

IN THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
Administrative Order No. 4.056(B)

EXHIBIT 3DATE 2/11/05HB 391

DELINQUENCY AND ADULT CRIMINAL MEDIATION PROGRAM

Whereas, the number of juvenile delinquency and adult criminal cases continues to be significant, presenting ever increasing challenges to the court system to resolve cases in a fair and timely manner;

Whereas, some individuals, including victims, in delinquency and adult criminal cases would benefit from participating in a Restorative Justice Alternative Dispute Resolution process rather than traditional court resolution of their cases;

Whereas, Mediation of some delinquency and adult criminal matters may more effectively resolve matters at issue, including restitution;

Whereas, in response to these challenges, grant-funded pilot Juvenile Restitution and Criminal Mediation Programs were instituted that explored the use of alternative dispute resolution to resolve some delinquency and adult criminal cases more efficiently and economically;

Whereas, now that the grant funding for these programs is terminating, the Administrative Judges of the Circuit Criminal and Family Divisions support the continued use and funding of these programs, and their establishment on a permanent basis in the Alternative Dispute Resolution ("ADR") Department of the Court;

Whereas, a Program Coordinator is needed to assist the ADR Director in managing the daily operations of the Juvenile and Adult Criminal Mediation Program and mediating some of its cases;

Whereas, Mediators are needed to provide mediation services for the Delinquency and Adult Criminal Mediation Program in all counties of the Eighth Judicial Circuit and these mediators require immunity from liability. It is therefore

ORDERED

1. The existing Criminal Mediation Program and Juvenile Restitution Mediation Programs shall be combined into one program titled "Delinquency and Adult Criminal Mediation Program," which shall operate in the Court's ADR Department under the supervision of the ADR Director and funded by the Alachua County Court Budget, or billed back to Baker, Bradford, Gilchrist, Levy, and Union County for any services provided to those respective counties.
2. The Delinquency and Adult Criminal Mediation Program will contract for the services of a Program Coordinator for a total of five hours per week at the rate of \$13.80 per hour for services beginning July 1, 2002, and for a total of 15 hours per week at the rate of \$13.80 per hour for services beginning January 1, 2003, to coincide with the grant termination dates, to be paid for by Alachua County.
3. Contract Mediators mediating cases for the Delinquency and Adult Criminal Mediation Program will be paid at the rate of \$200.00 for each completed adult Felony mediation, \$100.00 for each completed adult Misdemeanor Mediation, and \$50.00 for each completed Juvenile mediation.
4. The ADR Director shall submit affidavits for the services performed by Contract Mediators, and payment for contract services shall be made from the county in which the services were performed.

5. Mediators mediating cases for the Delinquency and Adult Criminal Mediation Program shall have judicial immunity in the same manner and to the same extent as set forth in section 44.107, Florida Statutes, and to the same extent as if the case were being mediated pursuant to section 44.102, Florida Statutes

6. This order replaces Administrative Order No. 4.056 (A), dated October 29, 2001, and Administrative Order No. 4.055, dated March 1, 2001.

Ordered on July 5, 2002.

/s/
STAN R. MORRIS, CHIEF JUDGE