



**Association for
Conflict Resolution**

July 5, 2005

Clerk of the Court
Supreme Court of Florida
500 S. Duval St.
Tallahassee, FL 32399

Re: Case No. SC05-998

Dear Clerk of the Court:

On behalf of the Association for Conflict Resolution (ACR), we wish to comment on Case No. SC05-998, which proposes revisions to the qualifications required for certification as a mediator by the Florida Supreme Court. Since Florida has been a leader in court-connected mediation, ACR considers the Florida Supreme Court's qualifications for certification as a mediator to be extremely important nationally.

ACR represents and serves a diverse national and international audience that includes more than 6,500 mediators, arbitrators, facilitators, educators and others involved in the field of conflict resolution and collaborative decision-making. ACR and its predecessor organizations—the Academy of Family Mediators (AFM), the Conflict Resolution Education Network (CREnet), and the Society of Professionals in Dispute Resolution (SPIDR) have a long history of working to develop standards of practice for the dispute resolution field. ACR has also recently adopted sets of principles to guide its work in the legislative and public policy areas. The following excerpts of relevant principles adopted by ACR serve as the basis for our comments:

Mediators should come from a variety of professional and non-professional backgrounds.
[Source: *ACR Guiding Principles for the Uniform Mediation Act.*]

Mediation qualification criteria established by governmental agencies should assure a diverse group of qualified mediation professionals based upon gender, race, culture and other relevant criteria.
[Source: *ACR Guiding Principles for Comments on the FMCS Mediation Roster.*]

We applaud the Florida Supreme Court Committee on ADR Rules and Policy for recommending these revisions to the certification requirements for mediators, and we hope that the Court will carefully consider the recommendations and respond favorably. We particularly commend the efforts to expand the certification to include non-lawyers, increase ethnic and cultural diversity, provide the parties with greater choice of certified mediators, allow non-lawyers to be eligible for certification in all areas of mediator certification, value prior mediation experience, value out-of-state training, and build upon a tripartite qualification model of mentorship, training and experience.

We believe that the proposed changes to the Florida Supreme Court mediator qualifications are consistent with ACR's principles and that they will enhance the practice of mediation in Florida.

Sincerely,

Handwritten signature of Larry Fong in black ink.

Larry Fong, Ph.D.
President

Handwritten signature of Terrence Wheeler in black ink.

Terrence Wheeler, Esq.
President Elect

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A PROFESSIONAL ORGANIZATION DEDICATED
TO ENHANCING THE PRACTICE AND PUBLIC
UNDERSTANDING OF CONFLICT RESOLUTION

1015 18th Street, NW, Suite 1150 | Washington, D.C. 20036 | ACR is a merged organization of AFM, SPIDR and CREnet