

## **REQUIREMENTS AND PROCEDURES FOR INCLUSION ON THE ROSTER OF CERTIFIED MEDIATORS FOR CIRCUIT COURTS**

### **A. *Scope of Requirements***

All mediators on the Roster of Certified Mediators for Circuit Courts shall be qualified pursuant to these Requirements. Persons included on this Roster are eligible to serve as compensated mediators in and for circuit courts pursuant to Ark. Code Ann. ' 16-7-104 (3). The Roster will indicate in which divisions of circuit court the mediator is qualified to serve, depending on the mediator=s qualifications as set forth in part C below.

### **B. *Procedures for Inclusion on the Roster of Certified Mediators***

1. A mediator seeking certification shall make application on a form to be provided by the Commission.
2. The application for certification shall be accompanied by a fee which is set annually by the Commission.
3. The application shall contain or be accompanied by the following:
  - a. statement of educational background;
  - b. evidence of successful completion of the appropriate mediation training for the Roster;
  - c. statement of experience/areas of expertise;
  - d. statement of adherence to the *Arkansas Alternative Dispute Resolution Commission=s Requirements for the Conduct of Mediation and Mediators*; and
  - e. statement certifying accuracy of information contained in the application and a statement of adherence in which the applicant agrees to submit to the jurisdiction of Arkansas Courts and the ADR Commission.
4. Application for certification shall be acted upon by the Coordinator of the Commission. Any applicant denied certification shall have the right to request reconsideration of such a denial by the Commission.
5. Applicants may request a waiver of one or more requirements. Such waiver is to made in writing and addressed to the Coordinator of the Commission. The Commission, at its discretion, may waive any of the certification requirements set forth in Section C of these standards.
6. Notification of certification shall be made by letter and shall indicate in which

categories the person is certified: Domestic Relations matters, Juvenile matters, and/or Civil and Probate matters. A letter denying certification, or certification as to one class of case, shall state the grounds for the denial and make reference to the right of the applicant to request reconsideration of the denial. Such request by the applicant must be in writing and addressed to the Coordinator of the Commission and must be made within 30 days of receipt of notification of denial. Within 15 days of the reconsideration, the Commission shall render a final decision.

7. An applicant denied certification may reapply six months after the date of denial.
8. In order to maintain certification, each mediator must renew annually on a form supplied by the Commission which must be accompanied by a renewal fee. The renewal fee is set by the Commission annually. The date for renewal will be September 1 of each year.
9. Applicants who reside outside the state of Arkansas must agree to submit to the jurisdiction of Arkansas courts and designate an agent of service in Arkansas.

C. *Standards for Inclusion on Roster of Certified Mediators*

1. Domestic Relations

a. Training

1. Have completed a minimum of 40 hours in a family mediation training program approved by the Commission; or
2. Have completed 40 hours of basic mediation training with an additional 20 hours of family mediation training in a program devoted entirely to family or parenting mediation which is approved by the Commission;
3. Applicants who complete a basic or family mediation training course outside of Arkansas must also complete the Commission=s course on Arkansas Law for Mediators.

b. Education

1. Have a bachelor=s level degree with at least two years work experience in family and marriage issues; or
2. Have a master=s degree or higher; or
3. Have a bachelor=s degree plus a graduate level certificate in conflict resolution from an accredited college, university, or law school that has been approved by the Commission; or
4. Have a juris doctorate or equivalent; or
5. Have substantial, demonstrated, and satisfactory knowledge, skills, abilities, and experience as a mediator in the applicable field of mediation

c. Practical Experience

1. Have observed, mediated, or co-mediated two domestic relations mediations;
2. Observations and co-mediations must be completed in Arkansas with a

mediator who is certified by the Arkansas ADR Commission .

d. Ethics

1. Be of good moral character; and
2. Accept and follow the Arkansas Alternative Dispute Resolution Commission=s *Requirements for the Conduct of Mediation and Mediators*

2. Juvenile Division Mediators

a. Training

1. Have completed a minimum of 40 hours in a family mediation training program approved by the Commission; or
2. Have completed 40 hours of basic mediation training with an additional 20 hours of family mediation training in a program devoted entirely to family or parenting mediation which is approved by the Commission; and
3. Have completed a course on the Arkansas juvenile court system approved by the Commission.
4. Applicants who complete a basic or family mediation training course outside of Arkansas must also complete the Commission=s course on Arkansas Law for Mediators.

b. Education

1. Have a bachelor=s level degree with at least two years work experience in family issues; or
2. Have a master=s degree or higher; or
3. Have a bachelor=s degree plus a graduate level certificate in conflict resolution from an accredited college, university, or law school that has been approved by the Commission; or
4. Have a juris doctorate or equivalent; or
5. Have substantial, demonstrated, and satisfactory knowledge, skills, abilities, and experience as a mediator in the applicable field of mediation

c. Practical Experience

1. Have observed, mediated, or co-mediated two juvenile mediations;
2. Observations and co-mediations must be completed in Arkansas with a mediator who is certified by the Arkansas ADR Commission .

d. Ethics

1. Be of good moral character; and
2. Accept and follow the Arkansas Alternative Dispute Resolution Commission=s *Requirements for the Conduct of Mediation and Mediators*

3. Civil/Probate Division Mediators

a. Training

1. Have completed a minimum of 40 hours in a mediation training approved by the Commission;

2. Applicants who complete a mediation training course outside of Arkansas must also complete the Commission=s course on Arkansas Law for Mediators.

b. Education

1. Have a master=s level degree or higher; or
2. Have a bachelor=s degree plus a graduate level certificate in conflict resolution or mediation from an accredited college, university, or law school that has been approved by the Commission; or
3. Have a juris doctorate or equivalent; or
4. Have substantial, demonstrated, and satisfactory knowledge, skills, abilities, and experience as a mediator in the applicable field of mediation

c. Practical Experience

1. Have observed, mediated, or co-mediated two mediations involving issues that would be heard in circuit court, other than domestic relations or juvenile matters;
2. Observations and co-mediations must be completed in Arkansas with a mediator who is certified by the Arkansas ADR Commission .

d. Ethics

1. Be of good moral character; and
2. Accept and follow the Arkansas Alternative Dispute Resolution Commission=s *Requirements for the Conduct of Mediation and Mediators*

Note: all degrees must have been obtained at an accredited college, university or law school.

D. *Requirements for Annual Renewal*

1. In order to maintain certification, each mediator must renew annually. Certified mediators will receive a renewal packet each year from the Commission. The date for renewal is September 1 of each year.
2. In order to qualify for certification renewal, each mediator must provide the following to the Coordinator of the Commission:
  - a. Completed and signed renewal form
  - b. Evidence of completion of 6 hours of continuing mediation education (CME)
  - c. Mediation statistical reports (provided by the Commission)
  - d. Updated profile form
  - e. Renewal fee
3. *Continuing Mediation Education*: Certified Mediators must receive 6 hours each year of continuing mediation education. This CME requirement may be met by attending a CME program conducted by the Commission, or by attending some other mediation

related program which is approved by the Commission to qualify for CME.

4. *Mediation Statistical Reports:* All certified mediators are required to maintain certain information on each court ordered case they mediate. The information is to be recorded on a form provided by the Commission. All such forms must be submitted to the Commission when the mediator applies for renewal of certification. None of the information required will violate the terms of confidentiality. The information will be used to generate a statistical report that will be distributed to the circuit courts, and available to anyone who requests it.

Statistical reports should be submitted to the Commission at the conclusion of each court ordered mediation. Any reports not submitted by the time of renewal must be included with the renewal application.

5. *Mediator Profiles:* The Commission maintains a profile of each certified mediator. The profiles are provided to circuit court judges, attorneys, and parties who would like additional information when selecting a mediator. At renewal each year, mediators are given an opportunity to update information on their profiles.

Note: If anything in these requirements and procedures conflict with previous publications promulgated by the Arkansas Alternative Dispute Resolution Commission, the requirements and procedures in this document override the previously promulgated publications.

Any mediator certified in the family/juvenile category prior to the finalization of these revised standards will be grand-fathered in under the new requirements for certification in the juvenile category.