



AAA Mediation.org™

FN-2621209 MN-2621209 LN-2621209

Tampa, Florida



Current Employer-Title

My Florida Mediator - President

Global Resolutions LLC - President

University of South Florida College of Public Health - Affiliate Associate Professor

Professional Summary

Decades mediating a wide range of disputes and directed a court residential mortgage foreclosure mediation program for eight years. Twenty-two years service on FSC mediation & ADR standing committees including seven years as Vice Chair of the Florida Supreme Court (FSC) Alternative Dispute Resolution Rules and Policy Committee.

FSC Certified Appellate Mediator since 2011, FSC Certified Circuit Court Mediator since 2009, and retired Florida Clinical Psychologist.

Numerous awards including the FSC Excellence in ADR Award.

Profession

Mediator, Professor

Work History

President, My Florida Mediator, 2016 – Present;

President, Global Dispute Resolution LLC, 2001 – Present;

Affiliate Faculty Member, University of South Florida College of Public Health 2017 – Present;

Director, University of South Florida Conflict Resolution Collaborative (aka Mediation Institute), 1994 – 2016;

Mediator in Private Practice, 1984 – Present;

Clinical Psychologist in Private Practice, 1983 – 2006;

Affiliate Associate Professor (2000 – 2004), Department of Psychiatry & Behavioral Medicine, USF College of Medicine (Clinical Assistant Professor 1987- 2000 & Assistant Professor 1980-1987).

Experience

A member of the faculty of University of South Florida (USF) Department of Psychiatry and Behavioral Sciences serving as course coordinator and instructor for the first-year course for medical students titled "Introduction to Behavioral Medicine" and teaching clinical interviewing to medical students, supervised psychiatry residents and fellows, training family medicine residents, and practicing clinical psychology in the USF Medical Clinics.

After a few years at the USF, shifted to part-time faculty with the university and opened an independent clinical psychology and mediation practice.

Helped to found the first professional organization of mediators in Florida, served on its Board of Directors and was a pioneer in the mediation field playing a pivotal role in integrating mediation within the judicial system in Florida.

Taught part-time in the USF College of Public Health. Examples of instruction including teaching healthcare mediation to more efficiently resolve medical malpractice and healthcare complaints, teaching collaboration among health professionals to reduce hospital infection, teaching collaboration and conflict management skills to health and public health professionals, etc.

Founded the USF Mediation Institute in 1994 which was later renamed the USF Conflict Resolution Collaborative. These programs offered a variety of mediation training programs and the vast majority were approved by the Florida Supreme Court for mediation certification training. The USF Conflict Resolution Collaborative was a nationally recognized leader in the field of alternative dispute resolution (ADR).

Mediator Experience

Maintained an independent mediation practice since 1984 mediating a wide range of disputes including healthcare, partnership, business, appellate, mortgage foreclosure, etc. Professional recognition includes being a Florida Supreme Court certified Appellate and Circuit Court Mediator and a Diplomat Member of the Florida Academy of Professional Mediators.

Trained 1) many thousands of mediators throughout the U.S. and internationally at the request of courts, governmental, businesses and professional mediation organizations including the American Arbitration Association, 2) served as founding director of the University of South Florida Conflict Resolution Collaborative (aka the USF Mediation Institute), 3) taught Appellate Mediation Training, Circuit Civil Mediation Training, Negotiating and Mediating Healthcare Disputes, Negotiating and Mediating Employment Disputes, Mediation Ethics, etc. and 4) taught courses on negotiation, mediation, and collaboration throughout the U.S. and internationally.

Served on the Florida Supreme Court Alternative Dispute Resolution Rules and Policy Committee (including seven years as Vice Chair) and has served on two Task Forces appointed by Chief Justices of the Florida Supreme Court. Also, served on the Florida Supreme Court Mediation and Arbitration Training Committee as well as the boards of various state and national mediation organizations.

From 2010 - 2018, partnered with first the Collins Center and later the American Arbitration Association and directed the Residential Mortgage Foreclosure Mediation (RMFM) Program for the 10th Judicial Circuit of Florida (Sarasota, Manatee and DeSoto Counties). Mediated many cases; and selected, trained and supervised other RMFM mediators; was responsible for overall program operations.

Served as the Mediation Consultant for the Florida Medical Quality Assurance Inc. (aka FMQAI the Florida Medicare Quality Improvement Organization) and helped design and implement the Medicare Beneficiary Mediation Program in Florida. Also designed the FMQAI Comprehensive Complaint Resolution Program which received national attention for promoting a system of multiple collaborative approaches for resolving Medicare beneficiary complaints with healthcare providers, hospitals, and nursing homes. For seven years, mediated Medicare beneficiary complaints involving both the beneficiary and the Medicare provider(s).

Established other internal dispute resolution systems including one for the Florida Division of Vocational Rehabilitation (DVR). Also mediated these cases involving DVR applicants or clients who were contesting the extent of services being offered to them. The mediation program was highly successful in reducing the amount of litigation facing DVR.

For three years, also represented two national mediation organization in the drafting of the Uniform Mediation Act developed by the Uniform Law Commission (formerly known as the NCCUSL). To date, the Uniform Mediation Act has been adopted in approximately 12 states and the District of Columbia.

Representative Issues Handled as a Mediator

Has a good deal of experience with healthcare disputes and served as the Mediation Consultant for FMQAI, the Florida Medicare Quality Improvement Organization. In this capacity, not only mediated cases, but also helped FMQAI design and develop a Comprehensive Complaint Resolution Program for Medicare beneficiaries throughout the State of Florida.

Until 2006, also provided healthcare services which included private practice as well as service on the staffs of various hospitals.

Mediating a range of circuit civil disputes including mortgage foreclosures and franchisor franchisee disputes.

Administrative agency disputes is another category of cases mediated.

Mediates a wide range of other disputes often involving difficult or unique cases. One example involved mediating a proposed court rule dispute involving a conflict between a Florida Supreme Court standing Committee and judicial leadership in a number of judicial circuits. Successfully mediated an agreement which was later adopted by the Florida Supreme Court.

Mediator Style & Process Preferences

Mediation is a creative process. Mediators need to design each mediation to fit the nature of the dispute and the needs and preferences of the parties, while at the same time adhering to the highest ethical standards for mediator including preserving party self-determination and maintaining the mediator's impartiality.

It's important to conduct the mediation in a constructive and nonadversarial manner. While some cases are best mediated almost entirely in caucuses, others may involve constructive time in joint sessions. When results and relationships are both important to the parties (such as some partnership or purchaser/vender disputes), mediators should strive to design a mediation process that seeks to improve or at least preserve the relationship between the parties.

The language and pace of mediation should be conducted in a manner that allows the parties to follow what's being discussed. While it's often not necessary for parties to say much in mediation, party satisfaction and willingness to consider unexpected offers will be increased if parties understand how the proposal emerged from mediation.

Mediators should have a strong foundation in understanding human behavior and understand what impacts decision making. These skills allow the mediator to better engage with attorneys and parties to stay focused on problem solving and exploring the range of options that may be available to the parties to resolve their dispute.

In many cases, it's in the parties' best interests to not only discuss what the range of likely court outcomes may be but also to explore creative settlement options that may go beyond the scope of what a judge can do. As such, a good mediator needs to know how to get parties to look beyond their fixed positions and brainstorm new and creative alternatives that may better address their underlying interests.

While sometimes there are many issues to be resolved in a commercial dispute, many cases would appear simply to be about one party writing a check to the another party. A good mediator should be open to discussing other issues that can be resolved which may assist the case in being settled. For example, in a medical malpractice case or a auto liability case, while the insurer or defendant is focused upon limiting their financial liability, the plaintiff may have other issues such as wanting an apology, wanting to give meaning to their injury by preventing such an incident from happening again, or receiving a more complete understanding of what actually happened. Knowing if and when to consider addressing these other concerns can sometimes make the difference between reaching an agreement or no agreement.

A mediator must be aware of jurisdictional standards and relevant statutory or rule provisions concerning the confidentiality of mediation communications. Mediators should work to ensure that parties and their counsel understand the mediation process as well as the extent and limitations of confidentiality and privilege, so that parties can best determine the extent to which they want to engage in frank and open discussions with the mediator, other mediation parties and counsel, and non-party participants.

Technology Proficiency	<p>Most often mediate using Zoom which provides greater convenience and efficiency for both the parties and the mediation process. As may be needed, also willing to adapt to the parties' desire to communicate via encrypted communication methods.</p> <p>Docusign is generally used for executing documents when needed.</p>
Education	<p>University of South Florida (Ph.D., Clinical Psychology; MS, Clinical Psychology); Trinity College (BS, with Honors).</p>
Professional Licenses	<p>Florida Supreme Court certified Appellate Mediator, 2011; Florida Supreme Court certified Circuit Court Mediator, 2009; Florida Clinical Psychologist (1982-retired).</p>
Professional Associations	<p>At various times, have been a member of many professional organizations including, but not limited to the American Bar Association Section on Dispute Resolution; Association for Conflict Resolution; Florida Academy of Professional Mediators, American Psychological Association, etc. Also, served on the Boards of Directors of various state and national alternative dispute resolution (ADR) organizations.</p>
Recent Publications & Speaking Engagements	<p>Selected Publications:</p> <p>Firestone, G. (2021) Continuing Mediation Ethics Education" in Mediation Ethics: A Practitioner's Guide (Omer Shapira, ed.) published by the American Bar Association, pp. 321-347.</p> <p>Tetunic, F. & Firestone, G., (2020) Confidentiality and Privilege for Family and Child Protection Mediation: A Roadmap for Navigating the Innovation, Inconsistency and Confusion, Family Court Review, 58(1), pp. 46-67.</p> <p>Jenkins, R., Firestone, G., Aasheim, K., Boelens, B., (2017) Mandatory Pre-Suit Mediation for Medical Malpractice: Eight-Year Results and Future Innovations, Conflict Resolution Quarterly, Fall Issue, pp. 73-88.</p> <p>Firestone, G. & Stein, L., (2012) Florida's Statewide Approach to the Residential Mortgage Foreclosure Crisis: The Residential Mortgage Foreclosure Mediation Model, Stetson Law Review, Volume 41, Number 3, pp. 719-743.</p> <p>Firestone, G. (2011) Comments on Case 10.2 in Waldman, E., Mediation Ethics, San Francisco: Jossey-Bass, pp. 265-273.</p> <p>Firestone, G., McNeal, R., & Starnes, H., (2004) Mediating Judicial Policy, Family Court Review, Vol. 42(1), pp. 128-140.</p> <p>Firestone, G. (2002) An Analysis of Principled Advocacy in the Development of the Uniform Mediation Act, Northern Illinois University Law Review, Spring, 22(2) pp. 265-286.</p> <p>Selected Presentations:</p> <p>Firestone, G., Negotiating and Mediating Healthcare Disputes, University at Sea, CME program for physicians June 2023.</p> <p>Firestone, G., Getting to “Yes, And”: Enhancing Your Family Law and Mediation Collaborative Skillset Using Comedy Improv Techniques, Wisconsin Family Law Bar Annual Conference, April 2022.</p> <p>Shapira, O., Waldman, E., and Firestone, G., Mediation Ethics: A Practitioner’s Guide in Fractious Times, American Bar Association Annual Conference, April 2021.</p> <p>Firestone, G., and Press, S., Privadentiality: Making Sense of Florida Statutory Communication Protections for Mediation, Collaborative Law, and Parenting Coordination, Florida Dispute Resolution Center Annual Conference, August 2020.</p>

Firestone, G., Effective Strategies for Critiquing and Mentoring Mediators, Florida Dispute Resolution Center Annual Conference, August 2019.

Firestone, G., Mediation Confidentiality Ethical Challenges: Best Practices for the Experienced Mediator, Florida Dispute Resolution Center Annual Conference, August 2017.

Firestone, G., Getting to 'Yes And': How Comedy Improv Can Help Professionals Hone Their Collaborative Skills, Florida Academy of Collaborative Professionals Plenary Program, June 2017.

University of South Florida Trainer for Appellate Mediation Certification, Circuit Civil Mediation Certification and Residential Mortgage Mediation Courses as well as for Residential Mortgage Mediation, Healthcare Mediation and Employment Mediation Courses. 1994 - 2016

Firestone, G. & Tetunic, F., Mediator Conflicts: Navigating the Waives When Worlds Collide, American Bar Association Section of Dispute Resolution Annual Conference, April 2015.

Firestone, G., Thinking Fast and Slow in Mediation, American Bar Association Section of Dispute Resolution Annual Conference, April 2014.

Firestone, G., Improving Party Engagement in the Mediation Process, Association for Conflict Resolution Annual Conference, 2013.

Firestone, G., Statewide Residential Mortgage Foreclosure Mediation: From Theory to Practice, Association for Conflict Resolution Annual Conference, 2011.

Firestone, G., Collaborative Law and the Spectrum of ADR Methods, Barry University School of Law Family Law Symposium, 2011.

Locations Where Parties Will Not be Charged for Travel Expenses	Parties are encouraged to mediate via Zoom. Parties will not be charged for travel within the City of Tampa.
Mediation Rate	\$500 Per Hour
Languages	English
Citizenship	United States of America
Locale	Tampa, FL

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.