

A. RESPONSIBILITIES OF NVMS

- a. **Professional Networking**– Mediators will have opportunities to collaborate professionally with the NVMS staff, other NVMS mediators, and others in the NVMS community.
- b. **Recognition as an NVMS Court Mediator** – Mediators are a professional affiliate of NVMS. Publically available information may be posted on the NVMS website; mediators may opt out per request.
- c. **Payment** – Mediators will be compensated the next calendar month after the mediation date for VA Supreme Court-approved mediations. Exceptions to this include; late submission by the mediator of paperwork, has waived the stipend or the mediator and NVMS have agreed to other arrangements.
- d. **Maintain VA Supreme Court Contracts** – The NVMS Community Programs Manager will coordinate with the Supreme Court of Virginia to ensure valid mediation contracts at the assigned courts. This includes any reporting procedures and administration specified in the contracts.
 - i. **Case Management** – The NVMS Community Programs Manager will oversee the collection and administrative processing of case files to the VA Supreme Court in regards to internal database keeping, MIS submissions, and direct invoicing.
 - ii. **Materials** – NVMS will work to provide materials for mediators as convenience allows. This includes (but is not limited to); printed/electronic case packets, folders, printing supplies, pens, general office supplies, and name badges.
- e. **Record-Keeping**
 - i. **Online Database** - In accordance with record requests by the VA Supreme Court and mediator re-certification, NVMS keeps an internal database that contains information found on the mediator case packet intake form. Mediators can request information from this database that includes mediations they are directly involved in.
 - ii. **Physical Case Packet Records** – In accordance with VA Supreme Court record keeping requirements, NVMS holds physical copies of mediation case packets for a minimum of five (5) years. Mediators can request copies of past mediations they are directly involved in.
- f. **Scheduling:**
 - i. **Availability Request** - The NVMS Community Programs Manager will send out monthly availability requests via email for the upcoming month. This includes specified deadlines, updated court information and available court mediation dates.

- ii. **Published Calendar** – The NVMS Community Programs Manager will send the final draft of the court schedule with mediator assignments for the upcoming month approximately one week after the request for availability. The assignments are based on voluntary mediator availability selection and on an as-needed basis in conjunction with court contract requirements.
 - 1. **Auxiliary Roster Status** – As a member of the Auxiliary Roster, Active Roster mediators will be given priority scheduling over Auxiliary members. Consideration will still be given for fairness and need.
- iii. **Cancellation** – The NVMS Community Programs Manager will provide notice to mediators scheduled on a court assignment that is no longer available due to circumstances such as lack of docket cases or change in mediator availability.

g. Court Procedures

- i. **Coordination** – NVMS will oversee coordination logistics for court contracts currently held. Fairfax Court will have a designated person to facilitate mediator assignments. Other courts will have additional compensation provided to mediators conducting coordinator services.

B. RESPONSIBILITIES OF THE MEDIATOR

- a. **Representation of NVMS** – Mediators will act as representatives of NVMS and in the best interests of the organization when working with NVMS clients and on NVMS projects. Some examples include but are not limited to:
 - i. Mediators will use NVMS business cards, letterhead and brochures when communicating with NVMS clients.
 - ii. All direct business opportunities derived from NVMS services will be channeled back through NVMS. This means all inquiries by a mediator or client for ANY business opportunities (regardless of whether NVMS currently offers the service or not) must be told to contact NVMS directly. Mediators are to inform NVMS of all such inquiries along with inquirers' contact information within five business days of the inquiry.
- b. **Maintain State Certification** – Mediators are responsible for maintaining their current Virginia Supreme Court Mediator Certification. This includes, but is not limited to, satisfying applications requirements and submission of documents for applications.
- c. **Scheduling:**
 - i. **Availability Request** – It is the responsibility of the NVMS mediator to respond promptly to scheduling requests.

1. **Primary Dates** – Each month NVMS Mediators will choose Primary Dates for days they are available to mediate in court.
 2. **Secondary Dates** – Each month NVMS Mediators will choose at least one Secondary Date of a different court type (i.e. Fairfax Landlord/Tenant, Fairfax General District Court, Loudoun Small Claims, Loudoun General District Court, City of Falls Church Small Claims, etc.) than their Primary Date court.
- ii. **Minimum Scheduling Submissions** – As a member of the Auxiliary Roster, NVMS Mediators have no minimum scheduling requirements other than current VA Supreme Court certification and keeping with NVMS expectations of professionalism.
 - iii. **Published Calendar** – NVMS Mediators will review the published calendar for their assignment and promptly contact the NVMS Community Programs Manager for any errors or changes in availability at the time of publication.
 1. **Cancellation** – If a scheduling conflict arises between an NVMS Mediator and their assignment it is their responsibility to find a replacement and notify the NVMS Community Programs Manager as soon as possible.
- d. **Mediator Meetings** – Attend the annual mediator meeting (if available) and one mediator function by NVMS each year.
- e. **Court Procedures**
- i. **Paperwork** – NVMS Mediators will follow VA Supreme Court and NVMS policies regarding completion of case packets and court mediation forms. This includes the following:
 1. **Notice of Mediation** – To be given to either the NVMS coordinator or clerk of court at the beginning of the mediation.
 2. **Intake Form** – Fully completed and returned with case packet.
 3. **Agreement to Mediate** – Appropriate copies disseminated and included in NVMS case packet.
 4. **Written Agreement**– Appropriate copies disseminated and included in NVMS case packet.
 5. **Client Evaluations** – Distributed to clients and returned. If not returned, a reason is given.
 6. **Report to Court** – To be given to either the NVMS coordinator or clerk of court at the end of the mediation.

- ii. **Co-Mediation** – NVMS Mediators agree to co-mediate with mediators or court-certified staff upon request.