

**Mediator Qualifications Board**  
Northern Division

In Re: Mitchell Blum

Case Number: MQB 2009-006

Panel:       The Honorable William F. Stone, chair  
              Carolyn Cummings  
              Carlotta Mitchell  
              Chrystie Newell  
              Mark Palmquist

**Order Accepting Admission to Formal Charges and Imposing Sanctions**

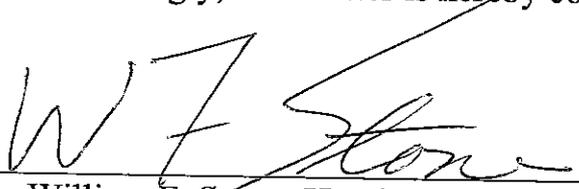
The Mediator Qualifications Board, Northern Division, by its duly designated five-member panel meeting by telephone March 4, 2010, upon considering the attached *Admission to Charges, and Stipulation to Sanctions, and Relinquishment of Certification*, enters its order in this matter pursuant to rule 10.820(b), Florida Rules for Certified and Court-Appointed Mediators.

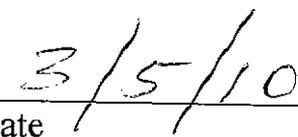
1. Upon concurrence of all five members of the panel, the Board accepts the Respondent's admission to the formal charges enumerated and imposes sanctions as follows:
  - a. Effective this date, the Board accepts relinquishment of the Respondent's certification as a Florida Supreme Court-certified family mediator.
  - b. The Respondent will not hereafter apply for re-certification as a Florida Supreme Court-certified family mediator or seek certification in any other area as a Supreme Court-certified mediator in the State of Florida.

- c. The mediator waives all rights to seek review under the Florida Rules for Certified and Court-Appointed Mediators and otherwise challenge or contest the validity of this order and the underlying admissions and stipulations.
2. The charges against the mediator raise issues of deceptive and unfair trade practices, both civilly and criminally, and the question of civil damages.  
  
The Mediator Qualifications Board is without jurisdiction to address these issues. Consequently, this order should not be construed as a disposition of these matters.
3. Pursuant to rule 10.830(f) of the Florida Rules for Certified and Court-Appointed Mediators, the Dispute Resolution Center shall notify all of the state's judicial circuits of the Respondent's relinquishment of certification as a Florida Supreme Court-certified family mediator.

The hearing scheduled Thursday and Friday, March 11 and 12, 2010, is cancelled.

Accordingly, this matter is hereby concluded.

  
\_\_\_\_\_  
Judge William F. Stone, Hearing Panel Chair  
Florida Bar No. 355348  
Okaloosa County Courthouse Annex  
Suite C-120  
1250 North Eglin Parkway  
Shalimar, FL 32579  
Telephone: 850-651-7482

  
\_\_\_\_\_  
Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing order was furnished by United States mail or by hand-delivery to the following this 5 day of March 2010:

Mitchell Blum, Respondent  
174 Esperanza Way  
Palm Beach Gardens, FL 33418

Carolyn Cummings  
462 West Brevard Street  
Tallahassee, FL 32301

and to

7668-104 El Camino Real  
Carlsbad, CA 92009

Carlotta Mitchell  
4321 Cool Emerald Drive  
Tallahassee, FL 32303

Carmen Martin, Complainant  
8526 Beauchamp Lane  
Jacksonville, FL 32217

Chrystie Newell  
1797 Ox Bottom Road  
Tallahassee, FL 32312

Irv J. Lamel, Prosecutor  
2541 SW 27<sup>th</sup> Avenue  
Suite 300  
Miami, FL 33133

Mark Palmquist  
3211 Tallavana Trail  
Havana, FL 32333

Janice Fleischer, Director  
Florida Dispute Resolution Center  
500 South Duval Street  
Tallahassee, FL 32399

  
\_\_\_\_\_  
Judge William F. Stone

**MEDIATOR QUALIFICATIONS BOARD  
Northern Division Hearing Panel**

In Re: Mitchell Blum

Case No. MQB 2009-006

**ADMISSION TO CHARGES, AND STIPULATION TO SANCTIONS AND  
RELINQUISHMENT OF CERTIFICATION**

Respondent, Mitchell Blum, hereby admits and stipulates as follows:

1. Respondent admits the allegations, as amended, contained in Paragraphs II, III, IV 2., and VIII of the Formal Charges dated December 17<sup>th</sup>, 2009:

II. The Mediator has violated Rule 10.380 (d), Florida Rules for Certified and Court-Appointed Mediators, by failing to maintain all records necessary to support charges for services.

This finding is based on the following allegations of fact:  
The Mediator failed to maintain a file containing all notes of conversations with the parties, all correspondence from and to the parties, and other records of services provided by him.

III. The Mediator has violated Rule 10.380 (c), Florida Rules for Certified and Court-Appointed Mediators, by failing to provide the basis and amount of charges for services and other items.

This finding is based on the following allegations of fact:  
1. The fee charged by the Mediator included fees to be paid to a third party to draft an agreement, which fees were returned to the Mediator because no agreement was reached, but were not refunded to the complainant, as the party paying the fees.  
2. The Mediator did not sign the "Client Engagement Agreement," date the "Client Engagement Agreement," or complete the agreement by stating on the face of the agreement the names of all parties to the "Client Engagement Agreement."

IV. The Mediator has violated Rule 10.430, Florida Rules for Certified and Court-Appointed Mediators, by not performing mediation services in a timely fashion and not scheduling mediation in a manner that provides adequate time for the parties to fully exercise their right of self-determination.

This finding is based on the following allegations of fact:

...  
2. The Mediator failed to schedule any mediation sessions with

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the parties after work hours or on weekends to enable them to effectively participate in the mediation process, despite knowing the difficulty each party had in attending sessions during work hours.

VIII. The Mediator has violated Rule 10.120 (a), Florida Rules for Certified and Court-Appointed Mediators, by failing to notify the Florida Dispute Resolution Center of a change to his residence address within 30 days of relocating outside the state.

This finding is based on the following allegations of fact:

The Mediator moved to Los Angeles, California, but the Mediator failed to notify the Florida Dispute Resolution Center of the change of address.

2. Respondent stipulates to the following sanction:

Respondent relinquishes his certification as a Florida Supreme Court Certified Mediator Number 17981 F, and agrees never to reapply for certification as a mediator in the State of Florida.

3. Upon the acceptance of this admission and stipulation, Respondent agrees to waive all rights to seek review under the Florida Rules for Certified and Court-Appointed Mediators or to otherwise challenge or contest the validity of this admission and stipulation and of any final order to be entered by the Hearing Panel or Mediator Qualifications Board.

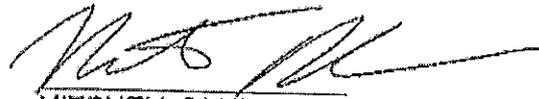
4. The Dispute Resolution Center and Respondent agree that upon acceptance by the Hearing Panel and/or Mediator Qualification Board of this admission and stipulation, each party shall bear its own attorneys fees and costs.

5. Respondent authorizes the Hearing Panel and the Mediator Qualifications Board to review and examine all investigative file materials concerning Respondent in connection with the consideration of this admission and stipulation. Respondent agrees that consideration of this admission and stipulation and other related materials by the

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Hearing Panel and/or the Mediator Qualifications Board shall not prejudice or preclude the Hearing Panel, the Mediator Qualifications Board, or any of their members from further participation, consideration, or resolution of these proceedings if the terms of this admission and stipulation are not accepted by the Hearing Panel and/or the Mediator Qualifications Board.

Dated this 26 day of Feb, 2010

  
MITCHELL BLUM

STATE OF: California  
COUNTY OF: San Diego

Before me, personally appeared Mitchell Blum, whose identity is known to me by Driver's License (type of identification) and who, under oath, acknowledges that he executed this document voluntarily and for the purposes therein expressed.

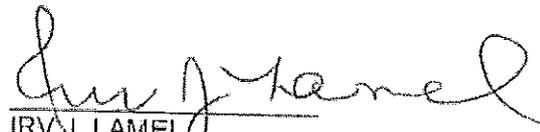
Sworn and subscribed before me this 26th day of February, 2010.

  
NOTARY PUBLIC

My Commission Expires: January 24, 2013

Agreed, pending approval of the Hearing Panel and/or the Mediator Qualifications Board.



  
IRVIN J. LAMEL  
Prosecutor by appointment of DRC