

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
IN AND FOR BAY COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 99-02

IN RE: JUVENILE DEPENDENCY
MEDIATION PROGRAM

WHEREAS, the Fourteenth Judicial Circuit has established an alternative dispute resolution program administered by the Trial Court Administrator of the Fourteenth Judicial Circuit to provide coordination of existing and new programs to foster amicable settlement of disputes; and,

WHEREAS, it is deemed in the best interest of the citizens of the Fourteenth Judicial Circuit that said program be continued and extended; and

WHEREAS, the Legislature has enacted sections 39.4075 and 44.102, Florida Statutes, regarding the referral of dependency cases to mediation; and

WHEREAS, the Supreme Court of Florida has further promulgated rule 8.290, Florida Rules of Juvenile Procedure, dealing specifically with the mediation of dependency cases,

NOW THEREFORE, it is Ordered as follows:

1. A Juvenile Dependency Mediation Program is herewith established under the auspices of the Alternative Dispute Resolution Program of the court.
2. Only those cases referred by the court shall be processed through the Juvenile Dependency Mediation Program.
3. Mediators of juvenile dependency matters shall be selected by the Alternative Dispute Resolution Program, subject to rules of the Supreme Court of Florida governing dependency mediators.
4. Any of the parties as defined by rule 8.210, Florida Rules of Juvenile Procedure, their counsel and their employees, may be required to attend such mediation sessions by order of the court.
5. Except as otherwise provided by law, all issues raised and facts discussed during the course of mediation shall be confidential and shall not become part of the court record. Any agreement executed by all parties shall become part of the court record.

6. Willful refusal to schedule or failure to appear at a required and scheduled mediation, without good cause, shall place the offending party in jeopardy of sanctions by the court, including contempt of court, assessment of mediator and attorney fees and other costs, the striking of pleadings or portions thereof, and/or other appropriate sanctions.
7. In accordance with section 44.102 (5)(b), Florida Statutes, and rule 8.290(f), Florida Rules of Juvenile Procedure, nonvolunteer mediators shall be compensated by the parties and the county. Each party to the litigation shall be required to pay \$50.00 as their pro-rata share of the total mediation expense. The balance of the mediation expense shall be paid by the county from the funds on deposit in the court's family mediation-arbitration account fund. The parties' pro-rata share shall be paid prior to attending mediation by delivering payment to the Clerk of the Circuit Court of Bay County, Florida and shall be deposited in the court's family mediation-arbitration account fund.
8. The Clerk of the Circuit Court shall submit a monthly financial report of the court's family mediation-arbitration account fund to the Administrative Family Law Judge and to the judge presiding over Dependency Court.

This order is effective on the date of execution. Amendments, deletions, or additions to this order shall be made as needed.

DONE AND ORDERED, in Chambers at Panama City, Bay County, Florida this 19
day of March, 1999.



Judy M. Pittman, Chief Judge

3.17.1999

Michael C. Overstreet, Administrative Family Law Judge

