

June 10, 2002

THE QUESTION

I am a certified Circuit Court mediator and owner of a mediation company. I am seeking your opinion concerning permissible activities in relation to sponsoring a bass fishing tournament or similar type event. Specifically, I would like your opinion on whether it is permissible under the Florida Rules for Certified and Court-Appointed Mediators to engage in the following:

- A. Sponsoring a bass fishing tournament or similar type event which would incorporate the name of the mediation firm (e.g. "Mediate World Bass Classic").
- B. Tournament would be open to the public.
- C. Collecting entry fees to offset the cost of the event.
- D. Advertising the tournament in various media outlets.
- E. Holding a silent auction to raise monies. All of the monies collected, after paying for expenses, prizes, and food, would be donated to charitable causes.

It would be most appreciated if you would advise me whether the aforesaid are prohibited or regulated and if so, why.

Very truly yours,

Certified Circuit Mediator
Central Division

AUTHORITY REFERENCED

Rules 10.330, 10.340, 10.610 and 10.620, Florida Rules for Certified and Court-Appointed Mediators
MEAC Opinion 2001-006

SUMMARY

On their face, none of the events described appear to violate any of the ethical rules.

OPINION

The Committee is of the opinion that none of the events which you describe would, on their face, violate any of the ethical rules. However, the Committee would caution that one should always review the Florida Rules for Certified and Court-Appointed Mediators to ensure that in conducting an event you do not run afoul of the rules. In this case, you should particularly review rule 10.330, regarding impartiality, rule 10.340, regarding conflicts of interest, rule 10.610, regarding advertising, and rule 10.620, regarding integrity and impartiality. In addition, the Committee advises you to review its recent opinion in MEAC 2001-006, in which it described problems which could arise within the context of similar promotional activities.

Date

Charles M. Rieders, Committee Chair