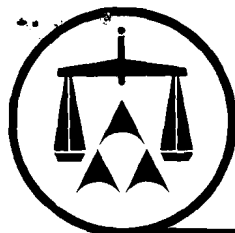


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# AMERICAN ARBITRATION ASSOCIATION

2250 S.W. 3rd AVENUE, MIAMI, FLORIDA 33129-2092 • (305) 854-1616

November 20, 1987

RENÉ GRAFALS  
REGIONAL VICE PRESIDENT  
FLORIDA

RE: COMMENTS ON  
MEDIATION AND ARBITRATION  
CHAPTER 87-173

**\*FEDERAL EXPRESS**

\*The Honorable Parker Lee McDonald  
Chief Justice  
Supreme Court of Florida  
Supreme Court Building  
Tallahassee, Florida 32399-1925

DEC 1 1987  
By \_\_\_\_\_  
Deputy Clerk

Dear Chief Justice McDonald:

Effective January 1, 1988 the State of Florida will take a significant step by providing for court annexed mediation and arbitration of certain civil disputes. Additionally, Chapter 87-173, as enacted in the 1987 Regular Session of the legislature, vests authority for rule making implementation in the Supreme Court, giving the circuit court chief judges vital operational and administrative responsibilities.

The American Arbitration Association, through its Miami Regional Office, is prepared to assist the courts in fulfilling their responsibilities in many ways. Currently, the Miami Regional Office handles a wide variety of cases, including commercial, construction, accident claims, and labor matters. The Miami Office is also responsible for administering, under Dade County Ordinance Number 83-100, the Dade County/Public Health Trust Personnel Appeal Hearings. When the program was first initiated in the Fall of 1986, the cases submitted were limited to Suspensions. In 1986, 176 such hearings were administered. Dade County was so pleased with the success of the program that, beginning in 1987, they extended its scope to include Termination cases as well. So far in 1987, 140 cases have been filed, 32 of which fall within the Termination category. Based on its experience and success with the Dade County program, as well as its expertise in the administration of arbitrations and mediations statewide, the Miami Regional Office feels highly qualified to aid the State of Florida in its endeavor to alleviate the litigation crisis.

As the oldest and largest alternate dispute resolution agency in Florida, and indeed in the United States, the AAA is prepared to receive case referrals from any Florida circuit or county court effective January 1, 1988. It will administer these cases under its Commercial Arbitration or

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The Honorable Parker Lee McDonald  
November 20, 1987  
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Mediation Rules as may be appropriate, or under the rules of the Supreme Court when adopted. And, as now, it will arrange hearings anywhere in Florida that the parties and the neutrals deem convenient. This approach may be particularly helpful to smaller or rural circuits and counties.

The AAA is also prepared to provide training for mediators and arbitrators pursuant to Section 6 of the new law, so that they may be eligible for certification by the chief judges of the circuits.

We enclose herewith a pamphlet describing the activities of the American Arbitration Association and copies of the Association's current Commercial Arbitration and Mediation Rules. It is our thought that AAA facilities and procedures could provide the parties with another alternative dispute resolution option which would supplement the court annexed program and provide training of neutrals to ensure effective and efficient dispute resolution of court disputes.

The Association would welcome the opportunity to further explore these suggestions.

Sincerely,

  
René Grafals (Mr.)  
Regional Vice President

LSKV/th  
Enclosure

cc: Michael F. Hoellering - General Counsel  
George Friedman - National Vice President, Case Administration