

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

File # 2003092086
OR BK 2375 Pages 2045 - 2047
RECORDED 12/15/03 12:01:44
Harold Bazzel, Clerk
Bay County, Florida
DEPUTY CLERK DL
#1
Trans. # 581330

ADMINISTRATIVE ORDER NUMBER: 2003 - 08
RE: FAMILY LAW MEDIATION

WHEREAS, in accordance with Chapter 44, Florida Statutes Rule 12.740, Florida Family Law Rules of Procedure, provide for mediation of family law actions except those expressly excluded by rule or law; and,

WHEREAS, mediation is a process whereby a neutral third party acts to facilitate resolution of litigant disputes prior to judicial determination in an informal, non-adversarial manner with the goal of helping the parties reach an acceptable agreement; and,

WHEREAS, Bay County local ordinance 99-09 authorized the imposition of an additional service charge on all civil actions filed in circuit court pursuant to Section 44.108, Florida Statutes and an additional service charge on all petitions for modifications of a final judgment of dissolution of marriage filed in circuit court pursuant to section 44.108, Florida Statutes, for the purpose of defraying the cost of family mediation; and,

WHEREAS, it is necessary to articulate and establish in Bay County the procedural framework within which participants in family court mediation will operate: it is therefore

Now therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. **Mediation Program:** The Family Mediation Program is hereby created to serve as an adjunct to the Family Court Division of the Circuit Court in Bay County for the purpose of mediating family law issues, including shared parental responsibility, child residency, child support, visitation, alimony, and property or other domestic issues appearing on the court docket. This program is created to serve those who are indigent as determined by the court. This program shall be administered and coordinated by the Family Law Deputy Court Administrator at the direction of the Administrative Family Law Judge.
2. **Mediation:** Mediation is an alternative dispute resolution process in which parties, with or without their attorneys, meet with a neutral mediator. A mediator can not offer either party legal advice nor may a mediator evaluate fairness of a party's legal position. The role of an attorney is to offer legal advice. The mediation program does not excuse a party from filing appropriate documents in this legal proceeding.

CERTIFIED TRUE COPY
HAROLD BAZZEL, CLERK
OF THE CIRCUIT COURT

By

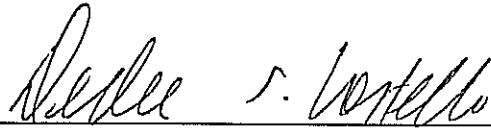
Deputy Clerk

**Bay County Family Mediation
Order 2003 - 08**

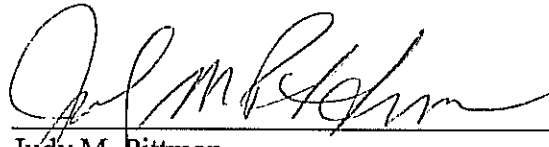
3. **List of Mediators:** A list of certified Family Mediators shall be maintained by the Family Law Deputy Court Administrator's office.
4. **Certified Mediators:** The Family Mediation program shall appoint only mediators certified in the area of Family Mediation by the Florida Supreme Court and those who have signed an agreement to participate in the Family Mediation Program.
5. **Authority to Refer to Mediation:** Pursuant to Section 44.102(2)(c), Florida Statutes, and Rule 12.740(b), Florida Family Law Rules of Procedure, the court on its own motion may refer all or any part of a civil case to mediation for the purpose of mediation of family matters
6. **Referral of Pre-Judgment and Post-Judgment Family Law Matters:**
 - a. Any party who seeks to schedule a final hearing in a contested pre-judgment or post-judgment family law case must first participate in a mediation conference, either through the Family Mediation Program hereby established, or through a private mediator, unless otherwise ordered by the court.
 - b. The Court will review each file to determine if either party is indigent based on poverty guidelines. If both parties are determined to be indigent there will be no fee for mediation. If one party is found to be indigent, that party does not have to pay a fee for mediation and the other party must pay for one half of the total mediation fee. If neither party meets the poverty guidelines, they will not qualify for the services of the mediation program and must contract with a private mediator.
7. **Appointment of Mediator:** The Family Mediation Program will coordinate said mediation and refer the case for selection of a court-approved contract mediator. In the alternative, the parties and/or their counsel may select a private mediator. If the parties choose to arrange mediation through a private mediator, each party shall share equal responsibility for the mediator's fee, unless otherwise ordered by the court.
8. **Record Keeping:** The Family Mediation Program shall keep a record of the case name, number, assigning judge, mediator, the attorneys, and the outcome of the mediation in all cases referred to the Family Mediation Program, as well as any other pertinent information for reporting purposes.

**Bay County Family Mediation
Order 2003-08**

Done and ordered, in chambers at Panama City, Bay County, Florida, this 11th day of
December, 2003.



Dedee S. Costello
Administrative Family Law Judge



Judy M. Pittman
Chief Judge