

736395

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT,
IN AND FOR MANATEE, SARASOTA AND DESOTO COUNTIES, FLORIDA

Administrative Order No. 87-02

THIS ADMINISTRATIVE ORDER WAS
RENUMBERED BY ADMINISTRATIVE
ORDER NUMBER 2001-14-2.
THE NEW NUMBER IS
87-02-12

IN RE: FAMILY MEDIATION UNIT

Under the authority of Florida Statutes Section 44.101 and 61.183 the Family Mediation Unit of the Twelfth Judicial Circuit is hereby established as an adjunct service of the courts.

I. PURPOSE

- A. The Family Mediation Unit shall have as its primary functions:
1. The mediation of marital conflicts concerning the issues of custody, (shared physical and legal parental responsibility) primary residency and visitation (time sharing responsibility). Child support and other issues may be mediated with the written consent of the parties and their counsel.
 2. The establishment of an amicable and fair settlement, the mitigation of the adverse effects of contested proceedings, and the promotion of mediation as an alternative to the adversarial proceeding.
- B. The Mediation procedure is not intended to delay proceedings before the Court; nor to require parties to participate where no useful purpose can be served; nor to force the continuance of a marital relationship against the desires of either spouse.

II. AUTHORITY

- A. Whenever any controversy exists between persons in a relationship which may result in legal separation, dissolution or annulment of the marriage; or in disruption of the household; or may involve other matters related thereto; or may result in the modification of an order entered as a result of any such controversy, the Family Mediation Unit shall have the authority to consult and conduct conferences with the parties and all persons having any relationships to the controversy, including the parties minor children, and to do all other such things as are necessary to fulfill the purposes and responsibilities of the program.
- B. The Court Mediator is not authorized to conduct, prepare, nor submit evaluations to the Court.

III. PROCEDURES: EFFECTIVE DATE

- A. Referral of Action: Minor Child Questionnaire
1. Effective February 1, 1987, any legal proceeding involving the issues of custody, shared parental responsibility, primary residency or visitation with minor children may be referred by the Court to the Family Mediator when it appears mediation may lead to an amicable settlement or lessen the adverse effects of the proceeding on the parties or their minor children. Any party filing a petition wherein the control, custody and/or visitation of minor children is an issue shall file with the court a Minor Child Questionnaire in the form attached hereto.

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2. Referrals may be by the Court's own motion, by motion of either party or by agreement of the parties.

B. Mediation Conference: Date, Time, Place and Notice

1. Upon receipt of an order or agreement for mediation, the Family Mediation Coordinator shall fix a reasonable date, time and place for a mediation conference. The parties shall attend the initial mediation conferences. Further conferences may be scheduled by agreement of the parties or court order.


C. Reports, Aid of Specialists, Confidential Communications

1. The Court Mediator shall report to the referring judge the attendance of the parties at the mediation conferences and whether a mediation agreement was arrived at or not.
2. The Court Mediator may, with consent of both parties, recommend or invoke the aid of appropriate resources, such as: physicians, psychologists, social agencies, or other qualified individuals or agencies. No report of such individual or agency, as given to the Court Mediator, shall be filed in, or become part of, the records of the case. Any such aid shall be at the expense of the parties.
3. All verbal or written communications in mediation proceedings shall be confidential and inadmissible in the subsequent legal proceedings unless both parties agree otherwise.
4. All mediation agreements between the parties shall be reduced to writing, and a copy submitted to all counsel of record. If there are no counsel of record, then the mediated agreement shall be served upon the parties and the original filed with the Court.

IV. SUPERVISION

The Court Mediator is under the direct supervision of the Court Administrator and the Chief Judge of the Twelfth Judicial Circuit.

DONE AND ORDERED in Chambers, Sarasota, Sarasota County,
Florida, this 23rd day of January, 1987.


CHIEF JUDGE

IN THE CIRCUIT COURT FOR SARASOTA COUNTY, FLORIDA

Circuit Civil No. _____

MINOR CHILDREN QUESTIONNAIRE

Note: To person filing petition for dissolution:
If custody (shared physical and legal responsibility) or visitation (time sharing responsibility) of Minor Children of the marriage is in dispute, this form must be filled out and given to the Clerk of Circuit Court at the time the petition for dissolution is filed.

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Petitioner: _____
(Name)

(Mailing Address)

(City & State) (Zip)

Petitioner's Attorney: _____
(Name) (Attorney Code)

(Mailing Address)

(City & State) (Zip) (Telephone)

Respondent: _____
(Name)

(Mailing Address)

(City & State) (Zip)

Respondent's Attorney: _____
(Name) (Attorney Code)

(Mailing Address)

(City & State) (Zip) (Telephone)

FILED AND RECORDED
JANUARY 21 1987
CLERK
SARASOTA CO. FLA.

1. List the names and ages of all minor children of the marriage:

2. Do you anticipate problems involving custody (shared physical and legal responsibility) of the minor children?
Yes _____ No _____ Unknown _____

3. Do you anticipate problems involving visitation (time-sharing schedules) with the minor children?
Yes _____ No _____ Unknown _____

4. Do you anticipate problems involving child support?
Yes _____ No _____ Unknown _____

5. Are there any other problems concerning the minor children that are expected to arise in connection with the dissolution?
Yes _____ No _____ Unknown _____

If yes, briefly explain _____

Date _____

Signature _____
(Petitioner or Attorney)