

FLORIDA SUPREME COURT  
Mediator Ethics Advisory Committee

Opinion Number: 2013-008  
Date of Issue: January 21, 2014

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Supreme Court of Florida  
Dispute Resolution Center

**The Question**

My question is actually very simple:

I am a Lawyer/Mediator in Tampa. My mediation practice is a d/b/a of my professional corporation.

My question:

Is there an absolute prohibition against my hiring, as an independent contractor or an employee, a non-lawyer, part-time person to market my mediation business to insurance company claims professionals and also Florida attorneys who handle both litigated and non-litigated insurance claims?

I realize that this person's actions would need to be supervised by myself, as any other employee, and that I would be ultimately responsible for his or her actions. All of these things are a "given," so that he or she, as any other employee, does not violate the canons of our ethics rules. For example, his or her compensation would strictly be based his or her time. There would be no bonuses of any kind.

Submitted by the Circuit Mediator  
Central Division

**Authorities Referenced**

Rules 10.520, 10.610, and 10.650, Florida Rules for Certified and Court-Appointed Mediators  
MEAC 2009-006, 2008-003, and 2001-006

**Summary**

As long as the advertising is consistent with mediation statutes, court rules, administrative orders, and the Rules for Certified and Court-Appointed Mediators, a mediator may employ an individual on his or her behalf to market mediation services.

**Opinion**

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See rule 10.520 Compliance with Authority, rule 10.610 Marketing Practices, and rule 10.650 Concurrent Standards, Florida Rules for Certified and Court-Appointed Mediators and former MEAC opinions which may provide more detailed guidance on what is consistent.

   
Signed and Dated by Beth Greenfield-Mandler, MEAC Committee Chair