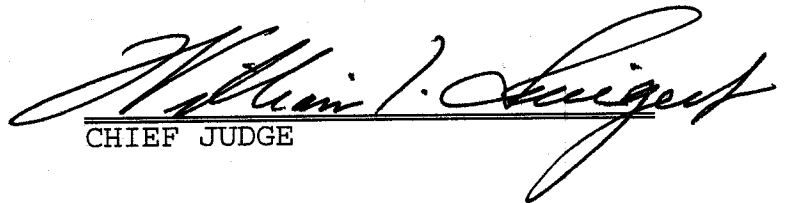
proceeding except as prohibited by the Florida Statutes.

7. All mediations shall comply with the appropriate rules and procedures as set forth in Chapter 44 of the Florida Statutes and Rules 12.740 and 12.741, Florida Family Rules of Procedure.

8. The Family Law Division Mediation Program shall act in conjunction and coordination with private family law mediation and is not intended to replace the current private mediation procedures. Accordingly, this Order does not supersede any standing Administrative Orders relating to private mediation procedures.

9. This Administrative Order shall remain in effect until modified or rescinded by the Chief Judge of the Fifth Judicial Circuit.

DONE AND ORDERED in Ocala, Marion County, Florida this 19
day of March, 1997.


CHIEF JUDGE

copies: