

ADR Commission Policies
(As of July 16, 2024)

1. Trainers with an approved curriculum of 40 hours or more will pay the ADR Commission \$100.00 for each person attending the training session(s). Trainers with an approved curriculum of less than 40 hours will pay to the ADR Commission \$50.00 for each person attending the training session(s). (Revised 4/23/19)
2. An applicant to become a Rule 31 listed Mediator will not be approved if the applicant has been licensed at one time and is no longer licensed in his/her occupation or profession due to disciplinary reasons. The applicant may reapply when his/her license has been restored. (Effective 3/9/98)
3. All ADR Commission members shall fulfill and comply with all annual renewal requirements as required by all Rule 31 listed mediators. (Effective 1/26/04)
4. No individual or applicant for listing as a Rule 31 Mediator under Rules of the Supreme Court of the State of Tennessee shall advertise or proclaim in any manner that he/she is listed as such until approved by formal action of the ADR Commission. (Effective 11/1/04)
5. Law school attendance is not equivalent to practical work experience as required by Section 17 of Rule 31. (Effective 7/18/06)
6. A retired judge applicant's experience on the bench shall not be a substitution for the initial listing requirements indicated in Rule 31 Section 17 for purposes of Rule 31 Mediator listing. (Effective 7/31/07)
7. Applicants for Rule 31 Mediator listing shall be required to take the initial 40-hour general civil training and 40 or 46 hour family training prior to taking a cross-over training for purposes of Rule 31 Mediator listing. This policy shall apply to applications for listing received on or after July 31, 2007. (Effective 7/31/07)
8. All mediators listed pursuant to Supreme Court Rule 31 will be required to submit reports as prescribed by the Commission, regarding any mediation beginning on or after January 1, 2008, except as to matters pending in state courts outside of Tennessee. Mediators will have 15 calendar days from the date of the conclusion of the mediation to submit the report to the AOC. This policy does not affect any other reporting obligation required of a Rule 31 listed mediator. (Effective 01/08/08) (Modified 01/01/16)
9. Credit may be earned through teaching in an approved continuing mediation education activity. CME credit will be given on the basis of two (2) hours of credit for each hour of presentation. (Effective 1/24/12)
10. Rule 31 mediators are encouraged to make themselves available for and participate in pro bono mediation. This may be accomplished in several ways, including but not limited to the following:
 - a. Making oneself available for volunteer mediations at a community mediation center
 - b. Getting on a legal services referral list for acceptance of pro bono mediations
 - c. Advising clerks and judges that you are available for pro bono mediation
 - c. To earn pro bono hours comparable to the 50 hours of pro bono hours attorneys should aspire to achieve (Rules of Professional Conduct, §6.1), Rule 31 mediators can do the following:
 1. Mediating pro bono cases, regardless of the referral source

2. Serving on a mediation board and committees; (See Comment 8 to RPC §6.1(b)(3) which permits lawyers to earn pro bono hours by serving on a bar association committee (any bar committee); serving on boards of pro bono or legal service programs.)
 3. Teaching a mediation class to any community group, organization or group of individuals not for a fee and no expectation of fee. (Effective 4/24/12) (but CMC or nonprofit can charge provided the money goes to the nonprofit for advancement of their mission) (See Comment 8 to RPC §6.1(b)(3) which permits lawyers to earn pro bono hours by acting as a continuing legal education instructor.)
11. Approved continuing mediation education providers and trainers are encouraged to announce during each training program that Rule 31 contains a pro bono requirement, and to describe the ways in which this requirement can be satisfied. (Effective 4/24/12)
 12. Applicants applying for a training waiver for the “specially trained in domestic violence issues” designation will pay \$50.00 to the ADR Commission for said training waiver. (Effective 10/23/12)
 13. Any complaint received by the AOC Programs Manager regarding an approved Rule 31 trainer or training course, or a CME course provider or CME course shall be requested to be put in writing and sent to the AOC Programs Manager, who will forward the complaint to the Training Committee for review. (Effective 10/17/13)
 14. An applicant deferred for Rule 31 listing must cure the specific listing deficiency requirement within one (1) year of being placed on deferral status. If the specific listing deficiency is not cured within one (1) year, applicant must reapply for listing. For an applicant deferred for Rule 31 listing before the adoption of this policy, he/she must reapply for listing if the specific listing deficiency requirement is not cured on or before one (1) year from the approval date of this policy. (Effective 07/29/14)
 15. A Rule 31 listed mediator must renew his/her listing on or before December 31 of each year. The renewal fee for renewal applications received on or before December 31 of each year shall be \$100.00. The renewal fee for renewal applications received between January 1 –March 31 shall be \$200.00. The Rule 31 listed mediator who renews his/her listing during this time will still be in “active” status and can conduct Rule 31 mediations. If a renewal application and fee are not received by March 31 for the current renewal year, the listing lapses. (Effective 07/29/14) (Revised 7/16/24)
 16. An applicant for Rule 31 listing that submits an incomplete application has six (6) months from the date his/her application is received by the Programs Manager to complete his/her application. If an application is not complete after six (6) months, an applicant must submit a new application for Rule 31 listing. No application refund will be given to an applicant for an incomplete application. (Effective 01/27/15)
 17. Rule 31 mediators will be required to report federal court system mediations through the AOC online process. (Effective 01/01/16)
 18. **Application Fee Structure** (Effective 06/01/16)
 - General Civil Listing Application - \$100.00
 - Family Listing Application - \$100.00

- Family Listing with “specially trained in domestic violence issues” designation (DV designation) Application - \$100.00
- Dual Listing Application - \$150.00
- Dual Listing with a DV designation (no training waiver request) - \$150.00
- General Civil Listing Application with training waiver request - \$200.00
- Family Listing Application with training waiver - \$200.00
- Family Listing Application with training waiver for the DV designation - \$200.00
- Family Listing Application with a training waiver for Family and the DV designation - \$200.00
- Dual Listing application with a training waiver for one listing or both listings - \$250.00
- Dual Listing Application with a training waiver for one listing or both listings and a training waiver for the DV designation - \$250.00

19. **Community Mediation Center Approval** (Effective October 17, 2023)

A. **Status Prerequisites.** An organization wishing to be designated as a “Tennessee Community Mediation Center” by the ADRC and listed on the AOC website and in any other AOC/ADRC official references to “Tennessee Community Mediation Centers” must first present documentation establishing that certain status prerequisites have been met. Specifically, an organization must submit documentation establishing that the organization:

1. Is a 501(c)(3) non-profit organization in good standing;
2. Has bylaws in accordance with all legal requirements; and,
3. Has been specifically organized to provide dispute resolution services within the State of Tennessee at low or no cost to the participants.

B. **Application Process.** To be listed as a Tennessee Community Mediation Center, the organization must submit an application to the ADRC. The application will be processed by the ADR Program Manager. Once the Program Manager determines the above stated status prerequisites have been met, the Program Manager will forward the application to the ADRC for review and approval. If approved by the ADRC, the organization will become listed as a “Tennessee Community Mediation Center” subject to renewal requirements as determined by the ADRC.

20. **Applying Initial Mediator Training to Continuing Mediation Education Credit.** Mediators who take a cross-over training or the Domestic Violence Designation training may apply those training hours to outstanding Continuing Mediation Education credits, so long as the training was taken within the two-year period required by the ADRC. (Effective 7/16/24)

21. **Listing Renewal Application Due Date.** A Rule 31 listing is maintained for each calendar year. A mediator renewing for the first time must submit a renewal application and pay the full fee every year by December 31, regardless of when the initial listing was approved. (Effective 7/16/24)

22. **Calculating Full- Time Work Experience.** When calculating full time work experience, the total number of months that contain full time work experience (35 hours or more of work per week) can be combined to equal the total number of years of full-time work experience. (Effective 7/16/24)

23. Listing Fee Waiver for Pro Bono Mediators (Effective 7/16/24)

- A. Waiver of Annual Renewal Fee - Mediators may request a renewal fee waiver at the time of renewal, if they can show the following:
 - 1. An existing volunteer relationship with a Community Mediation Center by having completed ten (10) pro bono mediations the previous year, and filed the corresponding mediations reports in the mediator portal.
 - 2. Attest they will ONLY mediate pro bono in the renewal year (no stipends, no Rule 38 claims) via one of the Tennessee Community Mediation Centers.
 - 3. Pledge to volunteer for at least ten (10) pro bono mediations in the renewal year

- B. The mediator requesting the fee waiver can request a waiver form at adrregistration@tncourts.gov. The AOC Mediation Manager will process the form and approve the waiver per the requirements in subsection (a).