

Supreme Court of Florida

No. AOSC18-29

IN RE: COMMITTEE ON ALTERNATIVE DISPUTE RESOLUTION
RULES AND POLICY

ADMINISTRATIVE ORDER

Chapter 44, Florida Statutes, requires the Supreme Court of Florida to establish rules of practice and procedure for court-ordered mediation and court-ordered arbitration. To assist the Court in exercising its powers and performing its duties under the statute, the Committee on Alternative Dispute Resolution Rules and Policy was established in 2003 by merging two committees¹ in In re: Committee on Alternative Dispute Resolution Rules and Policy, No. AOSC03-32 (Fla. July 8, 2003). This administrative order institutes the committee's 2018 - 2020 charges, reappoints five members, and appoints one new member to perform the committee's specified duties.

Throughout the period governed by this administrative order, the committee is charged with examining The Long-Range Strategic Plan for the Florida Judicial

1. The two previously-established court committees were the Committee on Alternative Dispute Resolution Rules and the Committee on Dispute Resolution Policy.

Branch 2016-2021 (hereinafter referred to as The Plan) and identifying ways in which the committee may assist in accomplishing plan goals and develop implementation steps to perform that function. The committee is hereby directed to continue to:

1. Monitor court rules governing alternative dispute resolution procedures and recommend to the Court necessary amendments. The committee will ensure proposed procedural rules are consistent with The Plan, including Goal 1.1 (Perform judicial duties and administer justice without bias or prejudice.).
2. Monitor legislation and trends in the field and, when necessary and appropriate, recommend rules regarding the implementation of alternative dispute resolution procedures. In particular, the committee shall recommend rules which coincide with The Plan, particularly, Goal 1.2 (Ensure the fair and timely resolution of all cases through effective case management.).
3. Recommend for the Court's consideration changes in administrative policies, statutes, and training standards that would enhance the goals of alternative dispute resolution among which is Goal 5.1 of The Plan (Promote public trust and confidence by maintaining high standards of professionalism and ethical behavior.).

4. Review requests from individuals seeking either waivers of the qualifications required for arbitrators and mediators or reviews of denial of certification and make recommendations for or against certification to the Court, particularly within the framework of The Plan's Goal 5.1 (Promote public trust and confidence by maintaining high standards of professionalism and ethical behavior.).
5. Monitor the continuing education, mentorship, and basic mediation and arbitration training requirements and recommend revisions as appropriate. The committee will accomplish this charge in accordance with the following goals of The Plan:
 - a. Goal 1.5 (Encourage the use of consistent practices, procedures, and forms statewide.);
 - b. Goal 3.1 (Enhance understanding of the purposes, roles, and responsibilities of the judicial branch through education and outreach.);
 - c. Goal 3.2 (Promote public trust and confidence in the judicial branch by delivering timely, consistent, and useful information through traditional and innovative communication methods.); and
 - d. Goal 5.1 (Promote public trust and confidence by maintaining high standards of professionalism and ethical behavior.).

6. Coordinate with other court committees to further the alternative dispute resolution goals of the Court. Specifically, coordinate with the Steering Committee on Families and Children in the Court in an effort to achieve Goal 1.6 of The Plan (Increase the use of constructive, non-adversarial resolutions in family law cases).
7. Make such other recommendations that would improve the use of mediation, arbitration, and other alternatives to supplement the judicial process. In particular, the committee is directed to make recommendations related to Goal 2.6 of The Plan (Promote the use of innovative and effective problem-solving courts and alternative dispute resolution processes.).
8. Perform such other assignments related to alternative dispute resolution as may be directed by the Chief Justice or the Supreme Court.

To avoid majority turnover in any year members of the committee are appointed to staggered terms and no member may serve more than nine years. The following persons are reappointed to serve a three-year term that expires on June 30, 2021:

Ms. Susan F. Dubow
Boca Raton

Mr. Michael Kamen
West Palm Beach

The Honorable Michael S. Orfinger
Circuit Court Judge, Seventh Judicial Circuit

Ms. Rissette Posey
Tallahassee

The following person is reappointed to serve a two-year term that expires on
June 30, 2020:

Mr. Christopher M. Shulman
Tampa

The following person is appointed to serve an initial three-year term that
expires on June 30, 2021:

Mr. Charles F. Castagna
Clearwater

Judge Michael S. Orfinger shall serve as chair until June 30, 2020. Staff
support and expenses for the committee will be provided by the Office of the State
Courts Administrator.

Should the committee make recommendations that require additional
funding or resources to implement, impact court technology, or impact education
and training needs of judges and court staff, the committee is directed to establish
the necessary liaison relationship with the District Court of Appeal Budget
Commission, the Trial Court Budget Commission, the Florida Courts Technology

Commission, or the Florida Court Education Council, as appropriate. At a minimum, the committee shall provide the chair of these liaison groups with copies of those committee reports and recommendations, prior to the finalization of the reports.

DONE AND ORDERED at Tallahassee, Florida, on July 2, 2018.

Charles T. Canady
AOSC18-29 7/2/2018

Chief Justice Charles T. Canady

ATTEST:

[Signature]
AOSC18-29 7/2/2018
John A. Tomasino, Clerk of Court

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