

MEDIATOR QUALIFICATIONS BOARD

Central Division

In Re: Rebecca Eve Rogers

Case Number: QCC 2014-043

Panel: The Honorable Bryan Feigenbaum, Chair
 Louise Halvey
 William Gottfried
 Paul McGuire
 Carolyn Davis-Cummings

Order Accepting Admission to Formal Charges and Imposing Sanctions

The Mediator Qualifications Board, Central Division, by its duly designated five-member Panel, upon considering the attached *Admission and Stipulation*, enters its order in this matter pursuant to Rule 10.820(b), Florida Rules for Certified and Court-Appointed Mediators as follows:

1. Upon the concurrence of all five members of the Panel, the Board accepts Respondent/Rebecca Eve Roger's *Admission to Charges and Stipulation to Imposition of Sanctions* filed in this cause and adopts all of its' terms and conditions, which is fully incorporated herein by reference and made a part thereof. Accordingly, the Panel hereby imposes and adopts all sanctions and conditions enumerated in the attached *Admission to Charges and Stipulation to Imposition of Sanctions*.

2. The respondent mediator is decertified as a Florida Supreme Court Certified Mediator and may not apply for any certification as a mediator for a period of eight (8) years hereof. After the expiration of this eight (8) year period, the respondent mediator may only reapply for mediator certification with competent proof of the restoration of her civil rights.
3. Each party shall bear its own attorneys' fees and costs.
4. Pursuant to Rule 10.830 (f) and (g), Florida Rules for Certified & Court-Appointed Mediators, the Florida Dispute Resolution Center shall post on its' website and publish the respondent mediator's name and a short summary of the circumstances of this case, and shall notify the circuits of the respondent mediator's decertification.

Dated this 2nd day of July, 2015

Bryan A. Feigenbaum
Hon. Bryan Feigenbaum,
Panel Chair



7/2/15
Date

Copies furnished to:

Rebecca Eve Rogers,



Melvia B. Green, Esq., Prosecutor



Janice Fleischer, Director
Florida Dispute Resolution Center



MEDIATION QUALIFICATIONS BOARD

Central Division

In Re: Rebecca Eve Rogers

Case No.: QCC 2014-043

ADMISSION TO CHARGES AND STIPULATION TO IMPOSITION OF SANCTIONS

Respondent, Rebecca Eve Rogers ("mediator") hereby admits and stipulates as follows:

A. The respondent mediator fails to possess good moral character as required by Rule 10.110, Florida Rules for Certified & Court-Appointed Mediators, for continued certification by the Florida Supreme Court as a county court mediator by virtue of her conviction for: (1.) felony possession of a Schedule IV substance in violation of Section 893.13(6) (a), Florida Statutes; and (2.) second degree misdemeanor possession of a new or legend drug without a prescription in violation of Section 499.03, Florida Statutes in State of Florida vs. Rebecca Eve Rogers, Case Number 2012-00908CFAWS, in the Circuit Court of the Seventh Judicial Circuit, in and for Volusia County, Florida. This admission that the mediator violated Rule 10.110 is based upon the following stipulated facts:

- (1.) On or about September 19, 2012, the respondent mediator entered a no contest plea to possession of a Schedule IV substance in violation of Section 893.13(6), Florida Statutes; and second degree misdemeanor possession of a new or legend drug without a prescription in violation of Section 499.03, Florida Statutes. See attached Information and Judgment in State of Florida vs. Rebecca Eve Rogers, Case Number 2012-00908CFAWS.
- (2.) The respondent mediator was convicted and adjudicated guilty of both the aforesaid felony and misdemeanor charges by the Circuit Court, in and for Volusia County, Florida on September 19, 2012.
(Id.)

(3.) The respondent mediator did not self-report these stated 2012 convictions to the Florida Dispute Resolution Center ("DRC") within thirty (30) days of September 19, 2012 as prescribed by Rule 10.130(b). The mediator did not self-report these stated 2012 convictions to the DRC until on or about July 15, 2014.

B. The respondent mediator has violated Rule 10.130(b), Florida Rules for Certified & Court-Appointed Mediators, by failing to report her September 19, 2012 felony conviction for possession of a Schedule IV substance in violation of Section 893.13(6), Florida Statutes to the DRC within thirty (30) days thereof. This finding is based upon the following stipulated facts:

- (1.) On or about September 19, 2012, the respondent mediator pled no contest to felony possession of a Schedule IV substance in violation of Section 893.13(6), Florida Statutes and second degree misdemeanor possession of a new or legend drug without a prescription in violation of Section 499.03, Florida Statutes before the Circuit Court of the Seventh Judicial Circuit in Volusia County, Florida. (Id.)
- (2.) On or about September 19, 2012, the respondent mediator was adjudicated guilty of the aforesaid felony and second degree misdemeanor charges by the Circuit Court of the Seventh Judicial Circuit in Volusia County, Florida. (Id.)
- (3.) The respondent mediator did not self-report her felony conviction or submit a copy of the order or Judgment of Conviction to the DRC within thirty (30) days of September 19, 2012.
- (4.) The respondent mediator did not self-report her felony conviction and second degree misdemeanor conviction to the DRC until July 15, 2014, as part of her renewal application for continued certification as a county mediator.

C. By virtue of her felony conviction, the respondent mediator stipulates and agrees that pursuant to Rule 10.830 (b), Florida Rules for Certified & Court-

appointed Mediators, she must be decertified as a mediator for a period of not less than two (2) years or until the restoration of her civil rights, whichever comes later.

D. Based upon the foregoing, the respondent mediator stipulates and agrees to the imposition of the following sanctions:

- (1.) In accordance with Rule 10.830 (b), the respondent mediator is hereby decertified as a Florida Supreme Court Certified Mediator for a period of eight (8) years hereof. The respondent mediator shall be ineligible to apply for any mediator certification until after the expiration of this eight (8) year period and then only upon competent proof of the restoration of her civil rights.
- (2.) Upon the acceptance of this admission and stipulation, the respondent mediator waives all rights to seek review under the Florida Rules for Certified & 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 Mediations Qualifications Board.
- (3.) The DRC and respondent mediator 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.
- (4.) The respondent mediator authorizes the Hearing Panel of the Mediation Qualifications Board to review and examine all investigative files and materials concerning the respondent mediator in connection with the consideration of this admission and stipulation. The respondent mediator 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.

- (5.) The respondent mediator understands that her default of or failure to comply with the terms of this admission and stipulation agreement, upon acceptance of the same by the Hearing Panel and/or Mediation Qualifications Board, shall result in this matter returning to an assigned Hearing Panel for further disciplinary action pursuant to Rule 10.830(c), Florida Rules for Certified & Court-Appointed Mediators.
- (6.) The respondent mediator understands and acknowledges that pursuant to Rule 10.830 (f) and (g), Florida Rules for Certified & Court-Appointed Mediators, the DRC will both post on the Florida Court's DRC website and publish the name of the respondent mediator and a short summary of the circumstances of this case, and notify all circuits of the decertification.

Rebecca Eve Rogers

Rebecca Eve Rogers

STATE OF FLORIDA,

COUNTY OF Volusia

Before me, personally appeared Rebecca Eve Rogers whose identity is known to me by Rebecca Eve Rogers (type of identification) and who, under oath, acknowledges that she executed this document voluntarily and for the purposes therein expressed.

Sworn and subscribed before me this 24 day of June, 2015.

Sheryl Melendez
NOTARY PUBLIC Sheryl Melendez

My Commission Expires:

10/21/16



SHERYL MELENDEZ
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE845211
Expires 10/21/2016

Agreed, pending approval of the Hearing Panel.

Melvia B. Green
Melvia B. Green, Esq., Prosecutor

5/3 Am

CLASSIFICATION: FELONY

STATE OF FLORIDA

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT, IN AND FOR VOLUSIA COUNTY, FLORIDA, IN THE YEAR TWO THOUSAND TWELVE

VS.

CASE NO: 2012-00908CFAWS

REBECCA EVE ROGERS

AGENCY: VCSO/120010333

INFORMATION

CHARGE(S):

- I) POSSESSION OF SCHEDULE IV SUBSTANCE
- II) POSSESSION OF SCHEDULE II SUBSTANCE
- III) POSSESSION OF NEW OR LEGEND DRUG WITHOUT PRESCRIPTION--DIRECT

R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of the State of Florida and as such prosecuting attorney for this Court, in the name of and by the authority of the State of Florida charges that:

COUNT I: REBECCA EVE ROGERS, on or about April 8, 2012, in the County of VOLUSIA and State of Florida, was unlawfully and knowingly in actual or constructive possession of a substance classified within Schedule IV, Florida Statute 893.03(4), commonly known as methadone, a controlled substance, contrary to Florida Statute 893.13(6)(a). (3 DEG FEL)

COUNT II: IN THAT REBECCA EVE ROGERS, on or about April 8, 2012, in the County of VOLUSIA and State of Florida, was unlawfully and knowingly in actual or constructive possession of a substance classified within Schedule II, Florida Statute 893.03(2), commonly known as soma, a controlled substance, contrary to Florida Statute 893.13(6)(a). (3 DEG FEL)

COUNT III: IN THAT REBECCA EVE ROGERS on or about April 8, 2012, in the County of VOLUSIA and State of Florida, did unlawfully, willfully and knowingly possess soma and methadone, a habit-forming, toxic, harmful, or new drug subject to s. 499.003(22), or legend drug as defined in s. 499.03, without a valid prescription obtained from a practitioner licensed by law to prescribe the drug, contrary to Florida Statute 499.03. (2 DEG MISD)



STATE OF FLORIDA, VOLUSIA COUNTY
I HEREBY CERTIFY the foregoing is a true copy of the original filed in this office. This

day of September 2012
Clerk of Circuit and County Court
By: [Signature]

FOR THE STATE ATTORNEY
[Signature]
LAWRENCE AVALONE
ASSISTANT STATE ATTORNEY
SEVENTH JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA
BAR NUMBER: 0025697

COUNTY OF VOLUSIA

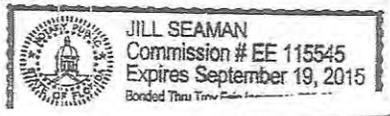
STATE OF FLORIDA

Personally appeared before me LAWRENCE AVALONE, Assistant State Attorney, for the Seventh Judicial Circuit of the State of Florida, known to me to be the foregoing prosecuting officer, who being duly sworn, says that the allegations set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged. Subscribed in good faith. Said facts based on testimony of material witnesses.

SWORN to and subscribed before me this 25th day of April, 2012.

Submitted to the Clerk of the CIRCUIT Court, Seventh Judicial Circuit, in and For VOLUSIA County, Florida, on the _____ day of April, 2012.

[Signature]
NOTARY PUBLIC AT LARGE
STATE OF FLORIDA



- Probation Violator
- Community Control Violator
- Retrial
- Resentence

In the Circuit Court, 7th Judicial Circuit
in and for Volusia County, Florida
Division CRIMINAL 08
Case Number 2012-00908CFAWS

State of Florida

v.

Rebecca Eve Rodgers

JUDGMENT

The defendant, Rebecca Eve Rodgers, being personally before this court represented by Bruce Johns, the attorney of record, and the state represented by Erin Kelton, and having

- been tried and found guilty by jury/by court of the following crime(s)
- entered a plea of guilty to the following crime(s)
- entered a plea of nolo contendere to the following crime(s)

Count	Crime	Offense Statute Number(s)	Degree of Crime	Case Number	OBTS Number
1	Possession of Schedule IV Substance	893.13(6)(a)	3F	2012-00908CFAWS	6401170242
3	Possession New/Legend Drug W/O Prescription	499.03	2M	2012-00908CFAWS	6401170242

- and no cause being shown why the defendant should not be adjudicated guilty, **IT IS ORDERED THAT** the defendant is hereby **ADJUDICATED GUILTY** of the above crime(s)
- and good cause being shown; **IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD.**
- and having been convicted or found guilty of, or having entered a plea of nolo contendere or guilty, regardless of adjudication, to an offense specified in section 943.325, Florida Statutes, the defendant shall be required to submit blood or other biological specimens.

Filed in Open Court
Seventh Judicial Circuit
Volusia County, Florida

SEP 19 2012

State of Florida

v.

Defendant **Rebecca Eve Rodgers**

Case Number **2012-00908CFAWS**

FINGERPRINTS OF DEFENDANT

1. Right Thumb	2. Right Index	3. Right Middle	4. Right Ring	5. Right Little
				
6. Left Thumb	7. Left Index	8. Left Middle	9. Left Ring	10. Left Little
				

Fingerprints taken by: Dis D. MURCHISON #1401
Name

Deputy Sheriff
Title

I HEREBY CERTIFY that the above and foregoing are the fingerprints of the defendant Rebecca Eve Rodgers and that they were placed thereon by the defendant in my presence in open court this date.

Defendant's Social Security No./Reason for absence: _____

DONE AND ORDERED in open court in Volusia County, Florida this 19th day of September, 2012.

Margaret W. Hudson
Margaret W. Hudson
Circuit Judge

SENTENCE

(As to Count 3)

The defendant, being personally before this court, accompanied by the defendant's attorney of record, Bruce Johns, and having been adjudicated guilty herein, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown

(Check one if applicable.)

- and the Court having on _____ deferred imposition of sentence until this date
- and the Court having previously entered a judgment in this case on _____ now resents the defendant
- and the Court having placed the defendant on probation/community control and having subsequently revoked the defendant's probation/community control.

It is The Sentence Of The Court that:

- The defendant pay a fine of \$ _____, pursuant to section 775.083, Florida Statutes, plus \$ _____ as the 5% surcharge required by section 938.04, Florida Statutes.
- The defendant is hereby committed to the custody of the Department of Corrections.
- The defendant is hereby committed to the custody of the Sheriff of Volusia County, Florida.
- The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida statutes.

To Be Imprisoned (Check One; unmarked sections are inapplicable.):

- For a term of natural life.
- For a term of 01 days.
- Said SENTENCE SUSPENDED for a period of _____ subject to conditions set forth in this order.

If "split" sentence, complete the appropriate paragraph.

- Followed by a period of _____ on probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.
- However, after serving a period of _____ imprisonment in _____, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

SPECIAL PROVISIONS (As to Count 3)

By appropriate notation, the following provisions apply to the sentence imposed:

Mandatory/Minimum Provisions:

- Firearm It is further ordered that the 3-year minimum imprisonment provisions of §775.087(2), Florida Statutes, is hereby imposed for the sentence specified in this court.
- Drug Trafficking It is further ordered that the _____ mandatory minimum imprisonment provisions of §893.135(1), Florida Statutes, is hereby imposed for the sentence specified in this court.
- Controlled Substance Within 1,000 Feet of School It is further ordered that the 3-year minimum imprisonment provisions of §893.13(1)(e)1, Florida Statutes, is hereby imposed for the sentence specified in this court.
- Habitual Felony Offender The defendant is adjudicated a habitual felony offender and has been sentenced to an extended term in accordance with the provisions of §775.084(4)(a), Florida Statutes. The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Habitual Violent Felony Offender The defendant is adjudicated a habitual violent felony offender and has been sentenced to an extended term in accordance with the provisions of §775.084(4)(b), Florida Statutes. A minimum term of _____ year(s) must be served prior to release. The requisite findings of the court are set forth in a separate order or stated on the record in open court.
- Three-time Violent Felony Offender The defendant is adjudicated a three-time violent felony offender and has been sentenced to an extended term in accordance with the provisions of §775.034(4)(c), Florida Statutes. It is further ordered that the _____ year mandatory minimum imprisonment provisions of s. 775.084(4)(c) is hereby imposed for the sentence specified in this court. The requisite findings of the court are set forth in a separate order or stated on the record in open court. The defendant shall be released only by expiration of sentence and shall not be eligible for parole, control release, or any form of early release.
- Violent Career Criminal The defendant is adjudicated a violent career criminal and has been sentenced to an extended term in accordance with the provisions of §775.084(4)(d), Florida Statutes. A minimum term of _____ years must be served prior to release. The requisite findings of the court are set forth in a separate order or stated on the record in open court. The defendant is not eligible for any form of discretionary early release, other than pardon or executive clemency, or conditional medical release pursuant to s. 947.149, Florida Statutes.
- Law Enforcement Protection Act It is further ordered that the defendant shall serve a minimum of _____ years before release in accordance with §775.0823, Florida Statutes.
- Capital Offenses First Degree Murder Prior to 05/25/94 and Other Capital Felonies Prior to 10/01/95. It is further ordered that the defendant shall serve no less than 25 years in accordance with the provisions of §775.082(1), Florida Statutes.
- First Degree Murder After 05/25/94 and Other Capital Felonies After 10/01/95. It is further ordered that the defendant shall be ineligible for parole in accordance with the provisions of §775.082(1), Florida Statutes.
- Short-Barreled Rifle Shotgun, Machine Gun It is further ordered that the 5-year minimum provisions of §790.221(2), Florida Statutes, are hereby imposed for the sentence specified in this court.
- Continuing Criminal Enterprise It is further ordered that the 25-year minimum sentence provisions of §893.20, Florida Statutes, are hereby imposed for the sentence specified in the court.
- Dangerous Sexual Felony Offender The defendant is adjudicated a dangerous sexual felony offender. This finding of the court was stated in open court or set forth in a separate order. A minimum term of _____ years must be served prior to release in accordance with §794.0015(2)(e), Florida Statutes. The defendant is not eligible for gain-time or any form of discretionary early release, other than pardon, executive clemency or conditional medical release, before serving the minimum sentence.
- Sexual Offender It is further ordered that the defendant shall register as a sexual offender pursuant to §943.0435, Florida Statutes.

Mandatory/Minimum Provisions Continued:

- Sexual Predator It is further ordered that the defendant is found to be a sexual predator pursuant to §775.21, Florida Statutes. This finding by the court is set forth in a separate order.
- Prison Releasee Reoffender: The defendant is adjudicated a prison releasee reoffender and has been sentenced to an extended term in accordance with §775.082(9), Florida Statutes. The defendant must serve 100 percent of this sentence and shall not be eligible for parole, control release, or any form of early release.
- Firearm 10-20-Life: Possess It is further ordered that the defendant shall serve a minimum of 10 years before release in accordance with §775.087(2)(a)1, Florida Statutes. The defendant is not eligible for statutory gain-time under §944.275, Florida Statutes, or any form of discretionary early release prior to serving the minimum sentence.
- Discharge It is further ordered that the defendant shall serve a minimum of 20 years before release in accordance with §775.087(2)(a)2, Florida Statutes. The defendant is not eligible for statutory gain-time under §944.275, Florida Statutes, or any form of discretionary early release prior to serving the minimum sentence.
- Death or Great Bodily Harm It is further ordered that the defendant shall serve a minimum of 25 years before release in accordance with §775.087(2)(a)3, Florida Statutes. The defendant is not eligible for statutory gain-time under §944.275, Florida Statutes, or any form of discretionary early release prior to serving the minimum sentence.

Other Provisions

- Retention of Jurisdiction The court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).
- Jail Credit It is further ordered that the defendant shall be allowed a total of 01 days as credit for time incarcerated before imposition of this sentence.

CREDIT FOR TIME SERVED IN RESENTENCING AFTER VIOLATION OF PROBATION OR COMMUNITY CONTROL

- It is further ordered that the defendant be allowed _____ total days time served (Jail Credit) between the original date of arrest and this sentencing. This includes Jail time served from original arrest to release to probation or community control as well as, VOP arrest to resentencing. No duplicate credit shall be given. The Department of Corrections shall compute and apply credit for time served in state prison and unforfeited gain time previously awarded on case/count _____.
(Offenses committed before October 1, 1989)
- It is further ordered that the defendant be allowed _____ total days time served (Jail Credit) between the original date of arrest and this sentencing. This includes Jail time served from original arrest to release to probation or community control as well as, VOP arrest to resentencing. No duplicate credit shall be given. The Department of Corrections shall compute and apply credit for time served in state prison and unforfeited gain time previously awarded on case/count _____.
(Offenses committed between October 1, 1989 and December 31, 1993)
- The Court deems the unforfeited gain time previously awarded on the above case/count forfeited under Section 948.06(7).
- The Court allows unforfeited gain time previously awarded on the above case/count. (Gain time may be subject to forfeiture by the Department of Corrections under Section 944.28(1).
- It is further ordered that the defendant be allowed _____ total days time served (Jail Credit) between the original date of arrest and this sentencing. This includes Jail time served from original arrest to release to probation or community control as well as, VOP arrest to resentencing. No duplicate credit shall be given. The Department of Corrections shall compute and apply credit for time served in state prison only pursuant to section 921.0017, Florida Statutes, on case/count _____.
(Offenses committed on or after January 1, 1994)

Other Provisions, continued:

Consecutive/Concurrent
As to Other Courts

It is further ordered that the sentence imposed for this count shall run
(check one) ___ consecutive to X concurrent
with the sentence set forth in count All of this case.

Consecutive/Concurrent
As to Other Convictions

It is further ordered that the composite term of all
sentences imposed for the counts specified in this order shall run
(Check one) ___ consecutive to X concurrent with the following:
(check one)

any active sentence being served.

specific sentences:

RECEIVED
CLERK OF CIRCUIT COURT
VOLUSIA COUNTY, FLORIDA
DIANE M. MATOUSEK
CLERK OF CIRCUIT COURT
VOLUSIA COUNTY, FLORIDA

In the event the above sentence is to the Department of Corrections, the Sheriff of Volusia County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing notice of appeal within 30 days from this date with the clerk of this court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the State on showing of indigency.

In imposing the above sentence, the court further recommends:

DONE AND ORDERED in open court at Volusia County, Florida, this 19th day of September, 2012.

Margaret W. Hudson
Margaret W. Hudson
Circuit Judge

COPIES TO:

Counsel for the state: ___ hand delivery open court ___ U.S. Mail interoffice/hand delivery
Counsel for the defendant: ___ hand delivery open court U.S. Mail ___ interoffice/hand delivery

I do certify that a copy hereof has been furnished to counsel for the state and the defendant by the method indicated above, done this 20 day of Sept, 2012.



STATE OF FLORIDA, VOLUSIA COUNTY
I HEREBY CERTIFY the foregoing is a true copy
of the original filed in this office. This

21 day of September, 2012
Clerk of Circuit and County Court

By: [Signature]



DIANE M. MATOUSEK
CLERK OF CIRCUIT COURT

BY: [Signature]
Deputy Clerk

MEDIATION QUALIFICATIONS BOARD

GRIEVANCE COMPLAINT COMMITTEE

In Re: Rebecca Eve Rogers

Case Number: QCC 2014-043

FORMAL CHARGES

Having examined the Grievance Complaint and other information provided by the complainant, Dispute Resolution Center (“DRC”); and Rebecca Eve Rogers (“mediator”) to determine whether the mediator has violated any of the Florida Rules for Certified and Court-Appointed Mediators, the Mediator Qualifications Board Complaint Committee finds that there is probable cause to believe that:

1. The mediator fails to possess good moral character as required by Rule 10.110 (a) and (b), Florida Rules for Certified and Court-Appointed Mediators, for recertification by the Florida Supreme Court as a county court mediator. Rule 10.110(b) provides, in pertinent part, that: ...A mediator shall have, as a prerequisite to certification and as a requirement for continuing certification, the good moral character sufficient to meet all of the Mediator Standards of Professional Conduct set forth in Rules 10.200-10.690.”

The probable cause finding that the mediator has violated Rule 10.110(a) and (b) is based upon the following allegations of fact:

- (a) On or about September 19, 2012, the mediator pled no contest in the Circuit Court of the Seventh Judicial Circuit in Volusia County, Florida to:
(1) felony possession of a Schedule IV substance in violation of Section 893.13(6) (a), Florida Statutes; and (2) second degree misdemeanor possession of a new or legend drug without a prescription in violation of Section 499.03, Florida Statutes.
- (b) The mediator was adjudicated guilty of both the aforesaid felony and misdemeanor charges by the Circuit Court on September 19, 2012.

(c) The mediator did not report her aforesaid 2012 convictions to the DRC until on or about July 15, 2014.

2. The mediator has violated Rule 10.130(b) (Report of Conviction). Rule 10.130(b) specifically requires that: "A conviction shall be reported in writing to the center within 30 days of such conviction. A report of conviction shall include a copy of the order or orders pursuant to which the conviction was entered."

The probable cause finding that the mediator has violated Rule 10.130(b) is based upon the following allegations of fact:

- (a) On or about September 19, 2012, the mediator pled no contest to felony possession of a Schedule IV substance in violation of Section 893.13(6) (a), Florida Statutes and second degree misdemeanor possession of a new or legend drug without a prescription in violation of Section 499.03, Florida Statutes before the Circuit Court of the Seventh Judicial Circuit in Volusia County, Florida.
- (b) On or about September 19, 2012, the mediator was adjudicated guilty of both the aforesaid felony and misdemeanor charges by the Circuit Court on September 19, 2012.
- (c) The mediator did not provide notice of her aforesaid felony and misdemeanor convictions to the DRC until on or about July 15, 2014, as part of her renewal application for recertification as a county mediator.

This matter is hereby forwarded for assignment to a Hearing Panel pursuant to Rule 10.810(m), Florida Rules for Certified and Court-Appointed Mediators.



Michael Kamen, QCC Chair

11/21/14
Date