

**MEDIATOR QUALIFICATIONS BOARD  
GRIEVANCE COMPLAINT COMMITTEE**

**In Re: Bryce W. Smink**

**Case Number: MQB 2010-012**

Mediator Qualifications Grievance Committee:

**Michael Kamen, Chair**

**Oscar Franco**

**Linda Levrey**

**Agreement Pursuant to Rule 10.810(j) and (k), Florida Rules for Certified  
and Court-Appointed Mediators**

The Mediator Qualifications Board Grievance Complaint Committee (GCC) met on several occasions regarding a complaint filed against Bryce W. Smink as a result of a mediation that took place on or about July 21, 2009. As a result of those meetings, interviews with the mediator and complainant and an independent investigation report, the GCC made a determination and pursuant to Rules 10.810(j) and (k), Florida Rules for Certified and Court-Appointed Mediators, in lieu of a finding of probable cause, have offered the mediator the below sanctions, to which s/he has agreed. Pursuant to an offer to accept sanctions, the mediator agrees to the following:

1. Complete an additional 4 hours of Continuing Mediator Education (CME) specifically on topics covering Rule 10.310(a) & (b) Self Determination, Rule 10.350 Demeanor and Rule 10.370 Advice, Opinions and Information, by August 1, 2012. These hours may not be counted toward the required 16 total hours of CME for maintaining your mediation certification(s) and must consist of at least two separate lectures on the subject. Said training shall be pre-approved by the Dispute Resolution Center.
2. At the completion of these additional CMEs, the mediator will submit a reflective statement of no less than 3 pages on insights gained on the mediation process and his ethical responsibilities specific to each of the rules listed above, including details of what insights he gained regarding his behavior and what changes he needs to effectuate to avoid future grievances. This statement must be submitted to the DRC by September 28, 2012.
3. After the CMEs are completed and the reflective statement is received by the

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Supreme Court of Florida  
Dispute Resolution Center

DRC, the DRC, after review and approval of same, will issue a letter indicating this complaint will be considered resolved in its entirety.

Please sign below to indicate your acceptance of these terms and return this Agreement to the DRC within 20 days of receipt of this Agreement and cover letter. If you are unwilling to accept the sanctions, please respond to that effect within the same time frame. If the GCC does not receive your response within the said 20 days, the GCC will treat your failure to respond as a rejection of the offer and proceed accordingly.

The Mediator waives his right to attorney's fees from the complainant in this matter.

Bryce W. Smink  
Bryce W. Smink  
Mediator

8/22/12  
Date

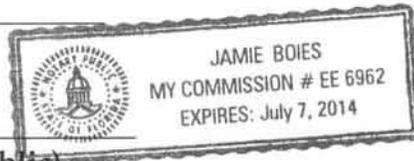
State of Florida

County of Charlotte

Bryce W. Smink  
(signature of Mediator)

Sworn to and subscribed before me this 22<sup>nd</sup> day of Aug., 2012

Jamie Boies  
(signature of Notary Public)



(Stamp or Seal of Commissioned Notary Public)

Personally known  or Produced ID  Type of ID