



**Northern Virginia
Mediation Service**

State-by-State Guide to Court Mediator Qualification Standards

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Last Updated: August 16, 2013

About this Guide

This guide is intended as a useful reference for anyone who may benefit from awareness of the status of court-connected mediation in different states. For each state, we try to answer this main question: What qualifications does an individual need to mediate court-referred cases? In the process this book may also answers other questions, such as whether a state “certifies” mediators or what types of associations are important to the practice of mediation in a certain state.

Limitations

This guide does not claim to be perfect. In fact, considering how swiftly mediation is changing around the country, it would be miraculous if all of our information was perfectly up-to-date. Even an imperfect guide may be useful in many cases. Yet if the details of specific states are important to you, we urge you to make sure of current standards before simply relying on the information contained here. Additionally, this guide contains only statewide standards, but in many states it is local standards which are more important. Though it would have been impossible to contain local standards here, in such cases we try to guide interested parties to places where they could find more information.

Sources

We heartily thank all organizations which work to compile and clearly explain mediation standards. Two sources stand out in this way: Resolution Systems Institute and the National Center for State Courts. Each has delightful and informative ADR webpages which have been infinitely valuable in the compilation of this book.

Of course, we also have to thank our local sources. When national sources failed us and webpages were inconclusive, many individuals kindly spent their time explaining to us the basics of mediation in their states. We tried to credit each of them where credit was due.

Contact Us

As has been mentioned, this guide cannot be perfect. We anticipate that the information for some states may be inaccurate, and we appreciate corrections from those who know better than we do. Feel free to contact NVMS using the information given on the bottom right of each page.

The 50 States

At-a-Glance

Note: Because it is hard to categorize the ways in which states handle mediation, the following statistics should be taken as rough estimates.

- 28 of 50 states have comprehensive statewide standards for any mediators who wish to be recognized by the courts (e.g. certified, included on court rosters) as qualified to mediate.
- Of those 28 states with comprehensive statewide standards, 25 require greater training and experience for those who wish to mediate family disputes than for those who wish to mediate civil disputes.
- Of the 22 states which do not have comprehensive statewide standards, 9 do have standards for mediators who wish to mediate family/children's issues. Added to the states with comprehensive standards, this means that 37 states total have requirements for family court mediators.
- Of the 28 states which require training for civil mediation, 14 require 40 hours, 4 require between 30 and 40, 6 require between 20 and 30, and 2 require less than 20 (2 have unclear information).
- In 4 states a law degree is required to be recognized by the court as a civil mediator. In 5 states some other type of education/professional experience (e.g. bachelor's degree plus 6 years management experience) is required. In some cases a waiver may allow an applicant to bypass these requirements.
- Of the 37 states which have standards for family mediators, 13 require relevant education or experience beyond a bachelor's degree. This may include a law degree, an advanced degree or certification in a social or behavioral science (e.g. psychology, counseling), and/or work experience dealing with families and children.

Alabama

Contact:

Alabama Center for Dispute Resolution
PO Box 671 Montgomery, Alabama 36101
334.269.0409
Judy Keegan, Executive Director
judy.keegan@alabar.org

Online: http://alabamaadr.org/web/roster-documents/med_Std_Std_Reg_Procedures.php

The Alabama Center for Dispute Resolution, a non-profit working in conjunction with the Alabama Supreme Court and the Alabama Bar, maintains a State Court Mediator Roster consisting of mediators who meet the following standards.

General Requirements

1. Have reached the age of majority in Alabama.
2. Be of good character pursuant to Appendix III [on the Alabama Center for Dispute Resolution website].
3. Satisfy any one of the following criteria:
 - Be licensed as an attorney by 1 of the 50 states of the United States or the District of Columbia and be in good standing, with 4 years' legal or judicial experience.
 - Have either a baccalaureate degrees and at least 5 years of management or administrative experience in a professional, business, or governmental entity OR a high school diploma and 8 years of management or administrative experience in a professional, business, or governmental entity. Applicants seeking registration under this subsection also must have served professionally as the mediator in at least 10 mediations within the 2 years immediately preceding submission of an application for registration.
 - Be licensed as an attorney by 1 of the 50 states of the United States or the District of Columbia and be in good standing and, within 2 years preceding application, have successfully completed a law school clinical mediation course approved by the Director of the Center. The Director will approve only law school courses that have educational training components equal to or greater than the training requirement in subsection 4. Approval of the course shall satisfy the training requirement for those applicants. Students in such courses further must have participated as the sole or co-mediator in at least 10 mediations.
4. Have successfully completed a 20-hour mediation training program approved by the Center within the 2 years preceding application. To be approved, training programs must include as part of their curricula, at a minimum, mock mediation exercises and ethics education.

5. Agree to subscribe and adhere to the Alabama Code of Ethics for Mediators and the rules of the Center for mediator registration.
6. Be willing to provide, upon request, at least 10 hours annually of pro bono mediation services to the public.

Domestic Relations

1. Have reached the age of majority in Alabama.
2. Be of good character pursuant to Appendix III.
3. Satisfy any of the following:
 - Be licensed as an attorney by one of the fifty states of the United States or the District of Columbia and in good standing, with four years' legal or judicial experience; or
 - Have at least a masters degree and at least five years of professional experience in any of the fields of psychology, social work, or mental health, and be in good standing with any licensing board or agency and able to present a current license number if applicable; or
 - Have either a baccalaureate degree and at least eight years of management or administrative experience in a professional, business or governmental entity OR at least a high school diploma and 10 years management or administrative experience in a professional, business or governmental entity. Applicants seeking registration under this subsection also must have served professionally as the mediator in at least 10 domestic relations mediations, within the 2 years immediately preceding submission of an application for registration.
 - Be licensed as an attorney by 1 of the 50 states of the United States or the District of Columbia and be in good standing and, within 2 years preceding application, have successfully completed a law school clinical mediation course approved by the Director of the Center. The Director will approve only law school courses that have educational training components equal to or greater than the training requirement in subsection 4. Approval of the course shall satisfy the training requirement for those applicants. Students in such courses further must have participated as the sole or co-mediator in at least 10 mediations.
4. Have successfully completed a 40-hour mediation course on domestic relations issues within 2 years preceding application, which has been (a) certified by the Association of Conflict Resolution (ACR) or (b) approved by the center as functionally equivalent or superior to an ACR 40-hour course. To be approved, training programs must include as part of their curricula, at a minimum, mock mediation exercises and ethics education.
5. Agree to subscribe and adhere to the Alabama Code of Ethics for Mediators and the rules of the center for mediator registration.
6. Be willing to provide, upon request, at least 10 hours annually of pro bono mediation services to the public.

Alaska

Source: <http://courts.alaska.gov/mediation.htm#d>

Anyone can act as a mediator in Alaska - there are no state standards or licensing requirements. It is up to the parties and judges to decide what kind of training and experience they need in a mediator and to ensure that the mediator they select has the necessary skills.

Mediators are encouraged to look into the following court-administered mediation programs:

Child Custody and Visitation Mediation Program

Courts in Anchorage, Bethel, Fairbanks, Homer, Juneau, Kenai, Ketchikan, Kodiak, Palmer, and Sitka offer mediation in child custody cases for parents whose combined net incomes are less than \$100,000. The mediator helps parents resolve disputes about access and visitation concerns and create workable co-parenting plans. There is no fee for this service unless parents wish to mediate additional issues or require more time than allowed by program.

Adult Guardianship and Conservatorship Mediation Program

Anchorage, Bethel, Dillingham, Fairbanks, Homer, Juneau, Kenai, Kodiak, Palmer, Sitka, and Valdez courts offer mediation services in adult guardianship and conservatorship cases. The mediator helps those involved make decisions and create plans that will best meet the needs of the vulnerable adult. There is no fee for this service.

Child in Need of Aid Mediation Program

Courts in Anchorage, Bethel, Dillingham, Fairbanks, Homer, Juneau, Kenai, Kodiak, Nome, and Palmer offer mediation services in Child in Need of Aid (CINA) cases. There is no fee for this service. The mediator helps parties in these cases resolve disagreements about case plans, placement, family-child contact, and many other concerns.

Small Claims Mediation Program

Anchorage District Court regularly offers mediation in small claims cases. This free service is provided by volunteer, trained mediators who assist parties in resolving the issues in their case. Mediation is carried out on the morning that a case is set for trial, and any case that is not resolved through mediation is generally returned to the courtroom the same morning for trial.

Arizona

Thanks for this page go to Mel Dailey, ADR Program Coordinator at Maricopa County Superior Court

Arizona does not presently have a statewide set of qualifications for mediators. Though ADR is respected in many parts of the Arizona judicial system, its use varies heavily by locality and may take uncommon forms. For instance, Maricopa County Superior Court does not use mediation, but uses ADR frequently in the form of settlement conferences overseen by judges *pro tem*. Mediators are encouraged to contact their local courts to see how mediation is currently being used.

Arkansas

Contact:

Arkansas ADR Commission
Jennifer Taylor – Commission Coordinator
501-682-9400

Source: <https://courts.arkansas.gov/administration/adr/become-certified-mediator>

Arkansas District Courts do not order mediation or refer parties to mediation. Accordingly, there are no standards for mediating court-related cases at that level. The Arkansas ADR Commission maintains a roster of mediators qualified for Circuit Court. Qualifications for that roster are listed below:

Civil Division Mediators

Training

- Have completed a minimum of 40 hours in a mediation training approved by the Commission;
- Applicants who complete a mediation training course outside of Arkansas must also complete the Commission's course *Mediator Ethics, Law and General Practices in Arkansas*.
- Applicants must complete the certification process within five years of completing basic mediation training. If a complete certification application has not been submitted to the Commission within the five year period, the applicant must retake all training required for certification in the civil division. If the applicant can demonstrate that they have actively mediated since receiving the basic mediation training, this requirement may be waived at the Commission's discretion.

Education

- Have a master's level degree or higher; or
- Have a bachelor's degree plus a graduate level certificate in conflict resolution; or
- Have a juris doctorate or equivalent; or
- Have substantial, demonstrated, and satisfactory knowledge, skills, abilities, and experience as a mediator in the applicable field of mediation

Practical Experience

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

Ethics

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

Examination

- Prior to granting certification, the Commission may require applicants to successfully complete an examination on mediation concepts, ethics, and other topics relevant to mediation in the Arkansas Circuit Court system.

Domestic Relations

Training

- Have completed a minimum of 40 hours in a family mediation training program approved by the Commission; or
- 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;
- Applicants who complete a basic or family mediation training course outside of Arkansas must also complete the Commission's *Mediator Ethics, Law and General Practices in Arkansas*.
- Applicants must complete the certification process within five years of completing basic mediation training. If a complete certification application has not been submitted to the Commission within the five year period, the applicant must retake all training required for certification in the domestic relations division. If the applicant can demonstrate that they have actively mediated since receiving the basic mediation training, this requirement may be waived at the Commission's discretion.

Education

- Have a bachelor's level degree with at least two years' work experience in family and marriage issues; or
- Have a master's degree or higher; or
- Have a bachelor's degree plus a graduate level certificate in conflict resolution
- Have a juris doctorate or equivalent; or
- Have substantial, demonstrated, and satisfactory knowledge, skills, abilities, and experience as a mediator in the applicable field of mediation.

Practical Experience

- Have observed, mediated, or co-mediated two domestic relations mediations;

Ethics

- Be of good moral character; and
- Accept and follow the Arkansas Alternative Dispute Resolution Commission's *Requirements for the Conduct of Mediation and Mediators*

Examination

- Prior to granting certification, the Commission may require applicants to successfully complete an examination on mediation concepts, ethics, and other topics relevant to mediation in the Arkansas Circuit Court system.

Probate Division

Any mediator who is certified in, or meets the certification requirements of either the civil division or the domestic relations division is eligible for certification in the probate division.

Juvenile Division

Training

- Have completed a minimum of 40 hours in a family mediation training program approved by the Commission; or
- 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
- Have completed a course on the Arkansas juvenile court system approved by the Commission.

- Applicants who complete a basic or family mediation training course outside of Arkansas must also complete the Commission's course *Mediator Ethics, Law and General Practices in Arkansas*.
- Applicants must complete the certification process within five years of completing basic mediation training. If a complete certification application has not been submitted to the Commission within the five year period, the applicant must retake all training required for certification in the juvenile division. If the applicant can demonstrate that they have actively mediated since receiving the basic mediation training, this requirement may be waived at the Commission's discretion.

Education

- Have a bachelor's level degree with at least two years' work experience in family issues;
- Have a master's degree or higher; or
- Have a bachelor's degree plus a graduate level certificate in conflict resolution
- Have a juris doctorate or equivalent; or
- Have substantial, demonstrated, and satisfactory knowledge, skills, abilities, and experience as a mediator in the applicable field of mediation

Practical Experience

- Have co-mediated three cases from the juvenile division of the Arkansas Circuit courts, at least one of which must be a dependency-neglect case.
- Co-mediations must be completed in Arkansas with a mediator who is certified by the Arkansas ADR Commission and designated as a juvenile mediation mentor. The Commission may consider evaluations made by the mentor mediator when determining whether or not the applicant is qualified for certification in the juvenile category.

Ethics

- Be of good moral character; and
- Accept and follow the Arkansas Alternative Dispute Resolution Commission's *Requirements for the Conduct of Mediation and Mediators*

California

Thanks for this page go to Heather Anderson, Senior Attorney in the Legal Services Office of the Judicial Council of California – Administrative Office of the Courts

Contact:

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Civil

In general, each jurisdiction has its own standards for civil mediators. Fortunately, the Supreme Court provides a directory of information for each Superior Court at the link below.

<http://www.courts.ca.gov/3075.htm>

The Administrative Office of the Courts provides model standards for mediator qualifications in order to assist Superior Courts in developing their own standards. These are formally known as the Model Qualification Standards for Mediators in Court-Connected Mediation Programs for General Civil Cases. Superior Courts may decide whether to adopt the Model Standards or to form their own standards. The model standards recommend the following:

a) Education

- A high school diploma or GED plus four additional years of education or work experience.
- Legal education in the form of a course on the court system and civil litigation . This requirement is waived for lawyers.

b) Mediation Training

- 40 hours of basic mediation training including ethics, culture and gender issues, and other mediation basics. At least 32 of these hours must be taken as one comprehensive basic mediation class.

c) Mediation Experience

- At least two mediations of at least two hours in length that are co-mediated with or observed by a mentor mediator.
- At least four additional mediations of at least 2 hours in length completed in the last two years.

Family

California Family Code sections 3164 and 1815 deal with family mediators in Superior Court. California Rules of Court, rule 5.210 adds additional qualifications on top of those described in the statutes.

Basic Qualifications: Family Code Section 1815

- (1) A master's degree in psychology, social work, marriage, family and child counseling, or other behavioral science substantially related to marriage and family interpersonal relationships.
- (2) At least two years of experience in counseling or psychotherapy, or both, preferably in a setting related to the areas of responsibility of the family conciliation court and with the ethnic population to be served.
- (3) Knowledge of the court system of California and the procedures used in family law cases.
- (4) Knowledge of other resources in the community that clients can be referred to for assistance.
- (5) Knowledge of adult psychopathology and the psychology of families.
- (6) Knowledge of child development, child abuse, clinical issues relating to children, the effects of divorce on children, the effects of domestic violence on children, and child custody research sufficient to enable a counselor to assess the mental health needs of children.
- (7) Training in domestic violence issues as described in Section 1816.

The family conciliation court may substitute additional experience for a portion of the education, or additional education for a portion of the experience, required above

Additional Training Requirements: Rule 5.210

- (1) All mediators, mediation supervisors, and family court service directors must:
 - (A) Complete a minimum of 40 hours of custody and visitation mediation training within the first six months of initial employment as a court-connected mediator;
 - (B) Annually complete 8 hours of related continuing education programs, conferences, and workshops. This requirement is in addition to an annual 4-hour domestic violence update training.
 - (C) Participate in performance supervision and peer review.
- (2) Each mediation supervisor and family court services director must complete at least 24 hours of additional training each calendar year. This requirement may be satisfied in part by the domestic violence training required by Family Code section 1816.

Colorado

Thanks for the entry below goes to Fonda Hamilton, President Emeritus and Judicial Chair of the Mediation Association of Colorado

Online:

Colorado Office of Dispute Resolution

<http://www.courts.state.co.us/Administration/Section.cfm?Section=odropp>

Currently there are no state requirements for the practice of mediation. Parties may choose any mediator. There are guidelines endorsed by The Mediation Association of Colorado (the MAC) and the Colorado Bar Association (CBA) on mediator training and education, but these guidelines apply only to their members. Additionally, there are voluntary Colorado Standards of Conduct for Mediators endorsed by the MAC, Office of Dispute Resolution, Colorado Judicial Institute, Colorado Bar Association, ADR Forum Committee, and the Attorney General's Office, Department of Law.

Currently, there is a push in Colorado to credential mediators for court-referred cases and cases involving HOA. For instance, the state Supreme Court has under review a report on recommended mediator standards. So while there are no current requirements and standards for mediators to practice in Colorado, change is coming. Some legislators are also prepared to draft bills for the legislative season in 2014.

Below are some examples of guidelines used by various Colorado mediation organizations:

The Mediation Association of Colorado has a "credentialing" process for their Professional Mediator status. Their requirements to become a professional mediator are as follows:

- Complete a 40-hour basic mediation training class which meets the MAC's standards for a 40-hour course
- Obtain 100 hours of mediation experience supervised by an experienced mediator which includes observing cases, co-mediation with an experienced mediator, co-mediation as the lead mediator, and soloing as the mediator with the experienced mediator
- Completion of 10 hours of continuing education each year.
- Agreement to abide by the MAC's professional code of conduct for mediators
- Adherence to the MAC's ethics and grievance policy

One very selective roster of mediators is maintained by The Colorado Office of Dispute Resolution. The ODR contracts with private mediators in each district to provide services for low income and indigent parties. The following are recommended qualifications for mediators who contract with the Office of Dispute Resolution:

- 40 hours of mediation training;
- mediated 20 cases, preferably solo cases in courts in substantive area of practice;
- substantive knowledge of law;
- familiarity with court system;
- non-directive mediation style;
- meet the needs of the program;
- acceptable to court and local attorneys;

- willing to assist with local development of ADR programs;
- fit with local team;
- reside near local program and have minimal scheduling conflicts.

Connecticut

Thanks for this information go to Nancy McGann, Program Manager, Judicial Branch, Court Operations.

In Connecticut, mediators are Judicial Branch employees. As an alternative, parties may choose to engage a private mediator, but the Branch does not maintain a list of, or endorse, any particular private ADR provider.

Non-judicial officers who participate in other Judicial Branch programs, such as Arbitration, Fact Finding, and Attorney Trial Referees, are Connecticut attorneys who have applied with the Branch to serve, meet the statutory service requirements, and have been approved and appointed by either the Chief Justice or the Chief Court Administrator.

Delaware

Thanks for this page go to Joann Personti, Mediation Officer, and Margaret Derrickson, Special Programs Director for Superior Court

Contact:

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Mediation Officer
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20, Wilmington, DE 19801
302-255-0939
joann.personti@state.de.us

Online:

Delaware Superior Court ADR
<http://courts.delaware.gov/Superior/ADR/index.stm>

Delaware Center for Justice
<http://www.dcjustice.org/>

Center for Community Justice
<http://peoplesplace2.com/programs-services/center-for-community-justice/>

The requirements for the courts vary by court. In The Court of Common Pleas, the requirement is the person must have a bachelor's degree minimum in social services or related field, plus complete a 28 hour basic mediation training offered at the University of Delaware in the spring or fall.

For Family Court, the educational requirements are the same as for the Court of Common Pleas.

Justice of the Peace Courts have no mediation program, so interested parties are referred to a local non-profit that does community mediations. These non-profits are the Delaware Center for Justice in Wilmington or the Center for Community Justice in Milford, DE. They also require their volunteers to take the 28 hour basic mediation training necessary for the Court of Common Pleas, and new mediators are required to perform about 10 cases supervised by an experienced mediator before performing mediation on their own.

Superior Court has its own system and does not require the basic mediation training. For Superior Court, you must be an attorney and complete a 3-day, 20-hour course given by the Court. Other courts may recognize the Superior Court's training as sufficient to fulfill their mediation training requirements.

District of Columbia

Contact:

Multi-Door Dispute Resolution Services
1100 4th Street SW
Washington, DC 20024
dcra@dc.gov
(202) 879-1549

Karen Leichtnam
ADR Training Manager at Multi-Door Division
(202) 879-1597

Online: <http://www.dccourts.gov/internet/about/mediationvolunteers/main.jsf>

Court mediation in DC Superior Court is run by the Multi-Door Dispute Resolution Division. Becoming a mediator with Multi-Door is a very competitive process and requires application. There are two ways to apply. Experienced mediators can apply to be admitted directly to the roster through Open Enrollment. Less experienced mediators must apply to enter training and mentorship. On completion of training and membership, the mediator will be added to the roster. Mediators must apply to a specific program (e.g. Family, Landlord/Tenant, Civil).

Training Process Requirements

- Apply to and be selected for training with one of the mediation programs within the Multi-Door Division (Family, Child Protection, Small Claims, Landlord/Tenant, or Civil).
- Successfully complete mediation training.
- Within 6 months of finishing specialized training, successfully complete a mentorship training specific to the applicable mediation program. The exact duration and schedule varies by program and by the individual progress of a prospective mediator, but will not exceed 6 months.
- Mediate 3-6 cases, as specified by the applicable program, without a stipend payment.
- After fulfilling the obligation to mediate without a stipend, a mediator must successfully complete a 1-year probation period during which stipends will be provided. Mediators are expected to participate regularly throughout the probation year. Participation requirements vary by program and will be outlined in the training application solicitation announcement. The requirement does not create an obligation for the program to supply a prospective mediator with the guaranteed number of hours. Based on the program's case load, the number of hours may be less. Until a 1-year commitment is fulfilled, an applicant is considered on probation and is not formally placed on the mediation roster.

Open Enrollment Requirements

- I. Mediation Experience (you must meet at least one qualification listed)
- a. Minimum of 4 years of professional experience, or
 - b. Affiliation with and accountability to a dispute resolution organization in existence for at least three years, or

c. Appointment to mediate by a judicial or governmental body

II. Mediation Training (you must meet all three qualifications listed)

a. Minimum of 40 hours basic mediation skills training including an apprenticeship under supervision of an experienced mediator.

b. Basic mediation skills training to have included: lectures/exercises/demonstrations covering: steps of mediation process, role of mediator, mediation skills and ethical standards for mediators; coached role-plays; evaluation of trainee's performance.

c. Apprenticeship to have included: observation of actual mediation with debriefing; performance of actual mediation under observation with debriefing; final evaluation of trainee's performance.

III. Competency in Mediation Skills

Demonstrated competency in the following mediation skills: strategic direction, persuasion, inventiveness/problem-solving, investigation, impartiality/empathy, managing the interaction.

IV. Adherence to Ethical Standards of Mediation Practice

List ethical standards training you have participated in and your understanding of the application of these standards in practice.

V. Additional Qualifications for ADR Programs

a. For the Child Protection Mediation Program: knowledge of and/or experience with District of Columbia and Federal Child Welfare laws and regulations. (Trial lawyers and social workers currently working in the D.C. Superior Court are not eligible to apply.)

b. For the Family Mediation Program: experience mediating issues of physical custody, legal custody, visitation, and child support.

c. For the Small Claims Mediation Program: general knowledge of and experience with consumer and contract disputes.

d. For the Tax Mediation Program: knowledge of real estate tax assessment practices in the District of Columbia.

e. For the Civil Mediation Program: knowledge of and/or experience with civil litigation in the District of Columbia or other U.S. jurisdictions.

f. For the Probate Mediation Program: knowledge of and/or experience with Probate matters.

g. For the Landlord and Tenant Mediation Program: knowledge of and experience with landlord tenant laws in the District of Columbia.

Applicants are also asked to describe their qualifications further. Interested mediators may wish to look at the application itself, found on the Multi-Door website.

Florida

Contact:

Dispute Resolution Center
Supreme Court Building
500 S. Duval Street
Tallahassee, Florida 32399

Phone: (850) 921-2910
Fax: (850) 922-9290
Email: DRCmail@flcourts.org

Online: http://www.flcourts.org/gen_public/adr/brochure.shtml

The Florida Dispute Resolution Center certifies mediators according to the requirements below. See the website above for helpful information and FAQs.

Certification Requirements

(a) **General.** For certification as a county court, family, circuit court, dependency, or appellate mediator, a mediator must be at least 21 years of age and be of good moral character. For certification as a county court, family, circuit court, or dependency mediator, one must have the required number of points for the type of certification sought as specifically required in rule 10.105.

(b) **County Court Mediators.** For initial certification as a mediator of county court matters, an applicant must have at least a high school diploma or a General Equivalency Diploma (GED) and 100 points, which shall include:

- (1) 30 points for successful completion of a Florida Supreme Court certified county court mediation training program;
- (2) 10 points for education; and
- (3) 60 points for mentorship.

(c) **Family Mediators.** For initial certification as a mediator of family and dissolution of marriage issues, an applicant must have at least a bachelor's degree and 100 points, which shall include, at a minimum:

- (1) 30 points for successful completion of a Florida Supreme Court certified family mediation training program;
- (2) 25 points for education/mediation experience; and
- (3) 30 points for mentorship.

Additional points above the minimum requirements may be awarded for completion of additional education/mediation experience, mentorship, and miscellaneous activities.

(d) **Circuit Court Mediators.** For initial certification as a mediator of circuit court matters, other than family matters, an applicant must have at least a bachelor's degree and 100 points, which shall include, at a minimum:

- (1) 30 points for successful completion of a Florida Supreme Court certified circuit mediation training program;
- (2) 25 points for education/mediation experience; and
- (3) 30 points for mentorship.

(e) **Dependency Mediators.** For initial certification as a mediator of dependency matters, as defined in Florida Rule of Juvenile Procedure 8.290, an applicant must have at least a bachelor's degree and 100 points, which shall include, at a minimum:

- (1) 30 points for successful completion of a Florida Supreme Court certified dependency mediation training program;
- (2) 25 points for education/mediation experience; and
- (3) 40 points for mentorship.

(f) **Appellate Mediators.** For initial certification as a mediator of appellate matters, an applicant must be a Florida Supreme Court certified circuit, family or dependency mediator and successfully complete a Florida Supreme Court certified appellate mediation training program.

Points System

(a) **Education.** Points shall be awarded in accordance with the following schedule (points are only awarded for the highest level of education completed and honorary degrees are not included):

- High School Diploma/GED 10 points
- Associate's Degree 15 points
- Bachelor's Degree 20 points
- Master's Degree 25 points
- Master's Degree in Conflict Resolution 30 points
- Doctorate (e.g., Ph.D., J.D., M.D., Ed.D., LL.M) 30 points
- Ph.D. from Accredited Conflict Resolution Program 40 points
- Graduate level conflict resolution certificate program 5 points

(b) **Mediation Experience.** One point per year will be awarded to a Florida Supreme Court certified mediator for each year that mediator has mediated at least 15 cases of any type. In the alternative, a maximum of five points will be awarded to any mediator, regardless of Florida Supreme Court certification, who has conducted a minimum of 100 mediations over a consecutive five-year period.

(c) **Mentorship.** Ten points will be awarded for each supervised mediation completed of the type for which certification is sought and five points will be awarded for each mediation session of the type for which certification is sought which is observed.

(d) **Miscellaneous Points.**

- (1) Five points shall be awarded to applicants currently licensed or certified in any United States jurisdiction in psychology, accounting, social work, mental health, health care, education, or the practice of law or mediation.
- (2) Five points shall be awarded for possessing conversational ability in a foreign language as demonstrated by certification by the American Council on the Teaching of

Foreign Languages (ACTFL) Oral Proficiency Test, qualification as a court interpreter, accreditation by the American Translators Association, or approval as a sign language interpreter by the Registry of Interpreters for the Deaf

(3) Five points shall be awarded for the successful completion of a mediation training program (minimum 30 hours in length) which is certified or approved by a jurisdiction other than Florida and which may not be the required Florida Supreme Court certified mediation training program.

(4) Five points shall be awarded for certification as a mediator by the Florida Supreme Court.

Georgia

Contact:

Georgia Office of Dispute Resolution
Shinji Morokuma, Esq., Director
244 Washington Street SW, Suite 300
Atlanta, GA 30334-5900
404-463-3788
gaodr@godr.org

Online: <http://www.godr.org/>

Mediators who wish to mediate court-connected cases must be registered with the Georgia Office of Dispute Resolution as having fulfilled the Georgia Supreme Court requirements to mediate court cases.

General Civil Requirements:

1. 28 hours of classroom training (including role play and participatory exercises)
2. Observation or co-mediation in at least 5 mediations

Domestic Relations Requirements

1. At least a Bachelor's degree
2. Have satisfied the general requirements
3. At least 42 hours of training meeting the standards of the family section of the Association for Conflict Resolution.
4. At least 1 observation and 2 co-mediations of domestic or custody cases.

Domestic Violence

To handle cases involving allegations of domestic violence, mediators are also required to complete 14 hours of domestic violence training. This training must be completed *after* the mediator has become certified in Domestic Relations Mediation.

Delinquency Mediation

General Civil Mediation requirements plus 16 hours of Delinquency Mediation Training, as well as observation and co-mediation of delinquency cases before mediating alone.

Deprivation Mediation

Delinquency mediation certification plus 28 hours deprivation mediation training.

Hawaii

Contact.

The Center for Alternative Dispute Resolution
Ali`iolani Hale
417 South King Street, Room 207
Honolulu, Hawai`i 96813

Phone: (808) 539-4ADR (4237)
E-mail: CADR@courts.hawaii.gov

There are no qualifications for mediators of court-connected cases in Hawaii. Mediators are encouraged to contact their local mediation center for more information on mediation in their area.

Idaho

Online:

Child Custody Mediator Roster and Application

<http://www.isc.idaho.gov/problem-solving/child-custody-mediator/search>

Civil Mediator Roster and Application

<http://www.isc.idaho.gov/problem-solving/civil-case-mediator/search>

Mediator qualifications are governed by Idaho Statute I.R.C.P. 16(k). Mediators can be rostered for Civil or Child Custody cases.

Civil Cases

If mediation has been ordered, but the parties cannot agree on a mediator, the court will assign a mediator from a list of individuals with the following qualifications.

1. A member of the Idaho State Bar
2. Admitted to the practice of law for at least 5 years
3. Have attended 40 hours of mediation training
4. Complete at least 5 hours of continuing training every 3 years

The court also accepts submissions of rosters from independent ADR agencies that fulfill the following qualifications:

(i) A public or private dispute resolution organization may make its roster of mediators available to the Administrative Director of the Courts for distribution to the trial court administrators if it documents that it has:

- (a) an established selection and evaluation process for neutrals;
- (b) a mechanism for addressing complaints brought against neutrals; and
- (c) a published code of ethics that the neutrals must follow.

Child Custody Cases

B) Qualifications - Professional Credentials. To be placed on the list of registered mediators compiled by the Supreme Court, the applicant must have at least one of the following professional credentials:

- (i) The applicant is recognized by Idaho Mediation Association as a Certified Professional Mediator (CPM), or membership in the Association for Conflict Resolution at the advanced practitioner level or other national organizations with equivalent standards for membership.
- (ii) The applicant is a member of one of the following: the Idaho judiciary; licensed member of the Idaho State Bar Association; licensed psychologist; licensed professional

counselor; licensed clinical professional counselor; licensed master social worker; licensed clinical or independent practice social worker; licensed marriage and family therapist; certified school counselor; or certified school psychologist.

(iii) The applicant possesses a bachelor's degree.

(C) Training. There are two independent training criteria for all applicants as set forth more fully below. An applicant must complete the substantive training set forth in subsections (i) and (ii) below. In addition, such training shall be approved and/or provided by an accredited college or university, the Idaho Mediation Association, Association for Conflict Resolution, Association of Family and Conciliation Courts, the Idaho State Bar, or the Idaho Supreme Court, Administrative Office of the Courts.

(i) Applicants under subsections 6(B)(i) and (iii) must have completed a minimum of 60 hours mediation training within the past two years, 20 of which must be in the field of child custody mediation. Applicants under subsection 6(B)(ii) must have completed a minimum of 40 hours mediation training within the past two years, 20 of which must be in the field of child custody mediation. At least 40 of the training hours required under this section shall be acquired through a single training course.

(ii) At least 20 hours of the mediation training required for applicants under section 6(B)(ii), and at least 40 hours of the training requirements for applicants under sections 6(B)(i) and (iii), shall include the following topics, at least 30 percent of which must be in the practice of mediation skills.

(D) Continuing Education of Mediators. Beginning the next July 1 after a mediator has been placed on the Supreme Court list of registered mediators, the mediator must take at least thirty (30) hours of child custody training in one or more of the areas as set forth in Section (C)(iii) in each and every three (3) years period following the July 1 date. This training must include a minimum of two hours of mediation ethics training. The mediator must file proof of compliance with this requirement with the Administrative Office of the Courts by July 1 of the year the continuing education is due. Along with proof of compliance, a mediator under section 6(B)(ii) must also send proof of current licensing.

(E) The administrative district judge in each judicial district may, by administrative order, require mediators to comply with additional criteria beyond those stated in subsections (6)(B) and (6)(C) of this rule.

(F) Persons approved as child custody mediators prior to the effective date of the amendment to this rule shall not be required to satisfy the training requirements of parts (6)(B)(i), (6)(B)(ii) and (6)(B)(iii) of this rule, but shall be required to fulfill the additional continuing education requirements of part (6)(D) of this rule.

Illinois

Contact:

Resolution Systems Institute
[Susan M. Yates](#), Executive Director
11 East Adams Street, Suite 500
Chicago, IL 60603-6302
(312) 922-6475, ext. 45
yates@aboutrsi.org

Online Source:

<http://courtadr.org/sourcebook/>

The Illinois Supreme Court has authorized counties and individual circuits to develop their own standards for court-connected mediators. All jurisdictions must have programs to provide mediation in child custody cases, but do not necessarily have mediation programs for other types of cases. Mediators are encouraged to contact their local courts for more information. Background on mediation in Illinois courts can also be found at the link above.

Indiana

Contact.

Indiana Commission for Continuing Legal Education
30 S. Meridian St. Suite 950
Indianapolis, IN 46204
cle@courts.in.gov

Executive Director
Julia Orzeske

Mediation Contact
Anne Davidson

Online: <http://www.in.gov/judiciary/cle/2331.htm>

Mediators who wish to mediate court cases must register with the Indiana Supreme Court Commission for Continuing Legal Education. Mediators may also need to meet additional qualifications as required in counties or court districts in which they desire to mediate.

Civil Mediation

In civil cases, a registered mediator must be an attorney in good standing with the Supreme Court of Indiana and must complete at least 40 hours of Commission-approved civil mediation training. For more information, see [Indiana Alternative Dispute Resolution Rule 2](#).

Domestic Relations Mediation

In domestic relations cases, a registered mediator must be either an attorney in good standing with the Supreme Court of Indiana, or must hold a bachelor degree or advanced degree from an accredited institution of higher learning, and must complete 40 hours of Commission-approved domestic relations mediation training. For more information, see [Indiana Alternative Dispute Resolution Rule 2](#).

Crossover Training

A person who has met the requirements of [A.D.R. Rule 2.5\(B\)\(2\)\(a\)](#), is registered as a domestic relations mediator, and by December 31 of the second full year after meeting those requirements completes a Commission approved civil crossover mediation training program, may register as a civil mediator. A civil mediator who completes domestic relations crossover training may register as a domestic relations mediator.

Iowa

There are not currently any statewide certification requirements for court mediation in Iowa. Individual jurisdictions may or may not make use of mediation for different types of cases. The directory link below may be helpful to mediators looking for information on specific court districts.

http://www.iowacourts.gov/District_Courts/Directory_of_District_Court_Administration/

Of course, mediation organizations still have their own standards for those who wish to become members. For instance, the Iowa Association of Mediators (www.iamediators.org) has a voluntary certification program that it encourages mediators to complete to ensure a standard of competence, professionalism, and ethical responsibility. Training includes:

General/Civil:

- 25 hrs basic training in an approved program
- 2 observations or supervised role-plays
- 2 co-mediations

Family:

- 40 hours of training in family mediation
- 4 additional hours of domestic violence training
- 2 observations or supervised role-plays
- 2 co-mediations

Kansas

Online: <http://www.kscourts.org/programs/alternative-dispute-resolution/default.asp>

The Kansas Judicial Branch approves five types of mediator: Core, Civil, Domestic, Parent/Adolescent, and Juvenile Dependency. Rosters for all of these types except Core are posted on the Judicial Branch website. Core training qualifies the mediator to mediate types of cases (for example Small Claims) that are not under the jurisdiction of any of the other rosters. Mediator approval in Kansas is governed by Supreme Court Rule 902, which states the following:

To be approved as a mediator, an applicant must:

- (a) Complete the required training for the types of cases the applicant wishes to receive approval to mediate,
- (b) Sign an agreement to follow the ethical standards of Supreme Court Rule 903,
- (c) Co-mediate with or be supervised by an approved mentor mediator for three cases during the first year of approved mediation practice with cases in the area the trainee took his/her training after completing core training, and receive an acknowledgment from the mentor mediator that the applicant has demonstrated the basic skills and knowledge as outlined in the statute,
- (d) Comply with Supreme Court Rule 904 concerning continuing mediator education [6 hours/year], and
- (e) Be of good moral character and be mentally and emotionally fit to engage in the active and continuous practice of mediation.

[Core] All approved mediators shall have participated in core mediation training of 16 hours. Training components must include conflict resolution techniques, neutrality, agreement writing, ethics, role playing, communication skills, evaluation of cases, and the laws governing mediation. Initial training must be done in a continuous manner within a 120-day period. Core training enables the applicant to mediate disputes which may include, but are not limited to, neighborhood, community, victim/offenders, small claims, education, or farmer-lender problems. In addition, applicants wishing to mediate certain types of cases must have additional training as specified below or as established by the director of dispute resolution:

- (a) **[Domestic]** To mediate child custody or parenting cases, the applicant must have 14 hours of mediation skill training and 10 hours of training in child development, family systems, psychological aspects of divorce, domestic violence, or related substantive areas in addition to core training.
- (b) **[Parent/Adolescent]** To mediate parent/adolescent disputes, an applicant must have 4 hours of mediation skill training and 10 hours of training in child and adolescent development, family psychology, the parent-adolescent relationship, or related substantive areas in addition to core training.

(c) [**General Civil**] To mediate general civil (Chapter 60) cases, the applicant must have 14 hours of mediation skill training and 10 hours of training related to the subject being mediated or the civil litigation system in addition to core training.

(d) [**Juvenile Dependency**] To mediate juvenile dependency cases the mediator must have 24 hours of dependency mediation training and have one of the following: a Bachelor's degree or higher in psychology, social work, marriage and family therapy, conflict resolution, or other behavioral science substantially related to family relationships; a Juris Doctor degree with experience in the field of juvenile law or family law; be an approved domestic and parent/adolescent mediator with at least three years of experience in mediation, counseling, psychotherapy, social work or any combination thereof, preferably in a setting related to juvenile dependency court or domestic relations; status as a judicial officer, practicing in juvenile dependency court; or have the training and/or experience acceptable to the court to be served;

(e) [**Mentor**] To be approved as a mentor mediator the applicant must have 40 hours or more of training, must already be an approved mediator, must have completed 10 mediation cases, and must have two references from referral sources. Mediators who meet these requirements will be approved for co-mediation supervision. The director of dispute resolution has the discretion to change the number of required mediation cases.

Kentucky

Online: <http://courts.ky.gov/courtprograms/mediation/Pages/howtobecome.aspx>

Kentucky maintains a roster of court-approved mediators who have the proper training and experience as described below. Applications and further details can be found at the link given above.

General Civil Mediation:

1. 40 hours of general mediation training.
2. 15 hours of actual mediation experience, at least three cases, under the supervision of a certified mediator

Family Mediator:

1. 40 hours of mediation training including matters specifically related to family court mediations.
2. 15 hours of actual family mediation experience, at least three cases, under the supervision of a certified mediator.

Louisiana

Online: http://www.lsba.org/InsideLSBA/section_information.asp?SectionID=U1

Louisiana maintains three different court mediation rosters: Civil, Juvenile, and Child Custody and Visitation. The rosters are overseen by the ADR section of the Louisiana State Bar. Below are the requirements for placement on each roster. All courses must be approved by the ADR section of the Bar, and all co-mediators must be with approved mediators who have served at least 50 hours.

Civil:

Option 1:

- Be licensed to practice law in any state for not less than five years
- Complete a minimum of forty classroom hours of training in an approved course

Option 2:

- Complete a minimum of forty classroom hours of training in mediation in a course conducted by an approved organization
- Have mediated more than twenty-five disputes or have engaged in more than five hundred hours of dispute resolutions.

Option 3:

- For Louisiana Judges only, see website

In order to maintain a listing in the approved register of qualified mediators, a mediator must be willing to accept two annual pro bono appointments and participate in ten hours of training in alternative dispute resolutions in an approved continuing education course

Child Custody and Visitation:

Option 1:

- Possess a college degree
- 40 hours of basic mediation training
- 20 hours of specialized child custody and visitation training
- 8 hours of co-mediation training

Option 2:

- Hold a license or certification as an attorney, psychologist, psychiatrist, social worker, marriage counselor, professional counselor, or clergyman
- 12 hours basic mediation training
- 20 hours of specialized child custody mediation training

- 8 hours of co-mediation training

Option 3:

- For Louisiana Judges only, see website

To remain qualified mediators must complete a minimum of twenty hours of clinical education in dispute mediation every two calendar years.

Juvenile:

Option 1:

- Possess a college degree
- 40 hours of basic mediation training
- 20 hours of specialized child custody and visitation training
- 8 hours of co-mediation training

Option 2:

- Hold a license or certification as an attorney, psychologist, psychiatrist, social worker, marriage counselor, professional counselor, or clergyman
- 12 hours basic mediation training
- 20 hours of specialized child custody mediation training
- 8 hours of co-mediation training

Option 3:

- For Louisiana Judges only, see website

To remain qualified, a mediator must complete 20 hours of clinical education every 2 calendar years.

Maine

Online: http://www.courts.state.me.us/maine_courts/adr/become_neutral.html

Maine maintains 6 different mediation rosters. The Office of Court ADR receives applications from neutrals, and all rosters are open to new neutrals twice a year. All applications received will be kept on file and reviewed twice annually in January and July. Attendance at orientation sessions and criminal background checks are required.

Family Matters Mediation Roster

A minimum of 100 hours of mediation training and experience, including:

- At least 40 hours of mediation process training (8 hours in the last two years)
- At least 20 hours of experience as a mediator
- At least 10 hours of training or experience in domestic relations law
- At least 8 hours of training related to domestic abuse issues

Small Claims Mediation Roster

A minimum of 50 hours of mediation training and experience, including:

- At least 20 hours of mediation process training (15 hours in the last two years)
- At least 15 hours of experience as a mediator
- At least 3 hours of training or experience in consumer or debtor/creditor law

Forcible Entry and Detainer Mediation Roster

A minimum of 50 hours of mediation training and experience, including:

- At least 20 hours of mediation process training (8 in the last two years)
- At least 15 hours of experience as a mediator
- At least 3 hours of training or experience in the substance of Maine landlord-tenant law

Environmental/Land Use/Natural Gas Pipeline Mediation Roster

A minimum of 110 hours of mediation training and experience, including:

- At least 40 hours of mediation process training (15 hours in the last two years)
- At least 20 hours of experience as a mediator, facilitator of multi-party contested issues
- At least 20 hours of training or experience in a land use field

General Civil Mediation Roster

A minimum of 100 hours of mediation training and experience, including:

- At least 40 hours of mediation process training (15 in the last two years)
- At least 20 hours of experience as a mediator

- At least 10 hours of training or experience in general civil law and court procedure

Superior Court Mediation Roster

A minimum of 100 hours of training and experience, including

- At least 40 hours of mediation process training (at least 15 in the last two years)
- At least 20 hours of experience as a mediator
- At least 10 hours of training or experience in general civil law and court procedure

Maryland

Contact:

903 Commerce Road
Annapolis, MD 21401
phone: 410-260-3540
fax: 410-260-3541
email: macro@mdcourts.gov

Online: www.marylandmacro.org

To mediate cases from the circuit courts a mediator must meet the requirements described in Title 17 of the Maryland Rules of Procedure. The Rules and the Maryland Standards of Conduct may be found, along with appropriate applications on the Maryland MACRO website. Placement on the lists does not ensure that any cases will necessarily be referred to you.

To mediate for one of the state's 17 community mediation centers, one must go through that particular community mediation program's training. A list of community mediation centers may be obtained by calling Community Mediation Maryland (CMM) at 410-553-0206 or accessing their website at marylandmediation.org.

Requirements for court-designated mediators:

Basic Qualifications

- Have completed at least 40 hours basic training
- Have mediated or co-mediated at least 2 civil cases
- Complete 4 hours of continuing education per year

Business and Technology

- Have basic qualifications
- Have served as mediator in at least 5 non-domestic civil cases in the last 2 years, 2 of which should be the type of cases assigned to the Business and Technology Case Management Program.

Economic Issues in Divorce and Annulment

- Have basic qualifications
- Have completed at least 20 hrs training in divorce/annulment related issues
- Have served as mediator or co-mediator in at least 2 mediations of marriage-related economic issues.

Health Care Malpractice

- Have basic qualifications

- Be knowledgeable about health care malpractice claims through experience or training
- Have served as mediator in at least 5 non-domestic civil cases in the last 2 years, 2 of which should be the type of cases assigned to the Health Care Malpractice Claims ADR Program.

Massachusetts

Thanks for this page go to Timothy Linnehan, Acting Director of Support Services, Massachusetts Trial Court

Online: <http://www.mass.gov/courts/admin/adr.html>

Provision of ADR services in Massachusetts is governed by the Uniform Rules on Dispute Resolution. Rule 8 addresses qualification standards for neutrals. The more specific Guidelines for Implementation of Qualification Standards for Neutrals expand on the general ideas given in Rule 8. Any mediator who receives a court-referred case must be qualified under Rule 8 and the Guidelines.

In Massachusetts, the court contracts with approved programs to provide mediation. It is the responsibility of these approved programs to ensure that their mediators are qualified. Therefore, mediators do not apply directly to the court to verify their qualifications. Instead, each approved program certifies annually to the court that its mediators have the necessarily qualifications.

Qualifications for Court Mediators:

Training Requirement. A mediator shall successfully complete a basic mediation training course of at least thirty hours and a court orientation. Basic training must include at least three role-plays with the trainee as mediator, at least one of which must be a complete mediation. A mediator shall also complete any additional, specialized training required by a Trial Court Department.

Mentoring and Evaluation Requirement. At least one observation of a mediation with debriefing, and at least one mediation with or observed by a skilled mediator. The skilled mediator must provide the program with an evaluation of the competency of the mediator, which helps determine whether further mentoring is required.

Continuing Education. A mediator shall participate in any continuing education required by the approved program with which he or she is affiliated or by the court department in which he or she is providing services.

If a mediator has evidence of having completed similar training and evaluation in other states, a program is allowed to take that into account in determining whether a mediator is qualified.

Michigan

Contact:

Office of Dispute Resolution
PO Box 30048
Lansing, MI 48909
Phone : (517) 373-4839
Fax: (517) 373-5748
cdrp@courts.mi.gov

Online: <http://courts.mi.gov/Administration/SCAO/OfficesPrograms/ODR/Pages/default.aspx>

Michigan mediation rosters are maintained by the Office of Dispute Resolution, which is part of the State Courts Administrative Office. Requirements for inclusion are below.

General Civil Mediation

There are three different means of becoming qualified to serve on general civil mediation rosters. By far the most common is to complete the general civil court rule training, the first of the three options.

1. General Civil Court Rule Training

This is the most commonly offered training program and is generally referred to as “court rule training” for general civil mediation.

- Complete a mediator training program approved by the State Court Administrative Office.
- Have a juris doctor degree or graduate degree in conflict resolution or 40 hours of mediation experience over two years.
- Observe two general civil mediation proceedings conducted by an approved mediator, and conduct one general civil mediation to conclusion under the supervision of an approved mediator.

2. Michigan Community Dispute Resolution Program (CDRP) Training

Some training programs, while not “court rule approved,” nevertheless offer a means of qualifying for service on court rosters. In addition to completing this program, prospective roster applicants must complete a 6 hour program on Michigan law and court process.

- CDRP 40 hour training. These programs are only infrequently offered. Please consult the list of CDRP centers for local center contact information:
<http://courts.michigan.gov/scao/odrmaps/>
- Observation of two general civil mediations, conducting one mediation under the supervision of an approved mediator. If not an attorney, 40 hours or 18 cases of mediation experience in the two years prior to application to serve on a roster.
- If training was more than two years prior to the application, eight hours of advanced mediator training in the two years prior to application to serve on a roster.

- If not a Michigan licensed lawyer, a 6 hour program addressing basic laws, rules and guidelines governing Michigan civil actions. These programs are only infrequently offered.

3. Mediation Training Outside of Michigan

The following qualifications relate to completing a mediation training program outside of Michigan.

- 40 hour mediator training program approved by a court or agency targeted to prepare persons to serve as mediators for general civil cases.
- If training was more than two years prior to the application, eight hours of advanced mediator training in the two years prior to application to serve on a roster.
- Observation of two general civil mediations, conducting one mediation under the supervision of an approved mediator. If not an attorney, 40 hours or 18 cases of mediation experience in the two years prior to application to serve on a roster.
- If not a Michigan licensed lawyer, a 6 hour program addressing basic laws, rules, and guidelines governing Michigan civil actions. These programs are only infrequently offered.

Domestic Relations Mediation

Two different means of becoming qualified to serve on domestic relations mediation rosters appear below. Under either instance, unless the applicant can demonstrate completion of 80 hours or 20 cases in domestic relations mediation, an applicant must (a) be a licensed attorney, a licensed or limited licensed psychologist, a licensed professional counselor, or a licensed marriage and family therapist; or (b) have a master's degree in counseling, social work, or marriage and family therapy; or (c) have a graduate degree in a behavioral science; or (d) have 5 years' experience in family counseling, and one of the following:

1. Domestic Relations Court Rule Training (MCR 3.216)

- A domestic relations mediator training program approved by the State Court Administrative Office.
- Observation of two domestic relations mediations and conducting one mediation under the supervision of an approved mediator.
- 4 hour domestic violence screening training program.
- If training was more than two years prior to the application, eight hours of advanced mediator training in the two years prior to application to serve on a roster.

2. Mediation Training Outside of Michigan

The following qualifications relate to completing a mediation training program outside of Michigan.

- An approved Association of Conflict Resolution 40 hour training program.
- Observation of two domestic relations mediations and conducting one mediation under the supervision of an approved mediator.
- 4 hour domestic violence screening training program.
- If not a Michigan licensed lawyer, a 6 hour program addressing basic laws, rules, and guidelines governing Michigan domestic relations actions. These programs are only infrequently offered.
- If training was more than two years prior to the application, eight hours of advanced mediator training in the two years prior to application to serve on a roster.

Minnesota

Contact:

ADR Program

[Minnesota Judicial Center \(MJC\)](#)

Suite #: 120 Minnesota Judicial Center

25 Rev. Dr. Martin Luther King Jr. Blvd.

St. Paul, MN 55155

adr@courts.state.mn.us

Online: <http://www.mncourts.gov/?page=303>

Neutrals on the court rosters must be "qualified" under Rule 114 of the Minnesota General Rules of Practice for the District Courts, specifically 114.13. Rosters are overseen by State Court Administration. The general specifications of Rule 114 are summarized below, and mediators are encouraged to consult the text of the rule for more detail.

Civil

30 hour basic training including at least 15 hours of role-play

Family

40 hour training including at least:

- 4 hrs conflict theory
- 4 hours psychological issues and family dynamics
- 4 hrs needs and issues of children in divorce
- 6 hours family law
- 5 hrs family economics
- 2 hrs ethics
- 6 hours domestic abuse training

All qualified facilitative neutrals must complete 18 hours of continuing education within each 3 year period.

Mississippi

Online: <http://www.msbar.org/for-members/mediators-directory.aspx>

The Mississippi Court Annexed Mediation Program list of mediators is published by the Mississippi Bar ADR section and overseen by the Mississippi Supreme Court. Courts and parties are encouraged, but not required, to select a mediator from this list. To be included on the list, mediators must be attorneys with the qualifications listed below.

1. A member of the Mississippi Bar in good standing.
2. Must have completed 14 hours of mediation training in an approved program.
3. Must complete at least 6 hours of approved, mediation-related continuing education in each two year period.

Missouri

Thanks for this page go to the Center for Dispute Resolution at Missouri State University

Online:

Missouri State Center for Dispute Resolution

<http://www.missouristate.edu/cdr/>

There is no “certification” of mediators in Missouri, but mediators must meet certain statewide standards in order to mediate. For civil mediation this standards are given by Supreme Court Rule 17; for domestic relations mediation they are given by Rule 88. Local programs may impose additional requirements, so mediators are encouraged to contact their local court for more information.

A statewide statute requires at least two hours of mediation in contested child custody cases. Therefore it is no surprise that domestic relations mediation is more frequently utilized by Missouri courts than other types of mediation.

Civil

At least 16 hours of formal training

Domestic Relations

(1) An attorney or a person who possesses a graduate degree in a field that includes the study of psychiatry, psychology, social work, counseling or other behavioral science substantially related to marriage and family interpersonal relationships; and

(2) Has received a minimum of twenty hours of child custody mediation training in a program approved by the court.

Montana

Information on this page is highly uncertain. Those with accurate information on Montana mediation are encouraged to contact NVMS. Contact information is given at the bottom right of every page.

In general, there are no qualifications needed to mediate civil cases in Montana. However, courts may or may actually utilize mediation via direct referrals.

Family

Each District Court is to maintain a list of mediators available to assist parties in family disputes. Applicants must have the following qualifications:

- (1) knowledge of the court system and the procedures used in family law matters;
- (2) knowledge of other resources in the community to which the parties may be referred for assistance;
- (3) if applicable, knowledge of child development, clinical issues relating to children, the effects of marriage dissolution on children, and parenting research; and
- (4) knowledge of the mediation process.

Appellate

Many appellate cases are subject to mandatory mediation. The court maintains a list of mediators who wish to be considered for these cases. To be on this list the mediator must be a member of the Bar of Montana and have been licensed as an attorney for at least five years.

Nebraska

Contact:

Debora Brownyard
Dispute Resolution & Special Court Programs
Nebraska State Court Administrator's Office
State Capitol, Lincoln, NE 68509
402-471-2766; fax: 402-471-3071
debora.brownyard@nebraska.gov

Online: <http://www.supremecourt.ne.gov/5942/office-dispute-resolution>

The Nebraska Office of Dispute Resolution (ODR) contracts with ODR-approved local mediation centers for the mediation of most cases. Links to various useful contacts including statewide organizations and local mediation centers are included on the Nebraska Supreme Court mediation webpage (address given above).

Family cases are mediated under the Parenting Act, which sets out qualifications for mediators in such cases. Mediators who wish to be eligible for appointment by Nebraska's trial court judges to mediate Parenting Act cases must be approved by the Office of Dispute Resolution as a "Parenting Act mediator."

Required Parenting Act Mediator Training

- Basic Mediation Training and Family Mediation Training approved by ODR. Each training is a minimum of 30 hours, with at least 6 hours of role-play.

To be eligible for approval as a specialized alternative dispute resolution (SADR) facilitator for parents involved in high conflict and situations in which abuse is present:

- An additional minimum 24 hour ODR-approved Specialized Alternative Dispute Resolution (SADR) training course.

Trainings must have been taken in the past five years.

Required Parenting Act Apprenticeship

Apprenticeship shall include co-mediating at least three parenting plan cases with at least two, and preferably three, different supervisory mediators. At least one of the mediations shall include screening for ability to negotiate and screening of domestic intimate partner abuse for at least one party, and preferably both of the parties. In at least one of the mediations, the apprentice shall serve as lead mediator. It is expected that the apprentice shall draft an acceptable written parenting plan for at least one of the mediation cases. If none of the mediations result in an agreed-upon parenting plan, the apprentice mediator will be required to submit to a supervisory mediator (a) An acceptable written parenting plan based on a hypothetical case or (b) an acceptable parenting plan that the apprentice had drafted as a lawyer. Following the mediation session, the apprentice mediator should request oral and written feedback from the supervisory mediator as well as complete a mediator self-reflection form.

Parenting Act Mediators must complete 8 hours of approved continuing education every 2 years.

Nevada

Information on this page is highly uncertain. Those with accurate information on Nevada mediation are encouraged to contact NVMS. Contact information is given at the bottom right of every page.

The Nevada Rules Governing ADR state the following regarding mediator qualifications:

- (A) Each [District ADR] commissioner shall create and maintain a panel of mediators consisting of attorneys licensed to practice law in Nevada and a separate panel of non-attorney mediators.
- (B) Mediators must have the equivalent of at least 10 years of civil experience as a practicing attorney or judge or must have the equivalent of at least 5 years' experience as a mediator or must be a senior judge or justice.
- (C) The panel of mediators shall be selected by a committee composed of the Chief Judge or the Chief Judge's designee, the commissioner and a representative of the Alternative Dispute Resolution (ADR) Committee of the State Bar of Nevada.
- (D) Each mediator who desires to remain on the panel shall fulfill at least 3 hours of accredited continuing educational activity in mediation annually and provide proof thereof to the commissioner. Failure to do so may constitute grounds for temporary suspension or removal from the panel.

Specific districts may have other requirements regarding court connected mediation.

New Hampshire

Contact: mediation@courts.state.nh.us.

Family Mediation Certification Board:
Telephone: (603) 271-6593
E-Mail: family.mediator@nh.gov

Online: <http://www.courts.state.nh.us/adrp/index.htm>

Family Mediation Certification Board:
<http://www.nh.gov/family-mediator/index.htm>

New Hampshire ADR programs are overseen by the Office of Mediation and Arbitration, a part of the New Hampshire Judicial Branch. A helpful website is maintained (address above) giving information on all types of mediation besides family. Oversight of family mediation specifically is split off in the form of the Family Mediation Certification Board, which is described further down.

Small Claims and Civil

- 20 hour mediation process training
- 2 years' experience as a mediator or equivalent experience and knowledge of related law is recommended

Probate

- Completion of a 40-hour mediation process training;
- Five years' experience as a mediator;
- Knowledge of the probate court helpful;
- Ability to travel regionally within New Hampshire;
- Ability to accept cases on a regular basis;
- Willingness to attend and successfully complete the 2-day training session designed for these positions;
- Additional qualifications regarding mediator skills and ethics (see website for more information)

Family

Family mediator certification is overseen by the Family Mediator Certification Board. Useful information is provided on their website listed above. Mediators coming from other states should note that out-of-state basic training may satisfy the core training requirement for New Hampshire, but domestic violence training and NH legal training must be taken from a New Hampshire certified program, and internship must be with a New Hampshire mediator.

- 24 hours core training
- 16 hours training specific to New Hampshire
- 8 hours domestic violence training

- Internship:
 - Internship for applicants not qualifying as family law practitioners or mental health practitioners shall be at least 20 hours in duration, including:
 - At least 16 hours of co-mediation involving at least 2 different family mediation cases, including one case requiring both a parenting plan and a final decree covering financial issues; and
 - A total of at least 4 hours, with at least one hour per mediated case of case supervision, including review of mediated agreements written by the intern.
 - Internship for applicants qualifying as family law practitioners or mental health practitioners shall consist of the following activities:
 - Co-mediation and case supervision: For a period of at least 10 hours, including at least 8 hours of co-mediation and at least 2 hours of case supervision; and
 - The intern's drafting of at least 2 mediated agreements for cases co-mediated.

New Jersey

Contact:

Taironda E. Phoenix, Esq.,
Chief, Civil Court Programs
Nanette L. Lind, Administrative Specialist
(609) 292-8471
civilwebsites.mailbox@judiciary.state.nj.us

Online: A fuller description of mediator qualifications can be found at <http://www.judiciary.state.nj.us/rules/r1-40.htm>. Resources on civil mediation can be found at <http://www.judiciary.state.nj.us/civil/medipol.htm>. Resources on the New Jersey Complementary Dispute Resolution Program in general can be found at <http://www.judiciary.state.nj.us/services/cdr.htm#howcan>.

The court maintains several rosters of mediators online as a resource to the public and affected parties. If the court needs to choose a mediator, they will choose one from the roster.

General Requirements:

- 18 classroom hours of basic mediation skills
- 4 hours of continuing education annually
- Good professional standing

Civil, General Equity, and Probate:

- Completion of the general requirements above
- 5 hours being mentored OR proof of at least 5 cases mediation experience OR 10 hours advanced mediation training
- At least 5 years professional experience

- An advanced degree in law, business, finance, accounting, or the field of expertise in which the mediator will mediate
OR
- State licensure in the field of expertise AND mediation of two cases within the past year
OR
- An undergraduate degree AND mediation of 10 cases within the last five years

Family:

- Completion of the general requirements
- 22 additional hours family training

With economic issues:

(i) Attorneys

- a. Juris Doctor (or equivalent law degree)
- b. Admission to the bar for at least seven years
- c. Licensed to practice law in the state of New Jersey
- d. Practice substantially devoted to matrimonial law
- **(ii) Non-Attorneys**
 - a. Advanced degree in psychology, psychiatry, social work, business, finance, or accounting, or a CPA or other relevant advanced degree deemed appropriate by the credentials committee,
 - b. At least seven years' experience in the field of expertise, and
 - c. Licensed in New Jersey if required in the field of expertise
- **(iii)** Any retired Superior Court judge with experience in handling dissolution matters.

Without economic issues (custody and parenting time):

- A graduate degree or advanced training in a social or behavioral science
- Supervised clinical experience in mediation

New Mexico

Thanks for this page go to Louise Baca

Contact:

Statewide ADR Coordinator
Marsha Lichtenstein
505.827.4855
aoclmb@nmcourts.com

Online:

Children's Court Mediation Program
<https://ccmediation.nmcourts.gov/>

Each mediation program in New Mexico is run locally except for the Children's Court Mediation Program. Mediators are encouraged to make contact with the court executive officer in their Judicial District to learn the qualifications to mediating in the district and area (civil, domestic relations, etc.). Requirements for Children's Court mediators are below.

Children's Court:

- 40 hours basic training
- 16 hours training in abuse and neglect
- Domestic relations mediation training OR 2 years experience mediating family issues
- A bachelors degree AND 3 years experience in family and dependency issues, OR have conducted at least 20 child welfare mediations
- Professional liability insurance
- 2 observations, 1 co-mediation, and 1 mediation observed by a local program coordinator
- 8 hours of child welfare or family mediator continuing education/year

New York

Contact:

[Daniel M. Weitz](#)

Coordinator

(212) 428-2863

dweitz@courts.state.ny.us

Online: http://www.courts.state.ny.us/ip/adr/Info_for_prospective_neutrals.shtml

[Part 146](#) of the Rules of the Chief Administrative Judge establishes statewide qualifications and training requirements for mediators and neutral evaluators serving on court rosters. Each District Administrative Judge may compile rosters in his or her judicial district of neutrals who are qualified to receive referrals from the court. In order to be eligible for appointment to the roster, neutrals must meet the minimum qualifications and training criteria set forth below. Each neutral serves at the pleasure of the District Administrative Judge in his or her district, who may terminate a designation to the roster at any time.

New York does not “certify” mediators. The following qualifications are merely minimum requirements for appointment to a court roster; individual jurisdictions can impose additional requirements. An extremely helpful chart providing information on individual jurisdictions can be found at the following link:

<http://www.courts.state.ny.us/ip/adr/CourtAnnexedADRPrograms.pdf>

The website listed at the top of this page is also very helpful. Mediators are additionally encouraged to investigate Community Dispute Resolution Centers for more information on mediation opportunities outside of the courts.

Mediators who wish to qualify for appointment to a court roster must have successfully completed at least 40 hours of approved training as follows:

- (1) At least 24 hours of training in basic mediation skills and techniques; and
- (2) At least 16 hours of additional training in the specific mediation techniques pertaining to the subject area of the types of cases referred to them.

Mediators must also have recent experience mediating actual cases in the subject area of the types of cases referred to them.

All neutrals must attend at least six hours of additional approved training relevant to their respective practice areas every two years.

North Carolina

Contact:

NC Dispute Resolution Commission
(919) 890-1415 (telephone)
(919) 890-1935 (facsimile)

Email correspondence may be addressed to the Commission's Director at:
Leslie.Ratliff@nccourts.org

Online: <http://www.nccourts.org/Courts/CRS/Councils/DRC/Default.asp>

There are four different court rosters mediators can be certified onto in North Carolina: Mediated Settlement Conference (Superior Court), Family Financial (District Court), Clerk, and District Criminal Court. More detailed information about each can be found on the website above.

Superior Court Mediator Certification

All applicants:

- Complete a 40-hour trial court mediation training program. Those already certified as District Court mediators may substitute a 16-hour program.
- Observe 2 mediated settlement conferences conducted by a Superior Court mediator

Non-Attorney Applicants:

- Either:
 - Possess significant mediation experience (at least 3 years and 30 disputes);
 - Have at least 4 years of relatively high level experience as a manager, administrator or professional and
 - Hold a 4-year degree from an accredited college or university.

--OR--

- Have at least 10 years of relatively high level experience as a manager, administrator or professional; and
 - Hold a 4-year degree from an accredited college or university.
- Complete a 6-hour training on NC legal and court matters
- Provide letters of reference

Attorney Applicants:

- Be a member in good standing of the Bar of at least one of the fifty States
- Be a graduate of a law school recognized as accredited by the NC Board of Law Examiners and have at least 5 years' experience practicing law, serving as a judge, mediator or equivalent experience

- If an out-of-state attorney, complete a 6-hour training on NC legal and court matters, or an equivalent self-study

Family Financial Mediator Certification

Either:

- 1) hold advanced family practitioner status with the Association for Conflict Resolution (ACR) (www.acrnet.org) and have earned a four-year undergraduate degree from an accredited college or university or
- 2) be an attorney licensed in any State or be a North Carolina licensed member of one of the other professions listed in FFS Rule 8.A. 2. (b)-(g).

In addition to meeting this threshold criterion, applicants for certification must also:

- 1) complete a 40-hour training on family mediation (or a 16-hour short course if already certified in superior court)
- 2) demonstrate familiarity with NC family law
- 3) if a non-attorney applicant, complete a 6-hour course in NC legal terminology, civil court procedure, etc., or if an attorney licensed outside NC, complete an independent study of NC legal terminology, civil court procedure, etc.
- 3) complete 2 observations of family mediations and if a non-attorney applicant, three additional observations of family or other eligible disputes
- 4) demonstrate good moral character

Clerk Program

Only certified Clerk Program mediators are eligible to mediate estate and guardianship disputes referred by Clerks of Superior Court. An applicant for Clerk Program Certification must already be certified by the Commission as either an MSC (superior court) or FFS (district court) mediator. Applicants must also complete a 10-hour training program on estate and guardianship law, the aging process and program rules.

Criminal Court Mediator Certification

Several North Carolina community mediation centers have historically provided mediation in misdemeanor cases in certain district courts. Recent legislation provides for the certification of such mediators. However, not all districts offer criminal court mediation, and those that do are not required to certify their mediators according to this process.

An applicant for certification must:

- Possess the endorsement of a community mediation center for which they are a volunteer or staff member
- Attend at least 24 hours criminal court mediation training (this requirement can be bypassed by mediators already certified in NC)
- Have a four year college degree or two years' experience volunteering or working at a community mediation center (this requirement can be bypassed by mediators already certified in NC)

- Observe at least two and co-mediate at least three Criminal Court cases.
- Be of good character and submit to a background check
- Commit to at least two years of service

North Dakota

Online: <http://www.ndcourts.gov/court/adr/>

Certification in North Dakota is under North Dakota Rules of Court Rules 8.8 and 8.9. Applications and the full text of the rule can be found at the listed website.

Civil Mediator Roster:

A mediator shall complete 30 hours minimum of mediation training, including a minimum of 15 hours of role-playing. The training must include a number of specified areas.

A mediator must also complete nine hours of continued mediation training during each three-year period.

Domestic Relations Mediator/Contested Child Proceedings Mediator Roster:

A domestic relations mediator or a contested child proceedings mediator under N.D.C.C. ch. 14-09.1 shall complete 40 hours minimum of domestic relations mediation training, including two hours minimum of domestic abuse training, and nine hours of continued domestic relations mediation training during each three-year period; and

(A) have a Bachelor's Degree in Behavioral Science with two years of experience in family/child intervention service; or

(B) have a Master's Degree in Behavioral Science with one year of experience in family/child intervention service; or

(C) have a license to practice law supplemented with two years of experience in domestic relations cases.

(4) A qualified neutral may not provide services during a period of suspension of a professional license.

(5) If a neutral is rostered in Minnesota within 60 days of the effective date of this rule, the neutral may be placed on the appropriate North Dakota roster within one year of the effective date of this rule as long as the neutral is still in good standing with the Minnesota rostering system.

Ohio

Contact:

Dispute Resolution Section
Supreme Court of Ohio
65 South Front Street, 6th Floor
Columbus, Ohio 43215-3431
Phone: 614.387.9420
Fax: 614.387.9359
E-mail: DisputeResolution@sc.ohio.gov

Manager:
[Jacqueline C. Hagerott](#)
614.387.9420

Program Coordinator:
[Melissa Pierre-Louis](#)
614.387.9420

Online: <http://www.sconet.state.oh.us/JCS/disputeResolution/>

The state of Ohio does not certify or license mediators. Regulation of the practice of mediation through statewide rules or statutes has been minimal, by design. One Supreme Court Rule (Rule 16, Rules of Superintendence for the Courts of Ohio) provides guidance to the trial courts in establishing domestic relations and juvenile court parenting agreement mediation programs and qualifications for these mediators. Most courts establish basic program guidelines through local rules.

Supreme Court Rule 16 outlines the following as general qualification and training for family mediators:

1. A bachelor's degree and at least two years professional experience with families
2. At least 12 hours basic mediation training or equivalent experience as a mediator
3. At least 40 hours family or divorce mediation training
4. At least 14 hours domestic abuse mediation training approved by the Supreme Court Dispute Resolution Section. A mediator who has not completed this training may co-mediate family cases with a mediator who has.
 - o To mediate abuse, neglect, and dependency cases: mediator must fulfill all the above requirements, have significant experience in family disputes, and complete at least 32 hours of child protection training through a program or menteeship.

Oklahoma

Online:

Early Settlement Program

<http://www.oscn.net/static/adr/default.aspx>

Oklahoma provides several avenues to mediator certification. Certification to mediate in Oklahoma was first introduced by the Dispute Resolution Act. The later District Court Mediation Act provided alternative qualifications for mediating in District Court without necessarily being certified under the Dispute Resolution Act. Additionally, the Choice in Mediation Act states that no jurisdiction is required to only use mediators certified under one of the above acts. Each locality can determine its own standards for whom to use as mediators

Interested mediators may wish to look into the Early Settlement Program, which provides training and mentorship towards certification under the Dispute Resolution Act at no charge in exchange for a commitment to work as a volunteer.

Certification under the dispute resolution act:

A. Initial qualification as a mediator is obtained through state certification. Certification is granted when a mediator has obtained the following:

1. Sponsorship and approval by a dispute mediation program that is certified under the Act;
2. At least 20 hours of initial mediator training, which shall include instruction and practice in the introduction to mediation, calming techniques, listening skills, negotiations, holding private meetings within mediation, working toward an agreement, specifying terms in an agreement, and other requirements specified by a program and/or Director;
3. A written recommendation by the state certified trainer who conducted the initial training and has observed the individual acting as a mediator in a mock mediation;
4. Observation of a certified mediator during an actual mediation;
5. An actual mediation conducted while observed by a certified mediator or program coordinator;
6. Written approval of the sponsoring program's coordinator; and
7. Approval by the Director based on recommendations by the state certified trainer under whom initial training was obtained and by the program coordinator of the sponsoring program.

B. Continuing qualification as a mediator:

1. To maintain qualification, mediators must be reviewed and reapproved by their program coordinator and by the Director each fiscal year. To be eligible for continuing mediator certification, the mediator shall have, during the reporting period, ten hours of program sponsored service as a mediator or co-mediator in a program certified under the Act, and a program evaluation of "satisfactory" as a mediator, or less than ten hours of program sponsored service as a mediator or co-mediator plus participation during the reporting period in subject related continuing education activities which may include coursework in related areas at a college or professional school, dispute resolution conference attendance, additional or refresher mediator training, and a program evaluation of "satisfactory" as a mediator.

C. Initial qualification as a family and divorce mediator is obtained through state certification. Certification as a Family and Divorce Mediator is granted when a mediator candidate has obtained the following:

1. Sponsorship and approval by a community-based dispute mediation program that is certified under the Act;
2. A signed commitment to provide 8 hours of service per month or 80 hours of service per year as a mediator, training coach, mentor, peer evaluator, or other service at the discretion of the program coordinator;
3. At least 40 hours of family and divorce mediator training, which shall include instruction and practice in the mediation process-stages of mediated problem solving, communication and conciliation skills, negotiation, holding private meetings within mediation, conflict analysis and design of mediation strategies, legal aspects of divorce and custody issues, approaches to parenting and property and financial issues, dealing with deadlocks in mediation, psychological issues of divorce, mediator power and influence, reaching closure and writing agreements, and ethical issues in mediation;
4. A written recommendation by the state certified family and divorce mediation trainer who conducted the specialized training and has observed the individual acting as a mediator in a mock mediation;
5. Mediation and/or co-mediation of 3 to 5 actual family and divorce mediations, a minimum of 12 clock hours conducting actual family and divorce mediation while supervised by the program coordinator or a certified family and divorce mediator designated by the program coordinator;
6. Written approval of the sponsoring program's coordinator; and
7. Approval by the Director based on recommendations by the state certified trainer under whom initial training was obtained and by the program coordinator of the sponsoring program.

D. Continuing qualifications as a family and divorce mediator:

1. To maintain qualification, family and divorce mediators must be reviewed and reapproved by their program coordinator and by the Director each fiscal year. To be eligible for continuing certification, the mediator shall have, during the reporting period, eighty hours of program sponsored service as mediator or co-mediator in a program

certified under the Act, and a program evaluation of "satisfactory" as a mediator, or less than eighty hours of program sponsored service as a family and divorce mediator or co-mediator plus service as a training coach, mentor, or peer evaluator, or participation during the reporting period in subject related continuing education activities which may include dispute resolution conference attendance, additional or refresher mediator training, and a program evaluation of "satisfactory" as a family and divorce mediator. This program evaluation is to be based on a rating of "satisfactory" following at least one observation annually by the program coordinator or his/her designated peer evaluator of the family and divorce mediator; ongoing evaluation of mediator performance through exit surveys completed by parties, attorneys, evaluators, if present, and the mediator; and fulfillment of the volunteer's service commitment.

District Court Mediation Act:

Civil and commercial mediators shall:

- a. be certified pursuant to the Dispute Resolution Act, or
- b.
 - (1) complete a minimum of twenty-four (24) hours of mediation training, which training has been approved by the Mandatory Continuing Legal Education Commission of the Oklahoma Bar Association,
 - (2) observe a minimum of two (2) mediation proceedings, and
 - (3) complete at least six (6) hours every other year of continuing professional education in the area of mediation, which education has been approved by the Mandatory Continuing Legal Education Commission of the Oklahoma Bar Association; and

2. Divorce and Family Mediators shall:

- a. be certified for family and divorce mediation pursuant to the Dispute Resolution Act, or
- b.
 - (1) complete forty (40) hours of training in family and divorce mediation, which training has been approved by the Mandatory Continuing Legal Education Commission of the Oklahoma Bar Association,
 - (2) conduct at least twelve (12) hours of mediation with three (3) separate families, and
 - (3) complete at least six (6) hours every other year of professional education in the area of family mediation, or
- c. have been regularly engaged in the practice of family and divorce mediation for at least four (4) years.

Oregon

Online: <http://courts.oregon.gov/OJD/programs/adr/pages/mediatorarbitrator.aspx>

General Civil

- (1) Training. An applicant must have completed training, including all the following:
 - The basic mediation curriculum with at least 30 hours training and 6 hours role-play
 - At least 6 hours court system education
 - For anyone mediating outside of small claims court, 2 additional hours on further legal issues that arise with lawyers and rules of evidence
- (2) Experience. An applicant must have:
 - Observed three actual mediations; and
 - Participated as a mediator or co-mediator in at least three cases that have been or will be filed in court
- (3) Continuing Education.
 - 12 hours of continuing education in every two calendar years
 - In the first two years, if the approved mediator's basic mediation training was between 30 and 36 hours, then one additional hour of continuing education for every hour of training fewer than 36 (i.e., if basic mediation training was 30 hours, then 18 hours of continuing education; if the basic mediation training was 32 hours, then 16 hours of continuing education).

Domestic Relations, Custody, and Parenting

- (1) Education. An applicant must possess at least one of the following:
 - A master's or doctoral degree in counseling, psychiatry, psychology, social work, marriage and family therapy, or mental health from an accredited college or university.
 - A law degree from an accredited law school with course work and/or Continuing Legal Education credits in family law.
 - A master's or doctoral degree in a subject relating to children and family dynamics, education, communication, or conflict resolution from an accredited college or university, with coursework in human behavior, plus at least one year full-time equivalent post-degree experience in providing social work, mental health, or conflict resolution services to families.
 - A bachelor's degree in a behavioral science related to family relationships, child development, or conflict resolution, with coursework in a behavioral science, and at least seven years full-time equivalent post-bachelor's experience in providing social work, mental health, or conflict resolution services to families.
- (2) Training. An applicant must have completed training in each of the following areas:
 - The training prescribed for General Civil mediators
 - At least 40 hours domestic relations, custody, and parenting training.

(3) Experience

- Participation in at least 20 cases including a total of at least 100 hours of domestic relations mediation supervised by or co-mediated with a person qualified as a domestic relations custody and parenting mediation supervisor. At least ten cases and 50 hours of the supervised cases in this paragraph must be in domestic relations custody and parenting mediation. At least three of the domestic relations custody and parenting mediation cases must have direct observation by the qualified supervisor; or
- At least two years full-time equivalent experience in any of the following: mediation, direct therapy or counseling experience with an emphasis on short-term problem solving, or as a practicing attorney handling a domestic relations or juvenile caseload. Applicants must have participated as a mediator or co-mediator in a total of at least ten cases including a total of at least 50 hours of domestic relations custody and parenting mediation

(4) Continuing Education: A custody and parenting mediator must complete 24 hours of continuing education every two calendar years, beginning January 1 of the year after the mediator's approval.

Domestic Relations with Financial Issues

(1) Education. An applicant must meet the education requirements for Domestic Relations, Custody, and Parenting mediation.

(2) Training. An applicant must have completed training in each of the following areas:

- Domestic Relations, Custody, and Parenting training as outlined in that section
- At least 40 hours of domestic relations financial mediation training including:
 - 24 hours integrated training delivered as a single course
 - 6 hours in three role plays
 - 15 hours in training accredited by the Oregon State Bar

(3) Experience. An applicant must have completed one of the following types of experience:

- Participation in at least 20 cases including a total of at least 100 hours of domestic relations mediation supervised by or co-mediated with a person qualified as a domestic relations financial mediation supervisor under this section. At least ten cases and 50 hours of the supervised cases in this paragraph must be in domestic relations financial mediation. At least three of the domestic relations financial mediation cases must have direct observation by the qualified supervisor; or
- At least two years full-time equivalent experience in any of the following: mediation, direct therapy or counseling experience with an emphasis on short-term problem solving, or as a practicing attorney handling a domestic relations or juvenile caseload. Applicants must have participated as a mediator or co-mediator in a total of at least ten cases including a total of at least 50 hours of domestic relations financial mediation, and

(4) Continuing education. As an ongoing obligation, an approved domestic relations financial mediator must complete 24 hours of continuing education every two calendar years, beginning January 1 of the year after the mediator's approval.

(5) Insurance. As an ongoing obligation, an approved domestic relations financial mediator shall have in effect at all times the greater of:

- (a) \$100,000 in malpractice insurance or self-insurance with comparable coverage;
- or
- (b) Such greater amount of coverage as the determining authority requires

Pennsylvania

Contact:

Pennsylvania Council of Mediators
(610) 526-1802

Online: <http://www.pamediation.org/index.html>

There is currently no national or statewide organization that certifies or licenses mediators in Pennsylvania. Many times a mediator may state that s/he is a “certified mediator.” That usually means that whatever person or organization trained them provided them with some certification of having completed their training. The one exception to the lack of statewide regulation is the enforcement of minimum standards for custody mediators, given further down.

There are a number of local court systems in Pennsylvania that offer mediation as an option to litigation in a variety of situations: custody and divorce, small claims, civil suits, etc. These individual courts have established their own criteria for listing a mediator as a member of their roster. If you plan to try to mediate in such court settings, it is best to contact that court to determine their requirements.

Pennsylvania Supreme Court minimum requirements for Custody Mediators

1. A bachelor’s degree and practical experience in law, psychiatry, psychology, counseling, family therapy or any comparable behavioral or social science field;
2. Successful completion of basic training in domestic and family violence or child abuse and a divorce and custody mediation program approved by the Association for Conflict Resolution, American Bar Association, American Academy of Matrimonial Lawyers, or Administrative Office of Pennsylvania Courts;
3. Mediation professional liability insurance; and
4. Additional mediation training consisting of a minimum of 4 mediated cases totaling 10 hours under the supervision of a mediator who has complied with subdivisions (1) through (3) above and is approved by the court to supervise other mediators.
 - (b) The mediator shall comply with the ethical standards of the mediator profession as well as those of his or her primary profession and complete at least 20 hours of continuing education every two years in topics related to family mediation.
 - (c) A post-graduate student enrolled in a state or federally accredited educational institution in the disciplines of law, psychiatry, psychology, counseling, family therapy or any comparable behavioral or social science field may mediate with direct and actual supervision by a qualified mediator.

Rhode Island

Thanks for this page go to Cheryl Martone, Executive Director of the Mediation Unit in Rhode Island Family Court

Contact.

Cheryl Martone
Executive Director
Mediation Unit
Rhode Island Family Court
(401) 458-5031

Rhode Island has a mediation unit consisting of several mediators employed directly as judicial branch employees. Cases in need of mediation are referred directly to this unit rather than to private contractors. Rhode Island has no process for certification or qualification of court mediators coming in from outside; because court-connected cases are referred to the mediation unit, no such process is needed. As always, parties are free to contract with mediators on their own to resolve their disputes outside of the courtroom. However, private mediators do not receive any type of endorsement or referrals from the court.

South Carolina

Contact:

Joan Brown
jbrown@scbar.org

Online: <http://www.scbar.org/MemberResources/AlternativeDisputeResolution.aspx#one>

The Board of Arbitrator and Mediator Certification maintains a roster of certified mediators. There are two types of certification. Much more comprehensive information can be found at the link given above.

(a) Circuit Court Certification. For circuit court certification, a person must:

- Either:
 - (A) Be admitted to practice law in this State for at least three (3) years and be a member in good standing of the South Carolina Bar; or
 - (B) Be admitted to practice law in the highest court of another state or the District of Columbia for at least three (3) years and:
 - (i) Be at least 21 years old;
 - (ii) Have received a juris doctorate degree or its equivalent from a law school approved by the American Bar Association;
 - (iii) Be a member in good standing in each jurisdiction where he or she is admitted to practice law; and
 - (iv) Agree to be subject to the Rules of Professional Conduct, Rule 407, SCACR, and the Rule on Disciplinary Procedure, Rule 413, SCACR, to the same extent as an active member of the South Carolina Bar.
- Be of good moral character;
- Have not, within the last five (5) years, been:
 - (A) Disbarred or suspended from the practice of law;
 - (B) Denied admission to a bar for character or ethical reasons; or
 - (C) Publicly reprimanded or publicly disciplined for professional conduct;
- Agree to provide mediation to indigents without pay.
- Have completed 40 hours of civil mediation training in an approved program

(b) Family Court Mediator Certification. For family court mediator certification, a person must:

- Either:
 - (A) Be admitted to practice law in this State for at least three (3) years and be a member in good standing of the South Carolina Bar;

(B) Be admitted to practice law in the highest court of another state or the District of Columbia for at least three (3) years and:

(i) Be at least 21 years old;

(ii) Have received a juris doctorate degree or its equivalent from a law school approved by the American Bar Association;

(iii) Be a member in good standing in each jurisdiction where he or she is admitted to practice law; and

(iv) Agree to be subject to the Rules of Professional Conduct, Rule 407, SCACR, and the Rule on Disciplinary Procedure, Rule 413, SCACR, to the same extent as an active member of the South Carolina Bar; or,

(C) Be a psychologist, master social worker, independent social worker, professional counselor, licensed professional counselor intern, associate counselor, marital and family therapist, or physician specializing in psychiatry, licensed for at least three (3) years under Title 40 of the 1976 Code of Laws, as amended.

- Have completed a minimum of 40 hours in a family court mediation training program approved by the Board
- Demonstrate familiarity with the statutes, rules and practice governing mediation settlement conferences in South Carolina;
- Be of good moral character;
- Have not, within the last 5 years, been:

(A) Disbarred or suspended from the practice of law or another profession

(B) Denied admission to a bar or denied a professional license for character or ethical reasons; or

(C) Publicly reprimanded or publicly disciplined for professional conduct;

- Agree to provide mediation to indigents without pay.

South Dakota

South Dakota has statewide standards only for family court mediation. See Statute 25-4-56 on marriage dissolution and mediation. Many South Dakota mediators also serve as parenting coordinators, so new or prospective mediators may wish to look into this position.

To be eligible as a court appointed family court mediator under § 25-4-56, a mediator must have the following minimum qualifications:

- A mediator must file an approved application on the prescribed form with the presiding judge for the circuit or circuits in which the mediator will conduct mediations.
- A mediator must have both a minimum of forty (40) hours mediation training, plus experience in actual mediation sessions by consulting with a mediator approved under this rule for at least three mediation sessions. In place of forty (40) hours' training and consultation, a person may, with court approval, qualify as a mediator if that person has had five years' experience in mediating custody and visitation issues with a minimum of twenty (20) mediations during that period. A mediator must have competence in the following areas:
 - General knowledge of the South Dakota court system and its procedures in contested family matters;
 - General knowledge of South Dakota family law, especially as applied to custody and visitation issues;
 - Knowledge of child development and specifically the impact of divorce or separation on family members;
 - Knowledge of resources available in the state to which the parties and the children can be referred for assistance;
 - Knowledge of interviewing and mediation techniques applicable to the family setting.
- A mediator must be committed to and participate in continuing education courses.

Tennessee

Contact:

Alternative Dispute Resolution Commission
Claudia Lewis
claudia.lewis@tncourts.gov
615-741-2687

Online:

<http://www.tncourts.gov/programs/mediation>

Mediator qualifications are covered by Rule 31. Rule 31 also established the Tennessee ADR commission, which oversees mediation in the state.

Civil:

- be of good moral character and certify in writing an intention to comply with the conditions and obligations imposed by Rule 31, including those requirements related to pro bono obligations
- have a graduate degree plus four years of practical work experience, or a baccalaureate degree plus six years of practical work experience
- complete 40 hours of general mediation training
- be in good professional standing

Family:

- be in good professional standing
- be of good moral character and certify in writing an intention to comply with the conditions and obligations imposed by Rule 31, including those requirements related to pro bono obligations
- be a Certified Public Accountant, have a graduate degree, or have a baccalaureate degree with ten years practical experience in family mediation;
- have four years of practical work experience in psychiatry, psychology, counseling, social work, education, law, or accounting;
- complete 40 hours of training in family mediation training, including four hours of training in screening for and dealing with domestic violence in the mediation context
- complete six additional hours of training in Tennessee family law and court procedure. This requirement may be waived for lawyers who have recently completed related training.

Texas

Qualifications for mediators are found in the Texas Alternative Dispute Resolution Act (Chapter 154 of the Texas Civil Practices and Remedies Code). For more information mediators may wish to contact one of the organizations listed at the address below:

http://www.utexas.edu/law/centers/cppdr/resources/adr_orgs.php

The Texas ADR Act states that to qualify to be appointed as an impartial mediator in a court case one must have at least 40 hours of classroom training in ADR, with an additional 24 hours family training required for anyone appointed in a case having to do with the parent-child relationship. A court may waive these requirements at its discretion.

Utah

Contact:

ADRinfo@utcourts.gov

Online:

<http://www.utcourts.gov/mediation/provider/qualifications.html>

A roster of mediators who have met the following requirements is maintained by the Administrative Office of the Courts. A useful FAQ page can be found on the website above

For inclusion on Basic Court Roster:

- Have successfully completed at least 40 hours of Court approved basic formal mediation training in the last three years. This training shall be under a single training course from a single, court-approved training provider.
- The new applicant must also complete 10 hours of experience in observing a court qualified mediator conduct mediation, and 10 hours in either conducting mediations singly or co-mediating with a court qualified mediator;
- Successfully pass an examination on the Code of Ethics for ADR providers;
- Agree to conduct at least three pro bono mediations each year, at least one of these will be assigned by the Director.
- Be of good moral character in that the provider has not been convicted of a felony, a misdemeanor involving moral turpitude, or any other serious crime, and has not received professional sanctions that, when considered in light of the duties and responsibilities of an ADR provider, are determined by the Director to indicate that the best interests of the public are not served by including the provider on the roster.

For inclusion on the Divorce Mediation roster:

- Have successfully completed an additional 32 hours of court-approved training specific to the skills, Utah laws, and information needed to conduct divorce mediation in the last three years. This training shall be under a single training course from a single, court approved provider;
- All applicants must have a minimum of 6 hours of training specific to domestic violence and screening for domestic violence which may be included in the court approved 32 hour training referred to above;
- New applicants to the court roster of divorce mediators are required to have acquired experience specific to divorce mediation. This is in addition to the 20 hours of experience required for the court roster of basic mediators. The additional experience includes having observed a minimum of two divorce mediations, co-mediating two divorce mediations and having been observed conducting two divorce mediations. Each of these includes debriefing and analysis afterward with a mediator who has Domestic Mentor status. The Domestic Mentor may charge a fee for this service.

Mediators must be re-qualified every year after initial application. Requirements for re-qualification are:

- Complete and report six hours of dispute resolution related training each year;
- Demonstrate that the provider has conducted at least 6 mediation sessions or conducted 24 hours of mediation during the previous year;
- Submit an annual report to the Director indicating the number and type of mediation sessions completed, including the settlement status, the provider conducted that year;
- Complete a minimum of three pro bono mediation sessions each year, at least one of these will be assigned by the Director.

Vermont

Contact:

Vermont Family Court Mediation Program
802-828-6551

Online:

Family <http://www.vermontjudiciary.org/gtc/Family/Mediation.aspx>

Environmental <https://www.vermontjudiciary.org/gtc/environmental/Mediation.aspx>

There are two types of cases in which Vermont has state standards for mediators: family and environmental/land use. Family mediators in Vermont contract with the Court Administrator of the Supreme Court, and have stringent training requirements. The Environmental Division maintains a list of mediators, but these mediators have no contract with the Environmental Division. However, their credentials have been reviewed by that court's Advisory Committee on Mediation to make certain that they meet minimum experiential requirements.

Family (Divorce Mediation)

- 28 hrs basic training, including 6 hours role play
- 72 hrs advanced training, including
 - 24 hours training in family psychology and family dynamics
 - 16 hours advanced training on mediating divorcing families, including 4 hrs role play
 - 16 hours domestic abuse and substance abuse training, including at least 8 hours domestic abuse training
 - 16 hours Vermont divorce law and financial issues training, including at least 6 hours on Vermont family/divorce law
- 40 hours mediation experience, including
 - 30 hrs face-to-face divorce mediation experience. During these 30 hours, the mediator in training is matched with an approved supervisor/consultant, who consults with him/her by phone for at least 5 hours on case review and preparation, and observes him/her for at least 1.5 hrs. The applicant mediator should also provide the supervisor/consultant with copies of any memoranda produced in mediation during this period.

Environmental

Completion of a 28-hour course in mediation and 30 hours mediation experience, or 100 hours mediation experience.

Virginia

Contact:

Sally P. Campbell
Dispute Resolution Services Manager
(804) 786-6455

Online:

http://www.courts.state.va.us/courtadmin/aoc/djs/programs/drs/mediation/certification_process/certification_requirements.html

<http://www.courts.state.va.us/courtadmin/aoc/djs/programs/drs/mediation/home.html>

In Virginia, mediators may be **certified** pursuant to the [Guidelines for the Training and Certification of Court-Referred Mediators](#) established by the Judicial Council of Virginia. You must have earned a minimum of a Bachelor's Degree to qualify for certification as a court-referred mediator in Virginia. You may apply for a waiver of this requirement by submitting a letter to Dispute Resolution Services, describing your relevant work and life experience. The letter must be accompanied by a resume and two letters of recommendation that address your oral and written communication skills. Additional information may be requested. If certification is your objective, you should seek a waiver prior to beginning mediation training.

Mediators may be certified in four categories: General District Court (GDC), Circuit Court-Civil (CCC), Juvenile and Domestic Relations District Court (J&DR), and Circuit Court-Family (CCF). Some mediators are certified as both general and family mediators.

Following is a brief description of the certification requirements. Please see the [Guidelines for the Training and Certification of Court-Referred Mediators](#) for a more detailed description of the requirements.

General District Court (GDC) certification requires at least 20 hours of Basic Mediation training, a 4-hour course on Virginia's Judicial System, two general mediation observations and three general co-mediations with a certified Mentor. Mediators with GDC certification are qualified to mediate civil cases arising in the General District Court such as contracts, personal injury, employment disputes, small claims, or landlord-tenant disputes.

Circuit Court-Civil (CCC) certification requires at least 20 hours of Basic Mediation training, 20 hours of advanced civil training, a 4-hour course on Virginia's Judicial System, two circuit court mediation observations and five circuit court co-mediations with a certified Mentor. Mediators with CCC certification are qualified to mediate civil cases arising in the Circuit Court such as medical malpractice, person injury, contracts, or condemnation.

Juvenile and Domestic Relations District Court (J&DR) certification requires at least 20 hours of Basic, 20 hours of Family, a 4-hour course on Virginia's Judicial System, an 8-hour course on Screening for and Dealing with Domestic Abuse in the Mediation Context, two family mediation observations and five family co-mediations with a certified Mentor. Mediators with

J&DR certification are qualified to mediate cases arising in the Juvenile and Domestic Relations District Court, such as custody, visitation or support matters.

Circuit Court-Family (CCF) certification requires at least 20 hours of Basic, 20 hours of Family, 12 hours of advanced family training, a 4-hour course on Virginia's Judicial System, an 8-hour course on Screening for and Dealing with Domestic Abuse in the Mediation Context, two circuit family mediation observations and five circuit family co-mediations with a certified Mentor. Mediators with CCF certification are qualified to mediate family cases arising in the Circuit Court such as equitable distribution.

Washington

Information on this page is highly uncertain. Those with accurate information on Washington mediation are encouraged to contact NVMS. Contact information is given at the bottom right of every page.

Standards are not statewide. Mediation seems to go through local dispute resolution centers (DRCs). Mediators may wish to contact their dispute resolution center for more information. The directory at the link below may be helpful.

http://www.courts.wa.gov/court_dir/?fa=court_dir.dispute

West Virginia

Contact:

Mike Mellace
mellacem@wvbar.org
304-553-7223

Web:

Circuit Court
<http://www.wvbar.org/members/become-a-mediator/>

Family Court
<http://www.courtswv.gov/lower-courts/family-court-mediation.html>

Circuit Court

In Circuit Court, parties may choose their own mediator. The West Virginia Bar also maintains a list of attorney-mediators with the following qualifications to assist the court in finding a mediator:

- a) Be a member in good standing of The West Virginia State Bar;
- b) Have completed The West Virginia State Bar's Basic Mediation Training and Advanced Mediation Training programs;
- c) Have submitted an application to The West Virginia State Bar asking to be listed as a mediator for circuit courts, and
- d) Pay an annual application fee of \$25.00. If the attorney is willing to do voluntary mediations in compliance with Rule 25.04, the annual fee will be waived.

Family Court

Family Court mediators must have the following qualifications:

- 1. a four-year degree from an accredited college or university;
- 2. completed a forty-hour family mediation course approved by the Supreme Court;
- 3. completed two observations of family court mediations;
- 4. completed three comediations with experienced family court mediators;
- 5. professional liability insurance; and
- 6. agree to complete twelve hours of family court mediator continuing education every two years.

Wisconsin

Online:

Wisconsin Association of Mediators

<http://www.wamediators.org/faq>

Mediators who wish to receive referrals from the court to mediate child custody and access disputes are required to have the following minimum qualifications according to Wisconsin Statute 767.405:

- 25 hours of mediation training or 3 years mediation experience
- 3 hours training in domestic violence issues

Beyond that, each court may set its own qualifications for court-connected mediators. Mediators are encouraged to contact their local courts for more information. Local mediation centers can also be valuable resources. A nice FAQ can be found at the link above. As it explains, many courts and agencies that hire mediators will require 40 hours of training, although state law does not mandate this.

Wyoming

Thanks for this page go to Lucy Pauley, Mediation Coordinator at the Wyoming Department of Agriculture

Online:

Agricultural Mediation Program

<http://wyagric.state.wy.us/divisions/nrp/mediation-program>

There are no statewide certification standards for mediators in Wyoming. Each program sets their own training and practice requirements. One statewide mediation program in Wyoming is Agricultural Mediation, which requires a 30-hour basic training and 8 hours continuing education annually. Because of the visibility of this program, disputants sometimes look to the agricultural program to find mediators even for non-agricultural matters.

Mediation is not as widely used in Wyoming as in some other states, but its use is growing. Mediators are encouraged to contact their local courts to determine whether any mediation programs are in place or are gathering momentum for implementation.