



**Taking a glance at the Florida Family Statutes -- A new law is in effect as of July 1, 2010 that may affect your dissolution of marriage mediation conference when dealing with Spousal Support related issues.**

The important thing to know is that if a marriage was long term (longer than 12-14 years) the court may order alimony. If the marriage was less than 5 years the court probably will not order alimony. The goal of alimony is to maintain the marital standard of living for both parties. A judge will weigh the need of the financially-disadvantaged party and the ability-to-pay of the financially advantaged party.

The statute does not provide a specific formula for calculating alimony and one judge's order may be drastically different from another judge's order - given the same facts.

There are three main types of alimony to consider with the most common, *Permanent Periodic* alimony - the tradition type that continues until death or remarriage.

The second, *Rehabilitative* alimony, also called "bridge the gap," consists of payments for a definite amount and a defined period of time; not to exceed two years. The payments allow the spouse to return to school or make other life adjustments as necessary.

The third, *Lump Sum* alimony, is a one-time form of alimony or a way to distribute property. If the spouse that has property (such as a business) does not have a pool of cash, the court allows regular payments for a defined period of time. In rare situations, regular-support type alimony may be paid in one lump sum and referred to as lump-sum alimony in your final order.

**61.08 Alimony** (1) In a proceeding for dissolution of marriage, the court may grant alimony to either party, which alimony may be rehabilitative or permanent in nature. In any award of alimony, the court may order periodic payments or payments in lump sum or both. The court may consider the adultery of either spouse and the circumstances thereof in determining the amount of alimony, if any, to be awarded. In all dissolution actions, the court shall include findings of fact relative to the factors enumerated in subsection (2) supporting an award or denial of alimony. (2) In determining a proper award of alimony or maintenance, the court shall consider all relevant economic factors, including but not limited to: (a) The standard of living established during the marriage. (b) The duration of the marriage. (c) The age and the physical and emotional condition of each party. (d) The financial resources of each party, the nonmarital and the marital assets and liabilities distributed to each. (e) When applicable, the time necessary for either party to acquire sufficient education or training to enable such party to find appropriate employment.

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**ACROSS THE CIRCUITS**

**The Florida DRC**

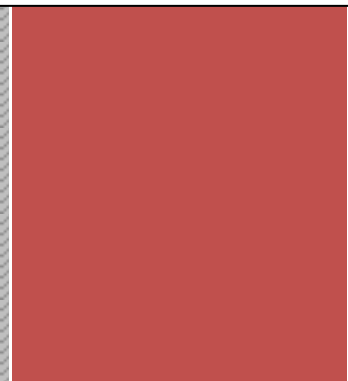
The Florida Dispute Resolution Center will soon announce whether it will hold the DRC conference in 2011. As we know, the DRC was cancelled in 2010.

**Ninth Circuit**

Orange County Clerk of Courts addresses the Florida Foreclosure process. Click on the link to watch this 20 min video. [mms://otv.ocfl.net/otv/clerk/foreclosure08.wmv](http://mms://otv.ocfl.net/otv/clerk/foreclosure08.wmv)

**Links to local orders or other information will be posted below as they become available in the 20 Circuit Courts:**

<a href="#">1st Circuit</a>	<a href="#">2nd Circuit</a>	<a href="#">3rd Circuit</a>	<a href="#">4th Circuit</a>
<a href="#">5th Circuit</a>	<a href="#">6th Circuit</a>	<a href="#">7th Circuit</a>	<a href="#">8th Circuit</a>
<a href="#">9th Circuit</a>	<a href="#">10th Circuit</a>	<a href="#">11th Circuit</a>	<a href="#">12th Circuit</a>
13th Circuit	<a href="#">14th Circuit</a>	<a href="#">15th Circuit</a>	<a href="#">16th Circuit</a>
<a href="#">17th Circuit</a>	<a href="#">18th Circuit</a>	<a href="#">19th Circuit</a>	<a href="#">20th Circuit</a>



**Latest MEAC Opinions as Posted by the Florida Courts**

**Mediators Self Determination Rule 10.37(a)**

In this opinion, the Advisory clarifies the role of the Florida Supreme Court mediator pursuant to Rule 10.37.

Rule 10.370(a). If the mediator's explanation of a judgment is consistent with Rule 10.370(a), then the mediator may provide that information.

The role of the mediator includes assisting in the identification of issues, exploration of alternatives, and facilitating voluntary agreements, Rule 10.220. The mediator is also responsible for assisting the parties in reaching informed and voluntary decisions while protecting their right of self-determination. Rule 10.310(a). Thus, a mediator may assist the parties in accumulating necessary information in order to make an informed decision. Though a mediator shall not offer a personal or professional opinion (including a legal opinion) intended to coerce the parties, unduly influence the parties, decide the dispute or direct a resolution of any issue, a mediator recognizing potential issues with respect to legal rights and obligations is nonetheless permitted to respond in other ways. Rule 10.370(c). A mediator may, for example: Provide copies of information sheets provided by the court on legal matters and definitions; Provide any Florida Bar Pamphlets on the subject matter at issue; Repeat any instructions or information made by the judge prior to their entering the mediation; or Read and discuss language from the court forms.

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**Requirement for Organizations Who Sponsor CME Classes**

Certified Mediators must complete a minimum 16 hours† of Continuing Mediator Education (CME) in each area of which they are certified including the following sub-requirements.

A CME hour is based upon a 50-minute hour.

The Dispute Resolution Center (DRC) **WILL NOT** pre-approve mediation activities. There is no application or fee charged by the DRC to program providers. For a program to qualify for CME, it shall "have a significant intellectual or practical content and shall constitute an organized program of learning directly related to the practice of mediation." CME requirements are part of the Supreme Court's Administrative Order Governing Mediator Certification, AOSC08-23.

**If you need more CME hours, here are some upcoming/online options:**

[Convention Recordings](#)

[Mediate.com](#)

**Petition to amend Rules for Certified and Court-Appointed Mediators that may affect you.**

**Petitions to Amend Rule 10.610 09- 1384 Marketing Practices**

**New Foreclosure Rules Amendment Proposal**

Read the [Publication Notice](#) comment in the [Case](#) on a new rule governing final judgment.

**Call to Serve/ Jobs**

The Mediators Qualification Board (MQB) is looking to fill the following positions:

**Northern Division** (1st, 2nd, 3rd, 4th, 8th, and 14th Judicial Circuits) – Supreme Court Certified County Mediator.

**Southern Division** (11th, 15th, 16th, 17th 19th, and 20th Judicial Circuits) – Supreme Court Certified County Mediator

Submit a letter of interest and current résumé to:

**Florida Dispute Resolution Center Supreme Court Building 500 S. Duval ST.**

**Tallahassee, Florida 32399**

Fax: (850) 922-9290

Email: [DRCmail@flcourts.org](mailto:DRCmail@flcourts.org)

**Investigator for (MQB) and Mediation Training Review Board (MTRB)**

**Qualifications:**

Certification by the Florida Supreme Court as a county, family and/or circuit mediator; or licensure as an attorney; or at least 5 years experience as an investigator in any administrative, civil or criminal proceeding.

**Compensation:** \$75/hour up to \$1,500. Investigators are appointed on an as needed basis.

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