

Florida Rules for Certified & Court-Appointed Mediators

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PART I - MEDIATOR QUALIFICATIONS

RULE 10.100 CERTIFICATION REQUIREMENTS

(a) **General.** For certification as a county court, family, circuit court, dependency, or appellate mediator, a mediator must be at least 21 years of age and be of good moral character.

(b) **Points.** For certification as a county court, family, circuit court, or dependency mediator, an applicant must have the required number of points for the type of certification sought as specifically required in rule 10.105, except that certified family, dependency, or circuit court mediators seeking county court certification may qualify as provided in subdivisions (c)(2)-(3), below.

(c) **County Court Mediators.** For initial certification as a mediator of county court matters, an applicant must:

(1) Have at least a high school diploma or a General Equivalency Diploma (GED) and 100 points, which must include:

(A) 30 points for successful completion of a Florida Supreme Court certified county court mediation training program;

(B) 10 points for education; and

(C) 60 points for mentorship;

or

(2) Be a currently certified Florida Supreme Court circuit court mediator;

or

(3) Be a currently certified Florida Supreme Court family or dependency mediator and obtain 30 points of mentorship from observing or conducting mediations under the supervision of a certified county mediator for county court cases in the two years preceding application.

(d) **Family Mediators.** For initial certification as a mediator of family and dissolution of marriage issues, an applicant must have at least a bachelor's degree and 100 points, which must include, at a minimum:

(1) 30 points for successful completion of a Florida Supreme Court certified family mediation training program;

(2) 25 points for education, or 20 points for education and 5 points for mediation experience, or 20 points for education and 5 points for a graduate certificate in conflict resolution; and

- (3) 40 points for mentorship.

Additional points above the minimum requirements may be awarded for completion of additional education, mediation experience, mentorship, or miscellaneous activities.

(e) Circuit Court Mediators. For initial certification as a mediator of circuit court matters, other than family matters, an applicant must have at least a bachelor's degree and 100 points, which must include, at a minimum:

- (1) 30 points for successful completion of a Florida Supreme Court certified circuit court mediation training program;
- (2) 25 points for education, or 20 points for education and 5 points for mediation experience, or 20 points for education and 5 points for a graduate certificate in conflict resolution; and
- (3) 40 points for mentorship.

Additional points above the minimum requirements may be awarded for completion of additional education, mediation experience, mentorship, or miscellaneous activities.

(f) Dependency Mediators. For initial certification as a mediator of dependency matters, as defined in Florida Rule of Juvenile Procedure 8.290, an applicant must have at least a bachelor's degree and 100 points, which must include, at a minimum:

- (1) 30 points for successful completion of a Florida Supreme Court certified dependency mediation training program;
- (2) 25 points for education, or 20 points for education and 5 points for mediation experience, or 20 points for education and 5 points for a graduate certificate in conflict resolution; and
- (3) 40 points for mentorship.

Additional points above the minimum requirements may be awarded for completion of additional education, mediation experience, mentorship, or miscellaneous activities.

(g) Appellate Mediators. For initial certification as a mediator of appellate matters, an applicant must be a Florida Supreme Court certified circuit court, family, or dependency mediator and successfully complete a Florida Supreme Court certified appellate mediation training program.

(h) Senior Judges Serving As Mediators. A senior judge may serve as a mediator in a court-ordered mediation in a circuit in which the senior judge is presiding over criminal cases or in a circuit in which the senior judge is not presiding as a judge, or in both, only if certified by the Florida Supreme Court as a mediator for that type of mediation.

(i) Referral for Discipline. If other professional certification or licensure of a mediator is suspended or revoked, or if the mediator holding such certification or licensure is in any other manner disciplined, such matter must be referred for appropriate action pursuant to rule 10.810.

(j) Special Conditions. Mediators who are certified prior to August 1, 2006, are not subject to the point requirements for any category of certification in relation to which continuing certification is maintained.

RULE 10.105 POINT SYSTEM CATEGORIES

(a) Education. Points will be awarded in accordance with the following schedule (points are only awarded for the highest level of education completed and honorary degrees are not included):

High School Diploma or GED	10 points
Associate Degree	15 points
Bachelor's Degree	20 points
Master's Degree	25 points
Master's Degree in Conflict Resolution	30 points
Doctorate (e.g., Ph.D., J.D., M.D., Ed.D., LL.M)	30 points
Ph.D. from Accredited Conflict Resolution Program	40 points

An additional five points will be awarded for completion of a graduate level conflict resolution certificate program in an institution which has been accredited by Middle States Association of Colleges and Schools, the New England Association of Schools and Colleges, the North Central Association of Colleges and Schools, the Northwest Association of Schools and Colleges, the Southern Association of Colleges and Schools, the Western Association of Schools and Colleges, the American Bar Association, or an entity of equal status.

(b) Mediation Experience. One point per year will be awarded to a Florida Supreme Court certified mediator for each year that mediator has mediated at least 15 cases of any type over a consecutive five-year period. In the alternative, a maximum of five points will be awarded to any mediator, regardless of Florida Supreme Court certification, who has conducted a minimum of 100 mediations over a consecutive five-year period.

(c) Mentorship. Fifteen points will be awarded for each supervised mediation completed of the type for which certification is sought and ten points will be awarded for each mediation session of the type for which certification is sought which is observed. Observations or supervised mediations must be completed with a minimum of two different mentors.

(d) Miscellaneous Points.

(1) Five points will be awarded to applicants currently licensed or certified in any United States jurisdiction in psychology, accounting, social work, mental health, health care, education, or the practice of law or mediation. Such award must not exceed a total of five points regardless of the number of licenses or certifications obtained.

(2) Five points will be awarded for possessing conversational ability in a foreign language as demonstrated by certification by the American Council on the Teaching of Foreign Languages (ACTFL) Oral Proficiency Test, qualification as a court interpreter, accreditation by the American Translators Association, or approval as a sign language interpreter by the Registry of Interpreters for the Deaf. Such award must not exceed a total of five points regardless of the number of languages in which the applicant is proficient.

(3) Five points will be awarded for the successful completion of a mediation training program (minimum 30 hours in length) which is certified or approved by a jurisdiction other than Florida and which may not be the required Florida Supreme Court certified mediation training program. Such award must not exceed five points regardless of the number of training programs completed.

(4) Five points will be awarded for certification as a mediator by the Florida Supreme Court. Such award will not exceed five points per category regardless of the number of training programs completed or certifications obtained.

Committee Notes

2023 Revision. The following table is intended to illustrate the point system established in this rule. Any discrepancy between the table and the written certification requirements will be resolved in favor of the latter.

100 Points Required in Each Area of Mediator Certification Area <i>Except</i> for Appellate and Certified Family, Dependency, or Circuit Court Mediators Seeking County Certification	
County	Minimum Points: (1) 30 certified county mediation training; and (2) 10 education for HS Diploma or GED; and (3) 60 mentorship. <i>[Note: Mentorship points cannot be reduced as a product of having more than the 10 points in the educational or educational and mediation experience component.]</i> = 100 points

Family	<p>Minimum Points:</p> <ul style="list-style-type: none"> (1) 30 certified family mediation training; and (2) 25 educational, or 20 for educational and 5 for mediation experience, or 20 educational and 5 for a graduate certificate in conflict resolution; and (3) 40 mentorship; and (4) 5 additional points via mentorship, higher education, mediation experience, or options under miscellaneous points. <p>= 100 points</p>
Dependency	<p>Minimum Points:</p> <ul style="list-style-type: none"> (1) 30 certified dependency mediation training; and (2) 25 educational, or 20 educational and 5 for mediation experience, or 20 educational and 5 for a graduate certificate in conflict resolution; and (3) 40 mentorship; and (4) 5 additional points via mentorship, higher education, mediation experience, or options under miscellaneous points. <p>= 100 points</p>
Circuit Court	<p>Minimum Points:</p> <ul style="list-style-type: none"> (1) 30 certified circuit court mediation training; and (2) 25 educational, or 20 educational and 5 for mediation experience, or 20 educational and 5 for a graduate certificate in conflict resolution; and (3) 40 mentorship; and (4) 5 additional points via mentorship, higher education, mediation experience, or options under miscellaneous points. <p>= 100 points</p>
Appellate	<p>An applicant must be a Florida Supreme Court certified circuit court, family, or dependency mediator and successfully complete a certified appellate mediation training program.</p>

Educational & Mediation Experience Points for Family, Circuit Court, and Dependency
[Note: County Education Minimum Listed on Previous Page]

40 points	Ph.D. from accredited conflict resolution program
30 points	Doctorate (e.g., JD, MD, PhD, EdD, LLM)
30 points	Master's degree in conflict resolution
25 points	Master's degree
25 points	Graduate certificate conflict resolution program and a bachelor's degree
25 points	Mediated 15 cases (<i>of any type</i>) a year as a Florida Supreme Court certified mediator for a consecutive five-year period and a bachelor's degree
25 points	Minimum of 100 mediations (<i>of any type</i>) conducted as mediator over a consecutive five-year period and a bachelor's degree
+5 points	An additional five points will be awarded for completion of a graduate level conflict resolution certificate program

Florida Supreme Court certified mediator: one point per year in which mediated at least 15 mediations over a five-year period (any type); or any mediator: five points for minimum of 100 mediations over a five-year period (any type)

Mentorship Options: You Choose How to Reach Required Points
[Note: You must work with at least two different certified mediators.]

10 points each session	Observation
15 points each complete mediation	Supervised mediation

Miscellaneous Options: Helping You Reach 100 Points

5 points (total)	Licensed to practice law, psychology, accounting, social work, mental health, health care, education or mediation in any U.S. jurisdiction
5 points (total)	Florida Supreme Court certified mediator (<i>currently certified</i>)
5 points (total)	Foreign language conversational ability as demonstrated by certification by ACTFL Oral Proficiency Test; qualified as a court interpreter; or accredited by the American Translators Association; sign language interpreter as demonstrated by approval by the Registry of Interpreters for the Deaf
5 points (total)	Completion of additional mediation training program (minimum 30 hours in length) certified or approved by a state or court other than Florida

RULE 10.110 GOOD MORAL CHARACTER

(a) General Requirement. No person may be certified by this court as a mediator unless such person first produces satisfactory evidence of good moral character as required by these rules.

(b) Purpose. The primary purpose of the requirement of good moral character is to ensure protection of the participants in mediation and the public, as well as to safeguard the justice system. A mediator must have, as a prerequisite to certification and as a requirement for continuing certification, the good moral character sufficient to meet all of the Standards of Professional Conduct set out in these rules.

(c) Certification. The following apply in relation to determining the good moral character required for initial and continuing mediator certification:

(1) the applicant's or mediator's good moral character may be subject to inquiry when the applicant's or mediator's conduct is relevant to the qualifications of a mediator.

(2) an applicant for initial certification who has been convicted of a felony is not eligible for certification until such person has received a restoration of civil rights.

(3) an applicant for initial certification who is serving a sentence of felony probation is not eligible for certification until termination of the period of probation.

(4) in assessing whether the applicant's or mediator's conduct demonstrates a present lack of good moral character the following factors are relevant:

(A) the extent to which the conduct would interfere with a mediator's duties and responsibilities;

(B) the area of mediation in which certification is sought or held;

(C) the factors underlying the conduct;

(D) the applicant's or mediator's age at the time of the conduct;

(E) the recency of the conduct;

(F) the reliability of the information concerning the conduct;

(G) the seriousness of the conduct as it relates to mediator qualifications;

(H) the cumulative effect of the conduct or information;

(I) any evidence of rehabilitation;

(J) the applicant's or mediator's candor; and

(K) denial of application, disbarment, or suspension from any profession.

(d) Decertification. A certified mediator is subject to decertification for any knowing and willful incorrect material information contained in any mediator application. There is a presumption of knowing and willful violation if the application is completed, signed, and sworn.

RULE 10.120 NOTICE OF CHANGE OF ADDRESS OR NAME

(a) Address Change. When any certified mediator changes residence or mailing address, that person must within 30 days notify the Dispute Resolution Center of such change.

(b) Name Change. When any certified mediator changes legal name, that person must within 30 days notify the Dispute Resolution Center of such change.

RULE 10.130 NOTIFICATION OF CONVICTION

(a) Definition. "Conviction" means a determination of guilt which is the result of a trial, or entry of a plea of guilty or no contest, regardless of whether adjudication of guilt or imposition of sentence was suspended, deferred, or withheld, and applies in relation to any of the following:

(1) Any felony, any misdemeanor of the first degree, or any misdemeanor of the second degree involving dishonesty or false statement.

(2) Any conviction of a similar offense described in subdivision (1) that includes a conviction by a federal, military, or tribal tribunal, including courts-martial conducted by the Armed Forces of the United States.

(3) Any conviction of a similar offense described in subdivision (1) that includes a conviction or entry of a plea of guilty or no contest resulting in a sanction in any jurisdiction of the United States or any foreign jurisdiction. A sanction includes, but is not limited to, a fine, incarceration in a state prison, federal prison, private correctional facility, or local detention facility.

(4) Any conviction of a similar offense described in subdivision (1) of a municipal or county ordinance in this or any other state.

(b) Report of Conviction. A conviction must be reported in writing to the Dispute Resolution Center within 30 days of such conviction. A report of conviction must include a copy of the order or orders pursuant to which the conviction was entered.

(c) Suspension. Upon receipt of a report of felony conviction, the Dispute Resolution Center must immediately suspend all certifications and refer the matter to the Qualifications Inquiry Committee.

(d) Referral. Upon receipt of a report of misdemeanor conviction, the Dispute Resolution Center must refer the matter to the Qualifications Inquiry Committee for appropriate action. If the Dispute Resolution Center becomes aware of a conviction prior to the required notification, it must refer the matter to the Qualifications Inquiry Committee for appropriate action.

RULE 10.140 OPERATING PROCEDURES AND AUTHORITY

The Committee on Alternative Dispute Resolution Rules and Policy has authority to promulgate, adopt, and amend operating procedures regarding:

- (a) training standards and procedures for certified mediation training programs;
- (b) requirements for continuing mediator education for certified mediators;
- (c) administrative procedures governing the certification and renewal of mediators; and
- (d) any other procedures necessary to implement these rules.