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March 10, 1997

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Honorable Sid J. White
Clerk, Supreme Court of Florida
Supreme Court Building
500 Duval Street
Tallahassee, Florida 32399-1927

SID J. WHITE
MAR 12 1997
CLERK, SUPREME COURT

Re: Proposed Amendments to Florida Rules for Certified and
Court Appointed Mediators, Case No. 89,681

Dear Mr. White:

This letter is in response to the proposed amendments to Rule 10.010, and especially with paragraph (d) and its subparts.

While I appreciate the proponent's good intentions, I believe that the proposed amendments are unduly prejudicial and arbitrary as applied to a substantial portion of Bar members. At a time when Florida attorneys are striving to maintain some modicum of stability in earning a living, the proposed Rules slash the scope of opportunity available to currently certified mediators unless they submit to another 40 hours of training and expend additional time observing more mediation sessions.

To begin with, the July 1, 1990 date arbitrarily selected as the "magic date" that stretched the qualification of mediators who were certified as of that date has been unduly prejudicial to those, like myself, who barely failed to meet this arbitrary deadline.

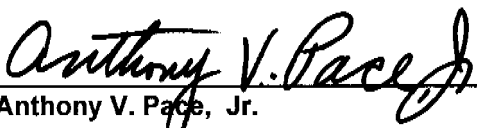
Until recently, I entertained the idea of seeking a special waiver of the existing requirements to qualify for "Circuit Court" mediation. Please see the copy of my letter of January 28, 1997 enclosed. After reading the proposed amendments in the February 15, 1997 issue of the Florida Bar News however, I have decided to forget it.

If this trend of dividing mediation into more and more sub-specialties continues, I foresee gloom for the Alternate Dispute Resolution movement as lawyers find it impractical to undertake more and more training for newly created sub-specialties areas of mediation. For example, currently certified Family Mediators could conceivably be required to undertake additional expensive, time-consuming instruction for various areas of Family Mediation such as adoptions, dissolution of marriage, child custody, appeals, modification proceedings, enforcement proceedings, taxation, etc., etc., etc. Why stop at dependency matters??? Present Civil Mediators may be required to undertake special training for such areas of litigation as personal injury, probate and trust, real property, business law, insurance and workers compensation, among others. Isn't CLE enough?

Incidentally, how is my certification as a Computer Law mediator benefiting me?

I appreciate the opportunity to express my views.

Respectfully yours,


Anthony V. Pace, Jr.

AVPJR:mj

Enclosures: 1