

ADMINISTRATIVE ORDER RE: JUVENILE DEPENDENCY MEDIATION  
PROVIDING FOR MANDATORY REFERRAL OF  
CONTESTED JUVENILE DEPENDENCY CASES TO MEDIATION

WHEREAS, certain disputes that include matters of child abandonment, abuse or neglect can be expeditiously resolved through mediation prior to hearing by the Court; and

WHEREAS, mediation is a process whereby a neutral third party acts to encourage the resolution of disputes through a non-adversarial process and assists the parties in reaching a mutually acceptable agreement; and

WHEREAS, the mediation process can result in cost efficiencies to the parties; and

WHEREAS, mandatory mediation for certain matters increases the availability of judicial resources; and

WHEREAS, it is necessary for the prompt and efficient administration of justice of this Court;

NOW, THEREFORE, I, Belvin Perry, Jr., pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.050, DO HEREBY ORDER AND ADJUDGE THAT:

1. **MEDIATION PROGRAM:** The Juvenile Dependency Mediation Program is implemented for cases in Osceola County through Dispute Resolution Services which is established to serve as an adjunct to the Juvenile Division of the Circuit Court in Osceola County for the purpose of mediating issues on matters concerning child abandonment, abuse and neglect appearing on the court docket. This Program is conducted under the direction of the Office of the Court Administrator and the Chief Judge of the Ninth Judicial Circuit and Dispute Resolution Services which consists of contract mediators.
2. **LIST OF MEDIATORS:** A list of mediators shall be maintained by Dispute Resolution Services, telephone number (407) 847-1440, Court Administration, 717 West Bryan Street, Kissimmee, Florida 34741. These mediators shall be selected from the Osceola County contracted certified Family Mediators.
3. **CERTIFIED MEDIATORS:** Dispute Resolution Services shall appoint only mediators certified in the area of Juvenile Dependency Mediation by the Florida Supreme Court after Florida Rule of Juvenile Procedure 8.290 has been adopted, or until that time, who are temporarily certified. As a condition of such appointment, each contract mediator shall accept two (2) cases per year to be mediated at no cost. Mediators may accept more than the required two (2) cases per year by agreement.
4. **AUTHORITY TO REFER TO MEDIATION:** Pursuant to Florida Statute Section 39.4033, Proceedings Relating to Juveniles, the Court on its own motion may refer all or any part of a dependency case to mediation. Pursuant to Florida Statute Section 44.102(2)(c) all or any portion of a matter relating to dependency or to a child in need of services or to a family in need of services may be referred to mediation.
5. **WAIVER:** Any party may apply to the Court by written motion for good cause, to waive the mandatory mediation required by this order within five (5) days of the date of the Order Directing Mediation. The Court may waive such requirement if it appears that mediation of the issues would not be appropriate under the circumstances of that case or that due to exigent circumstances a hearing before the Court should be expedited. The parties shall notify the mediator and Dispute