

**AMENDED REQUEST FOR BIDS**

54<sup>th</sup> Judicial Circuit Court  
Tuscola County  
440 N State St  
Caro, MI 48723

**RE: CONTRACT TO PROVIDE ALTERNATIVE DISPUTE RESOLUTION AND MEDIATION SERVICES IN DOMESTIC RELATIONS MATTERS IN THE FAMILY DIVISION OF 54<sup>TH</sup> JUDICIAL CIRCUIT COURT FOR CALENDAR YEAR 2010**

**ELIGIBLE PARTICIPANTS: (One or more of the following):**

- A license or a limited license to engage in the practice of psychology under parts 161 and 182 of the public health code, 1978 PA 368, mcl 333.16101 TO 333.16349 AND 333.18201 to 333.18237, or a master's degree in counseling, social work, or marriage and family counseling; and successful completion of the training program provided by the FOC bureau under section 19(3)(b).
- Not less than 5 years experience in family counseling, preferably in a setting related to the areas of responsibility of the friend of the court and preferably to reflect the ethnic population to be served, and successful completion of a training program provided by the FOC bureau under section 19(3)(b).
- A graduate degree in behavioral science and successful completion of a domestic relations mediation training program certified by the FOC bureau with not less than 40 hours of classroom instruction and 250 hours of practical experience working under the direction of a person who has successfully completed a program certified by the bureau.
- Membership in the state bar of Michigan and successful completion of the training program provided by the bureau under section 19(3)(b).
- Knowledge of other resources in the community to which the parties to a domestic relations matter can be referred for assistance.
- Knowledge of child development, clinical issues relating to children, the effects of divorce on children, and child custody research.

**DESCRIPTION OF INTENDED SERVICES:** Alternative Dispute Resolution & Mediation Procedures:

- (1) The facilitator must schedule an session within a reasonable time at a location accessible by the parties to a case.
- (2) A facilitator may require that no later that 3 business days before the session, each party submit to the facilitator, and serve on the opposing party, a conference summary that provides the following information, where relevant:
  - (a) the facts and circumstances of the case;
  - (b) the issues in dispute;
  - (c) the income and expenses of the parties;

- (d) a proposed settlement; and
  - (e) such documentary evidence as may be available to substantiate information contained in the summary.
- (3) The parties must attend the session in person unless excused by the facilitator.
  - (4) Except for legal counsel, the parties may not bring other persons to the session, where expert or lay witnesses, unless permission is first obtained from the facilitator, after notice to the opposing counsel. If the facilitator believes it would be helpful to the settlement of the case, the facilitator may request information or assistance from third persons at the time of the session.
  - (5) The facilitator shall discuss with the parties and counsel, if any, the facts and issues involved. The ADR/mediation will continue until a settlement is reached, the facilitator determines that a settlement is not likely to be reached, the end of the first session, or until a time agreed to by the parties.
  - (6) Within 7 days of the completion of ADR/mediation, the facilitator shall so advise the court, stating only the date of the completion of the process, who participated in the session, whether settlement was reached, and whether further ADR proceedings are contemplated.
  - (7) If a settlement is reached as a result of the ADR, to be binding, the terms of that settlement must be reduced to a signed writing by the parties or acknowledged by the parties on an audio or video recording. After settlement has been reached, the parties shall take steps necessary to enter an order as in the case of other settlements.
  - (8) Statements made during the conference, including statements made in written submissions, may not be used in other proceedings, including trial. Any communications between the parties or counsel and the facilitator relating to an ADR/mediation are confidential and shall not be disclosed without the written consent of all parties.

Once approved, the facilitator or agency awarded the contract shall preside over the domestic relations settlement conferences as listed below and issue formal findings and recommendations as required by court rule and/or statute;

- Custody
- Parenting Time
- Change of Domicile
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Expected number of ADR cases per week estimated at approximately 6 -8 PER MONTH.

**CONTRACT PERIOD:** Calendar year 2010, beginning upon entry of contract agreement 2010 and terminating on December 31, 2010. All domestic relations matters, as listed below, filed in 2010 shall be included in the contract.

**DEADLINE FOR SUBMISSION OF PROPOSALS:** All proposals must be submitted in writing to the Circuit/Family Court Administrator, Tuscola County Courthouse, 440 N. State Street, Caro, MI 48723, **no later than 4:30 p.m. on February 19, 2010.**

Proposals should include a **per case rate** and the terms of payment to be negotiated upon award of the contract.

