

Our apologies to our loyal readers for the omission of the Forum issues for the month of May and June. We were working with other means to make Mediation Articles readily available. Articles for the Month of May and June can be found here <http://ezinearticles.com>



Transformative Mediation Taking a Risk and Letting Go

By Andrew Thomas



Transformative mediation is an orientation which emphasizes the opportunities conflict presents for individuals to change their interaction with each other if they so chose. It also, suggests that disputing parties have the capacity for both self-determination and consideration of other perspectives in the conflict. The goal of the mediator is to foster opportunities for empowerment and recognition and enhancing the parties' decision-making and communication.

Recognizing the positive qualities of Transformative Mediation accepting the transformative orientation is a struggle for many mediators, because they are not willing to take a risk and let go of old beliefs. The dilemma is letting go vs. holding on to beliefs. There are some things in life that are worth holding on to e.g. positive attitude, memories of good times, positive relationships with good people and faith. Like in life, in mediation there are things you should hold on to also, for example, compassion for the process, valuing self-determination, and trust in the process.

A Transformative practice may not be for everyone. However, I recommend it as a highly effective third party intervention process that fosters understanding, creates a foundation for building relationships, and improving human interaction. For more information on Transformative Mediation contact the Institute for the Study of Conflict Transformation: isct@hofstra.edu

So, what should we" let go" of?

- Let go of the need to be in control of the parties; being in control may be an illusion anyway;
- Let go of the uncomfortable feeling when emotions and feelings enter the conversation; there are facts in the feelings;
- Let go of the impatience with the parties as they take the conversation where they need to; clarity and understanding emerge from confusion;
- Let go of the need to keep the discussion future focused; discussing the past has value to the present;
- Let go of any pessimistic view of parties' competency and motives; the parties have what it takes to resolve the situation.

[Full Story](#)

[ACROSS THE CIRCUITS](#)

Thirteenth Circuit

The Hillsborough County Bar Foundation has been awarded administration of the Residential Mortgage Foreclosure Mediation Program for the Thirteenth Judicial Circuit.

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

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

1st Circuit	2nd Circuit	3rd Circuit	4th Circuit
5th Circuit	6th Circuit	7th Circuit	8th Circuit
9th Circuit	10th Circuit	11th Circuit	12th Circuit
13th Circuit	14th Circuit	15th Circuit	16th Circuit
17th Circuit	18th Circuit	19th Circuit	20th Circuit

Latest MEAC

Opinions as Posted by the
Florida Courts

Advertising/Solicitation

In this opinion, the Advisory addressed permissible advertising and solicitation practices by Supreme Court Certified Mediators.

- Letters to attorneys and other parties advertising one's services are permissible.
- Logo embossed items of minimal value are permissible forms of advertising. Items of greater value, such as embossed golf shirts, may create the appearance of mediator bias, and therefore, should be avoided.
- Lunches and golf outings paid for by the mediator for the purpose of developing goodwill and attracting future clients are inappropriate activities.

[MEAC Opinion 2001-006](#)

Conflict of Interest

The advisory cautions that the use of social network sites may constitute a conflict of interest and will limit the parties' resources.

The advisory concluded that a certified mediator may designate mediation clients (parties) or attorneys who participate in mediations with the mediator as "friends" on a social networking site, and permit clients or attorneys to add the mediator as their "friend". A mediator should keep in mind that doing so may limit the clients with whom the mediator may work in the future.

What are the current CME requirements for mediators?

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:

COUNTY or CIRCUIT:

- 4 hours of Mediator Ethics,
- 2 hours of Domestic Violence*
- 1 hour of Diversity/Cultural Awareness*.

FAMILY or DEPENDENCY:

- 4 hours of Mediator Ethics,
- 4 hours of Domestic Violence*
- 1 hour of Diversity/Cultural Awareness*.

**Does not have to be specific to mediation.*

†50% of hours must be in a live format (method 1 or 2 on the recording form).

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

[Online CME Courses](#)

[ALT Associates](#)

[Convention Recordings](#)

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.

History of Mediation in Florida

Mediator Ethics Advisory Committee

The Mediator Ethics Advisory Committee was appointed in 1994. The nine member panel issues advisory ethics opinions for mediators.

Mediation Training Review Board

The Mediation Training Review Board was appointed in 1997 to consider complaints against certified mediation training programs.

The members include judges, and county, family, circuit and dependency mediators who meet in complaint committees and hearing panels when grievances are filed against certified mediation training programs.