

VIEWPOINT

Mediation can indeed help resolve disputes

As in past years, Gov. Jeb Bush has designated this week as "Mediation Week" in Florida. Such auspicious endorsement implies just how respected the process of mediation has become in dispute resolution, not only in Florida, but also nationally and internationally.

In these times when the overuse of hyperbole (hype) and the frequency of misrepresentation (spin) has all but devalued the integrity of language, it should be comforting that the Florida Supreme Court has seen fit to return dignity and referential validity to mediations.

These negotiations, designed to resolve legal disputes before adversarial courtroom trials, involve opposing parties with a trained mediator, certified by the Supreme Court.

The mediator is bound by statute to remain neutral and impartial, working for the good of both parties, using carefully considered strategies of questioning, guiding and suggesting so that the parties themselves can craft their own freely negotiated agreement.

Prompted by the spirit of self-determination, the mediator and parties here reflect the highest aspiration of our American democracy, in which people



**DR. RON
EVANS**

*Dr. Ron Evans
is the coordinator
of mediation ser-
vices for the First
Judicial Circuit in
Pensacola.*

can determine their own fate, rather than surrendering that power to a judge. Judges will tell you how valuable mediation has become, both for the parties and for the best use of judicial time.

In the First Judicial Circuit are found dozens of mediation practitioners, both court provided and private sector. These professionals range from volunteer county civil mediators who honorably conduct small claims cases, through family court mediators who conduct divorce and dependency cases, and circuit civil mediators who conduct complex contractual cases.

As mandated by Revision 7 of Article V of the Florida statutes, the court system will provide mediation ser-

vices, at modest cost, to anyone who requests it, subject to certain income limits.

This judicial outreach by the Supreme Court constitutes part of the Unified Family Court initiative, currently being endorsed by Supreme Court Chief Justice Barbara Pariente.

In such a program, the state court system attempts to provide maximum judicial access to all citizens of Florida, especially in those areas where need has been demonstrated by the highest number of citizens.

With a long history of success and acceptance from ancient times until now, mediation offers everyone a controlled and dignified process of solving problems, using whatever language skills one may possess.

Further, any participation in court-ordered mediations is protected by the state statute of confidentiality, meaning that everything said within that mediation cannot be revealed, and any breaking of this confidentiality may be subject to court sanctions.

The First Circuit Mediation Services office invites you to investigate how this powerful tool can work to help you resolve your own disputes.