

Mediator Qualifications Board
Southern Division

In Re: Ronald Weeks

Case Number: MQB 2012-018

Panel: The Honorable Lee Ann Schreiber, Chair
 Salvatore Gardino
 Lawrence Saichek
 Reginald Clyne
 Valerie Kiffin-Lewis

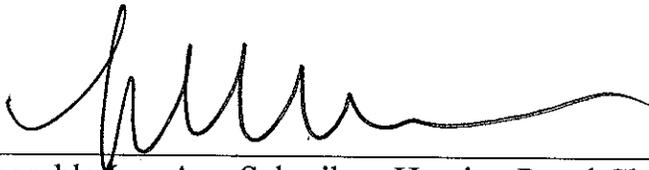
Order Accepting Admission to Charges and Imposition of Sanctions

The Mediator Qualifications Board, Southern Division, by its duly designated five-member panel, met by telephone on May 16, 2014, discussed and considered the attached *Admission to Charges and Imposition of Sanctions*, and finds the sanctions set forth in the attached agreement are appropriate. Therefore, the panel enters its order in this matter pursuant to rule 10.820(b), Florida Rules for Certified and Court-Appointed Mediators, as follows:

1. Upon concurrence of all five members of the panel, the Board accepts the Respondent's admission to the charges enumerated and imposes the sanctions set forth in the agreement, subject to the following clarification of Section B. 2. b.: The "2 other certified mediators" with whom the Respondent discusses the CME courses shall be Supreme Court Certified Circuit Court Mediators. The Respondent is ordered to comply with all the sanctions imposed.

2. Pursuant to rule 10.830(f) and (g) of the Florida Rules for Certified and Court-Appointed Mediators, the Dispute Resolution Center shall notify all the state's judicial circuits that the Respondent's certification as a Florida Supreme Court Certified Circuit Court mediator is suspended for six months, and the Dispute Resolution Center shall publish the particulars of this matter as required by the rules.

Dated this 2 day of June, 2014.



The Honorable Lee Ann Schreiber, Hearing Panel Chair
Lee County Justice Center
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— copy also provided electronically

6/3/14

Janice Muller, JA

MEDIATOR QUALIFICATIONS BOARD
Hearing Panel

In Re: Ronald Weeks

Case No. MQB 2012-018

ADMISSION TO CHARGES, AND IMPOSITION OF SANCTIONS

Respondent, Ronald Weeks, hereby admits and stipulates as follows:

A. Respondent admits the following allegations contained in the Formal Charges dated January 10, 2014:

I. The Mediator violated Rule 10.340(a), Florida Rules for Certified and Court-Appointed Mediators, by mediating in matters in which he had a conflict of interest as a result of a financial and family interest relating to a mediation participant which compromised or appears to compromise his Impartiality.

This finding is based on the following allegations of fact:

1. The Mediator is the brother-in-law of Karen Watson, who was the mediation coordinator for Phelan Hallinan, PLC. Phelan Hallinan, PLC was counsel of record to the plaintiffs/mortgagees in various mortgage foreclosure actions pending in Miami-Dade, Lee and Charlotte counties and participated in mediations conducted by the Mediator.
2. The Mediator was hired by Karen Watson, on behalf of Phelan Hallinan, PLC to conduct more than 100 mediations in which the law firm was counsel of record and a participant in the mediations resulting in payment to the Mediator of more than \$30,000 over a one month period.

II. The Mediator violated Rule 10.340(a) and (b), Florida Rules for Certified and Court-Appointed Mediators, by mediating in matters in which he had a conflict of interest and failing to disclose the conflict of interest to the mediation participants.

This finding is based on the following allegations of fact:

- 1. The Mediator is the brother-in-law of Karen Watson, who was the mediation coordinator for Phelan Hallinan, PLC. Phelan Hallinan, PLC was counsel of record to the plaintiffs/mortgagees in various mortgage foreclosure actions pending in Miami-Dade, Lee and Charlotte counties and participated in mediations conducted by the Mediator.**
- 2. The Mediator was hired by Karen Watson, on behalf of Phelan Hallinan, PLC to conduct more than 100 mediations in which the law firm was counsel of record and a participant in the mediations. The Mediator failed to disclose to the mediation participants the existence of the family relationship or the extent of the financial relationship with Phelan Hallinan, PLC .**

III. The Mediator has violated Rule 10.610(c), Florida Rules for Certified and Court-Appointed Mediators, by engaging in misleading representations that he was a "Certified Circuit Court Mediator" without identifying the entity issuing the certification.

This finding is based on the following allegations of fact:

- 1. The Mediator was not certified as a circuit court mediator by the Dispute Resolution Center until November 18, 2011.**
 - 2. The Mediator issued 25 invoices dated November 16, 2011, identifying himself as a "Certified Circuit Court Mediator" without identifying the entity issuing the certification.**
- IV. The Mediator violated Rule 10.610(b), Florida Rules for Certified and Court-**

Appointed Mediators, by engaging in misleading representations that he was a "Florida Supreme Court Certified Mediator" without identifying an area of certification in which he was certified.

This finding is based on the following allegations of fact:

1. The Mediator was certified as a circuit court mediator by the Dispute Resolution Center on November 18, 2011.
2. The Mediator issued 78 invoices in December, 2011, identifying himself as a "Florida Supreme Court Certified Mediator" without also identifying that his certification was for circuit court.

B. Respondent stipulates to the imposition of the following sanctions:

1. Respondent will be suspended for a period of six (6) months from adoption and will not mediate privately or in a court annexed setting.

2. Respondent will take 6 hours of Continuing Mediator Education courses on ethics, impartiality and conflict of interest..

- a. The courses must be approved in advance by the Director of the Dispute Resolution Center. In order to obtain approval, the Respondent must write to the Director providing a list of the courses he intends to attend/listen to/watch. The Director will respond to this request with approval or denial of the courses.

- b. These additional hours may not be counted toward the required 16 hours of CME for maintaining mediator certification. These additional hours must consist of at least three (3) separate lectures on the subjects designated. Two

of these hours must be either "in person" or attended/listened to and discussed with at least 2 other certified mediators. The remaining four hours may be obtained by listening to/ watching audio/video tapes.

3. Respondent will read and review all MEAC opinions on the above cited rules regarding ethics, impartiality and conflicts of interest.

4. Respondent will write a reflective statement of at least one page on what he learned from the opinions and CME courses, what he learned about his current practices and how those practices will be changed.

5. Upon the acceptance of this admission and stipulation, Respondent waives 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.

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

7. Respondent authorizes the Hearing Panel of 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 Hearing Panel of 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 of the Mediator Qualifications Board.

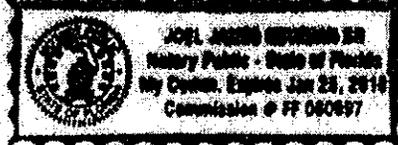
Dated this 23 day of April, 2014


RONALD WEEKS

STATE OF FLORIDA
COUNTY OF BROWARD

Before me, personally appeared RONALD WEEKS, whose identity is known to me by RONALD WEEKS (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 23 day of APRIL, 2014.

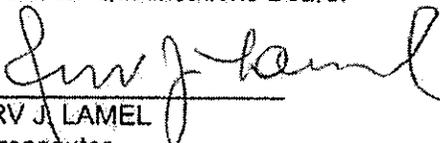



NOTARY PUBLIC

My Commission Expires: JANUARY 23, 2018


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


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