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MAY 6 1985

IN THE CIRCUIT COURT OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER
COUNTY, FLORIDA.

ADMINISTRATIVE ORDER NO. 85-5

IN RE:

FAMILY MEDIATION
_____ /

The Indian River County Family Mediation Service having been established within the Nineteenth Judicial Circuit in and for Indian River County, Florida, by the Board of County Commissioners of Indian River County, by Ordinance No. 85-38, the following goals and procedures are prescribed pursuant to Section 3 of said Ordinance:

I. GOALS

A. To determine whether family problems can be resolved so that the family may remain intact.

B. When family problems cannot be resolved so as to allow the family to remain intact:

1. To mediate marital and dissolution conflicts. This process is for the benefit of the parties and their counsel and is intended to serve as an alternative to the traditional adversary system, for the purpose of achieving amicable settlements between the parties.

2. To make separation of family members as painless as possible.

3. To assist divorcing couples in maintaining their individual dignity.

4. To assist parents in preserving their roles as parents and to prevent unnecessary disruption in the lives of their children.

5. To assist the children of divorcing couples by reducing family conflicts.

6. To assist the divorcing couple in settling issues of shared parental responsibility, child support, alimony and

property division through the use of appropriate experts.

II. MANDATORY PROCEDURES

In each dissolution of marriage civil action filed in Indian River County Circuit Court where contested issues of shared parental responsibility, child support, alimony, or irretrievable breakdown of marriage exist, the parties must, before the case is noticed for trial, decide whether to submit to Family Mediation. The following procedures are mandatory in this regard:

A. After the issues of shared parental responsibility, child support, alimony, or irretrievable breakdown of the marriage are set by the pleadings, the parties must meet together in a joint conference with their attorneys for the purpose of determining whether they will submit themselves and their family to Family Mediation.

The parties shall be informed by their attorneys about the Family Mediation goals and procedures and shall discuss at a minimum, the following:

1. The goals of Family Mediation as set out in Part I of this Order;
2. The rigors of contested litigation and what both parties and their children can expect during a contested trial.
3. The attorneys' and the parties' opinions as to whether Family Mediation is appropriate in this case.
4. If Family Mediation is agreed to, which counselor will conduct the mediation sessions and who will make the appointment for the first mediation session.

B. If both parties do not agree to submit to Family Mediation, but one party desires Family Mediation, that party may move the Court under the provisions of Chapter 749, Florida Statutes (1983), for an order referring the parties to Family Mediation.

C. When any dissolution of marriage case is noticed for trial, that notice must have attached a statement signed by the parties and their attorneys that a joint meeting of the parties

was held where Family Mediation was discussed pursuant to this Administrative Order and that, as a result of that meeting, the parties have decided to submit or not to submit their family to Family Mediation. A sample form for the statement is attached.

D. If parties decide to submit or are ordered by the Court to submit to Family Mediation, the counselor for Family Mediation may be any person selected from a list of persons available for such counselling which will be compiled by and amended from time to time by the Administrative Judge of the General Civil Division or may be a minister, priest, rabbi, psychologist, psychiatrist, or attorney or may be any other qualified person who agrees to perform this service with or without charging a fee. Any fee will be paid by agreement of the parties.

E. The provisions of Chapters 749 and 61, Florida Statutes, shall apply, where relevant, to Family Mediation in Indian River County, Florida.

DONE AND ORDERED at Stuart, Martin County, Florida this the 30th day of April, 1985.


Chief Judge C. Pfeiffer Trowbridge

IN THE CIRCUIT COURT OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER
COUNTY, FLORIDA,

CASE NO. _____

IN RE: The Marriage of

Husband,

and

Wife.
_____ /

ORDER

A joint meeting of the above Husband and Wife and counsel has been held where Family Mediation was described and discussed pursuant to Administrative Order No. 85- .

As a result of that meeting, the Husband and Wife decided (not) to submit themselves and/or their family to Family Mediation.

As Attorney For

As Attorney For

Wife

Husband