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October 27, 2006

Florida Supreme Court
Clerk's Office – Case SC05-998
500 S. Duval Street
Tallahassee, FL 32399

Re: Proposed amendments to rule 10.100 for
Circuit Court Mediators

Gentlemen:

I am a Florida Supreme Court Certified County Mediator; the Director of Volunteer Mediators for the Marion County Court; a non-lawyer member of the Florida Bar Association Grievance Committee for the Fifth Circuit; a graduate of The Ohio State University; and a retired Senior Vice President from the fourth largest bank holding company in the US where I devoted the bulk of my experience managing various elements of litigation. Accordingly, I feel well qualified to speak on the proposed amendments.

I support the Committee in urging the removal of the Florida Bar membership requirement. Likewise, I support the elimination of requiring Circuit Court Mediators to be attorneys. Circuit mediations involve matters of business or relations between parties rather than issues of law. Clearly the intent of the present requirement, as well as the current position of The Florida Bar, is intended to preserve Circuit Court Mediations for lawyers. To successfully mediate Circuit cases the mediator must have an extensive business background ... something which is not enjoyed by the typical attorney.

Thank you for the opportunity to express my thoughts on this matter.

Sincerely,

Cc: Honorable Shawn L. Briese