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ABA Publishes Mitchell Marinello's Update on Mediator Sanctions for Demeanor Violations

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The American Bar Association's Section of Litigation Alternative Dispute Resolution (ADR) website has published an update by [Mitchell L. Marinello](#) on a recent case in Florida in which a mediator was sanctioned for an inappropriate demeanor during a mediation. [Link](#).

Mr. Marinello reported that the Florida Mediator Qualification Board found the mediator failed to conduct a proceeding in a dignified and courteous manner when he commented on a woman's appearance and jewelry. The Board required the mediator to undergo additional training and be observed by other mediators in five future mediation sessions, among other things.

Mr. Marinello said this decision "is an important reminder that mediators must be aware of and comply with the rules that govern their appointment, particularly when they are participating in a court-administered mediation program. Mediators also must not only be impartial but convey the appearance of impartiality."

Mr. Marinello serves as an arbitrator for the American Arbitration Association, the Financial Industry Regulatory Authority, and the CPR International Institute for Conflict Prevention & Resolution. He has heard well over 125 cases as an arbitrator and also serves as a private mediator. He is the author of numerous articles on alternative dispute resolution topics.

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