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Florida Supreme Court Adopts New Appellate Mediation Rules

Publication

7.2.10

In In re: Amendments to the Florida Rules of Appellate Procedure and the Florida Rules for Certified and Court-Appointed Mediators, No. SC09-118 (Fla. July 1, 2010), the Florida Supreme Court adopted new rules governing mediations in appellate cases. The new rules provide that all appellate courts, including circuit courts sitting in their appellate capacity, may send appellate cases to mediation, either upon the motion of a party or by the court on its own motion. Almost all civil appellate cases now are subject to the possibility of mediation, except for extraordinary writ petitions, civil contempt proceedings, and cases involving involuntary civil commitment for sexually violent predators. Mediation also can be ordered by the court at any time during the appeal. The new rules no doubt will be an important consideration for appellate attorneys, whether they want to mediate, the other side wants to mediate, or the court wants the parties to mediate. Indeed, these rules could provide an avenue for appellate courts to handle their case load better, so it will be interesting to see how the courts operate with these important changes.

For further information, please contact Andrew D. Manko.

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