

DISTRICT COURT OF MARYLAND
ALTERNATIVE DISPUTE RESOLUTION (ADR) OFFICE

New Volunteer Mediator Orientation

Tuesday, April 1, 2014
9:00 a.m. - 3:30 p.m.
★★★★
Annapolis, Maryland

AGENDA

- I. About the ADR Office and the District Court
- II. ADR Programs and ADR Processes
- III. Volunteering in Day of Trial ADR Programs
- IV. Our Quality Assurance Initiative - Mediator Apprentice Process
- V. Day of Trial ADR Scheduling
- VI. Local ADR Program Procedures
- VII. Mediation in the District Court ADR Program & Forms
- VIII. Ethics
- IX. Additional Resources

Breaks provided throughout the day. Breakfast refreshments and lunch provided.

*The Orientation Evaluation Form is divided into sections.
Please remember to completed the sections of the form as we cover the material throughout the day.*

DISTRICT COURT OF MARYLAND
ALTERNATIVE DISPUTE RESOLUTION (ADR) OFFICE

**New Volunteer
Settlement Conference Attorney
Training and Orientation**

Friday, December 13, 2013

9:30 a.m. - 4:00 p.m.

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Annapolis, Maryland

AGENDA

- I. District Court of Maryland Overview
- II. ADR Processes and ADR Programs
- III. Volunteering with Us
- IV. Getting Scheduled
- V. Local ADR Program Procedures
- VI. Day of Trial ADR Forms
- VII. Settlement Conference Steps and Techniques
- VIII. Ethics and Standards of Conduct
- IX. Best Practices
- X. Additional Resources

DISTRICT COURT OF MARYLAND
ALTERNATIVE DISPUTE RESOLUTION OFFICE

ON-SITE ORIENTATION CHECKLIST

1. Court Location

- Getting there
- Parking
- Getting through security
- Wearing your name badge

2. Checking-In

- Where: Room(s) & Person(s)
- Meeting local court staff
- Where to meet Lead Mediator, Co-Mediator or ADR Staff Member
- Locate the ADR room

3. Getting the Forms

- Pick-up and Drop-off location

4. Going to the Courtroom

- How to know where to go

5. Checking-in with Courtroom Personnel

- Introduce yourself to the bailiff and courtroom clerk/Day of Trial Check-In Form
- Courtroom etiquette/decorum
- Where to be seated

6. Completing Apprentice and Day of Trial ADR Forms

Forms returned to the courtroom after the ADR session:

- Signed, original Agreement to Participate (ATP) in ADR (white paper)
- Signed, original Confidentiality In Mediation Addendum to ATP Form¹
- Signed, original Settlement Agreement (white paper) (*if applicable*)

7. Knowing When You're Done for the Day

- Check with the bailiff and/or courtroom clerk

8. Wait, Before You Leave...

Forms returned to the ADR Forms drop-off area:

- ADR Practitioner Activity Report (green shaded)
- ADR Participant Survey (yellow shaded)
- ADR Attorney Survey (purple shaded)
- Mediator Apprentice Process Observation and Review Forms

9. Keeping In Touch

- Inform your Regional ADR Programs Director of your Day of Trial experience

¹ Copies of the signed and completed Confidentiality Addendum may be requested of the bailiff and/or clerk upon return to the courtroom, after the conclusion of the mediation.

Extended Mediator On-Site Orientation Topics and Materials

Procedure:

Apprentice Mediator attended New Volunteer Mediator Orientation (in its entirety).

RPD e-mails Apprentice Mediator to schedule OSO/1st Observation. (See G:\ADR\Staff Meetings\RPD Meetings\RPD Mtg Minutes 12-12-14.docx)

Upon confirmation of selected date, RPD will send reminder/scheduling e-mail to Apprentice Mediator to include the following information, but is not limited to:

- Meeting time and location (please allow 20-30 minutes for an extended on-site orientation);
- Reminder to Apprentice Mediator to **bring their binder from Orientation**; and,
- Reminder to Apprentice Mediator to allot time for a debrief conversation after the volunteer(s) have been dismissed by the court, courtroom clerks, etc. (suggest what time you might conclude or how much time the Apprentice Mediator should 'allot' to be at court that day.).

Purpose

In addition to participating in a New Volunteer Mediator Orientation, the Apprentice Mediator will meet the Regional ADR Programs Director (RPD) to participate in an **Extended On-Site Orientation**. The following topics and documents have been excerpted from, and/or are expanded on, since participating in the New Volunteer Mediator Orientation and will be discussed with the Apprentice Mediator during the **Extended On-Site Orientation**:

1. **Quality Assurance Program** (refresher)

a. **Purpose**

- i. A Quality Assistance initiative to provide mediator volunteers with an opportunity to learn first-hand the policies and procedures for mediating in the District Court's Day of Trial Program.
- ii. Consists of an On-Site orientation and an Apprentice Process.
- iii. Apprentice mediators will participate in the Apprentice Process in the mediation framework they identified they practice in (**facilitative, inclusive or transformative**) and in the model (co) or (solo) they practice in as provided on the ADR Volunteer Application.
- iv. During the Apprentice Process the Apprentice mediator must stay in either a CO or SOLO model for the entirety of the Process.
 - (1) If the Apprentice Mediator wants to mediate in both a CO and SOLO model in our program, they need to complete the Apprentice Process in one of the models, and then complete a modified apprentice process in the other model.
- v. Our goal is to support the Apprentice Mediator completing the Apprentice process within nine months from the date of the Extended On-Site Orientation.

b. **Mediator Apprentice Process** (refresher)

- i. Phase 1 is comprised of 2 Observations: Observing 2 mediations on two separate occasions, preferably of two different mediators.
- ii. Phase 2 is comprised of 2 Reviews: Mediating while being observed on two separate occasions.
- iii. For both Obs and Reviews, Apprentice is scheduled w/ Lead Mediator or RPD.
- iv. Lead Mediator or RPD practices mediation in the same Mediation Framework and same Mediation Model as the Apprentice Mediator.

- c. **Apprentice Process Forms (new info.)**
 - i. Purpose: to support the pre-mediation and debrief conversation(s)
 - (1) Document - The Apprentice Process: An ADR Forms Guide
 - (2) Document - Mediator Apprentice Process Self-Tracking Worksheet
 - (3) Documents - Apprentice Forms (varies by location, see QA Apprentice Forms Chart located at *G:\ADR\Forms\Apprentice Process Forms* for the applicable Apprentice Process forms)
 - (4) Debrief all mediations after being dismissed by the court, clerk, etc.
 - (i) Talk thru Apprentice Process mediator feedback forms

2. Mediation Confidentiality (refresher)

- a. **Court Rule on Mediation Confidentiality, 17-105 (a)**
 - i. Applicable to mediator or anyone else at the mediation at the request of the mediator (so this includes observers as well)
 - ii. May not disclose or be compelled to disclose
 - iii. In any judicial, administrative or other proceeding
 - (1) Document - Title 17, Ch. 100
- b. **Court Rule on Permitted Disclosures, 17-105(d) (refresher)**
 - i. “In addition to any disclosures required by law, a mediator, a party, and a person who was present or otherwise participated in a mediation may disclose or report mediation communications:
 - (1) to a potential victim or to the appropriate authorities to the extent they reasonably believe necessary to help prevent serious bodily harm or death to the potential victim;
 - (2) when relevant to the assertion of or defense against allegations of mediator misconduct or negligence;
 - (3) when relevant to a claim or defense that an agreement arising out of a mediation should be rescinded because of fraud, duress, or misrepresentation.
 - (4) Cross reference: For the legal requirement to report suspected acts of child abuse, see Code, Family Law Article, 5-705.”
 - ii. **Disclosures Required by Law (refresher)**
 - (1) Child Abuse and Neglect (Family Law Art. 5-705)
 - (a) 5-704, (a)(1) - **mandates** reporting of suspected child abuse or neglect by health practitioners, police officers, educators, or human service workers. (pg. 3 of blue doc)
 - (b) 5-705, (a)(1) - **mandates** reporting by any other person than those mentioned in 5-704 if that person has reason to believe the child has been subjected to abuse. (pg. 4 of blue doc)
 - (c) Document - Family Law Article § 5-701 to § 5-715 (blue)
 - (2) Vulnerable Adult Abuse, Neglect, Self Neglect, or Exploitation (Family Law Art. 14-302) (refresher)
 - (a) 14-302 (a) Reporting abuse, etc. - **mandates** to reporting for any health practitioner, police office, or human services worker, who contacts, examines, attends, or treats an alleged vulnerable adult, and who has reason to believe that the alleged vulnerable adult has been subjected to abuse, neglect, self-neglect, or exploitation. (pg. 3 of pink doc)
 - (b) 14-302 (d) Reporting by others. Any individual other than those mentioned in (a), and who has reason to believe that the alleged

vulnerable adult has been subjected to abuse, neglect, self-neglect, or exploitation, **may file** an oral or written report. (pg. 3 of pink doc)

(c) **Document - Family Law Article § 14-101 - § 14-103, § 14-302, § 14-308 - § 14-309 (pink)**

(3) Additional Reading on this Topic. **Document - Ethics Corner -January 2012, Issue 1**

(4) What to do if see/hear an Exception? **(refresher)**

(a) If an exception to confidentiality arises, it does not automatically mean that a practitioner must break confidentiality. Rather, an exception to confidentiality means the ADR practitioner has to decide what, if anything, should be disclosed and to whom.

(b) It is up to the Mediator to understand whether the exception *requires* that the information is exempt from confidentiality, or whether the Mediator *has flexibility to decide* if Confidentiality will be broken under the expressed exceptions.

c. **Explaining Confidentiality during Opening to Mediation Participants (refresher)**

i. Mediator will keep anything said or done during mediation confidential, with limited exceptions

ii. Enumerate the exceptions as listed on ATP Form and Addendum

(1) **Document - Confidentiality in Mediation Addendum**

(a) Signed and dated by everyone in the room, in addition to the ATP Form

(2) **Document - Exceptions to Confidentiality Information Sheet (florescent yellow)**

d. **Standards of Conduct (check-in)**

i. Questions about these documents since the Ethics discussion/conversation since Orientation?

(1) **Document - MPME Standards of Conduct for Mediators (green)**

(2) **Document - Standards of Conduct for Mediators, Arbitrators and Other ADR Practitioners, as adopted by the Maryland Court of Appeals (coral)**

3. **Completing ADR Forms *During and After the Apprentice Process* (new info.)**

a. Explain and discuss the purpose of each document, how to complete, and where to place completed version of the following documents, completed in either the SOLO or CO-M Model:

i. **Document - Clean & Sample Completed Agreement to Participate in ADR**

ii. **Document - Clean & Confidentiality in Mediation Addendum**

iii. **Document - Clean & Sample Completed ADR Practitioner Activity Report SOLO or CO-M Packet**

iv. **Document - Clean & Sample Completed ADR Participant Survey**

v. **Document - Clean & Sample Completed ADR Attorney Survey**

b. Using these documents will also be modeled during the mediation/1st observation.

c. And, debrief how the forms were completed at the conclusion of the docket/prior to leaving the courthouse. Check-in with mediator to see if s/he has any questions/concerns about this.

4. **Local Day of Trial ADR Program Procedures**

a. Explain the local day of trial program procedures.

i. **Document: Quick Reference Day of Trial Procedures and Scheduling Guide**

b. Walk-thru of Day of Trial procedures, introductions to local court staff (if applicable)

POLICY REGARDING ACTIVE SCA VOLUNTEERS JOINING MEDIATOR ROSTER

Applicant Classification	Prerequisites	To Qualify as a Mediator	Next Steps (Required-Not Optional)
<p>An ACTIVE District Court Day of Trial Settlement Conference Attorney</p> <p>APPLYING TO JOIN THE MEDIATOR ROSTER</p>	<ul style="list-style-type: none"> ✓ ADR Volunteer Application on file with the District Court. ✓ Attended New Volunteer Settlement Conference Attorney Orientation and Training. ✓ Identified as an “ACTIVE” Status volunteer in the prior calendar year. 	<ol style="list-style-type: none"> 1. Complete pages 2 and 3 of the ADR Volunteer Application <ul style="list-style-type: none"> ✓ Send completed pages of the ADR Volunteer Application to the ADR Office. 2. Complete 40-hours of basic or beginner mediation training (in a training program that meets the requirements as outlined in Title 17) within 9 months <u>from the date of completing pages 2 and 3</u> of the ADR Volunteer Application. <ul style="list-style-type: none"> ✓ Send a copy of mediation training certificate to the ADR Office. 3. Join the Maryland Program for Mediator Excellence (MPME). <ul style="list-style-type: none"> ✓ Provide proof of MPME membership to the ADR Office. 	<ol style="list-style-type: none"> 1. Participate in an <i>extended</i> On-Site Orientation* with the Regional ADR Programs Director (RPD) to review and discuss: <ul style="list-style-type: none"> • Mediator Apprenticeship Process and Apprenticeship Forms; • Standards of Conduct for Mediators, Arbitrators and Other ADR Practitioners (as adopted by the Court of Appeals), • the MPME Standards of Conduct; • Court Rule on Confidentiality, 17-105; and, • Confidentiality in Mediation Addendum. 2. Participate in Mediator Apprenticeship Process

* *On-Site Orientation should be paired with Mediator’s 1st Observation.*

POLICY REGARDING ACTIVE MEDIATOR JOINING SCA ROSTER

Applicant Classification	Prerequisites	To Qualify as a Settlement Conference Attorney	Next Steps (Required-Not <i>Optional</i>)
<p>An ACTIVE District Court Day of Trial Mediator</p> <p>APPLYING TO JOIN OUR SETTLEMENT CONFERENCE ATTORNEY ROSTER</p>	<ul style="list-style-type: none"> ✓ ADR Volunteer Application is on file with the District Court. ✓ Attended New Volunteer Mediator Orientation. ✓ A member in good standing with the MPME. ✓ An “ACTIVE” Mediator. 	<ul style="list-style-type: none"> <input type="checkbox"/> At least 21 years of age. <input type="checkbox"/> Complete pages 2 and 4 of the ADR Volunteer Application <ul style="list-style-type: none"> ✓ Send completed pages of the ADR Volunteer Application to the ADR Office. <input type="checkbox"/> Be a Maryland licensed attorney in good standing with the Maryland Bar <input type="checkbox"/> Possess substantial litigation experience in the District Court of Maryland. 	<ul style="list-style-type: none"> <input type="checkbox"/> Attend New Volunteer Settlement Conference Attorney Orientation and Training. <input type="checkbox"/> Participate in an On-Site Orientation with the Regional ADR Programs Director (RPD) <input type="checkbox"/> Be reviewed within nine (9) months from Orientation date.

DAY OF TRIAL ADR PROGRAMS ON CIVIL DOCKET DAYS IN DISTRICT COURT

District Court of Maryland
Alternative Dispute
Resolution (ADR) Office

251 Rowe Blvd. Suite 307
Annapolis, Maryland
21401



Phone: 410-260-1676
1-866-940-1729

Fax: 410-260-3536

adroffice@mdcourts.gov

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
<p><u>AM</u> Ellicott City Frederick Leonardtwn Prince Frederick (PO) Upper Marlboro Westminster</p>	<p><u>AM</u> Catonsville Glen Burnie♣(PO) La Plata (PO) Leonardtwn (ll/t) Prince Frederick Upper Marlboro</p>	<p><u>AM</u> La Plata RockvilleΔ Silver SpringΔ Upper Marlboro</p>	<p><u>AM</u> Annapolis♦ Towson Rockville (s.c.)Δ Upper Marlboro</p>	<p><u>AM</u> Bel Air Frederick Hagerstown□ Salisbury**Δ Silver Spring (s.c.)Δ Towson Upper Marlboro Westminster*</p>
<p><u>PM</u> Baltimore City Ellicott City Frederick Westminster</p>	<p><u>PM</u> Baltimore City Glen Burnie Leonardtwn (PO) Upper Marlboro</p>	<p><u>PM</u> Baltimore City La Plata Upper Marlboro♣</p>	<p><u>PM</u> Annapolis Baltimore City Towson</p>	<p><u>PM</u> Baltimore City Ellicott City (ll/t) Frederick Leonardtwn (PO) Princess Anne ↘ Towson</p>

PO Peace Order Docket

ll/t Landlord/Tenant Docket

♣ The Glen Burnie Day of Trial **morning** program operates on the second Tuesday of the month only. The Glen Burnie peace order program operates every Tuesday morning.

Δ At these locations, ADR sessions may continue past lunch and into the afternoon docket.

♦ The Annapolis Day of Trial **morning** program operates on the the second Thursday of the month only.

s.c. Small Claims Docket

↘** The Salisbury Day of Trial ADR Program operates the first Friday of the month.

The Princess Anne Day of Trial ADR Program operates the fourth Monday of the month.

□ The Hagerstown Day of Trial ADR Program operates the second and fourth Friday of the month.

* The Westminster Day of Trial program operates every Monday and the 1st Friday of the month.

♣ The Upper Marlboro Day of Trial **afternoon** program operates every Tuesday and Wednesday (with the exception of the first Wednesday of the month).

DOCKET START TIME (Scheduled)
by District and Location in
DAY OF TRIAL ADR PROGRAMS

DISTRICT #	Location #	LOCATION	DAY OF THE WEEK	DOCKET START TIME
01	01	Baltimore City	Monday thru Friday	1:15 p.m.
02	02	Princess Anne	Friday*	1:15 p.m.
02	03	Salisbury	Friday#	9:00 a.m.
04	01	Prince Frederick	Monday (peace order) Tuesday	9:00 a.m. 9:00 a.m.
04	02	La Plata	Tuesday (peace order) Wednesday	10:00 a.m. 8:45 a.m. & 1:00 p.m.
04	03	Leonardtown	Monday (small claims) Tuesday (landlord/tenant) Tuesday & Friday (peace order)	9:00 a.m. 9:00 a.m. 1:00 p.m.
05	02	Upper Marlboro	Monday thru Friday Tuesday & Wednesday [□]	8:45 a.m. 1:15 p.m.
06	01	Rockville	Tuesday (peace order) Wednesday (large claims) Thursday (small claims)	8:30 a.m. 8:30 a.m. 8:30 a.m.
06	02	Silver Spring	Wednesday (large claims) Friday (small claims)	8:30 a.m. 8:30 a.m.
07	01	Annapolis	Thursday**	1:15 p.m.
07	02	Glen Burnie	Tuesday (peace order) Tuesday**	8:45 a.m. 1:15 p.m.
08	01	Catonsville	Tuesday	9:00 a.m.
08	04	Towson	Wednesday, Thursday & Friday	9:00 a.m. & 1:30 p.m.
09	01	Bel Air	Friday	8:30 a.m.
10	01	Ellicott City	Monday & Friday (LL/T)***	8:45 a.m. & 1:15 p.m.
10	02	Westminster	Monday	8:45 a.m. & 1:15 p.m.
11	01	Frederick	Monday & Friday (small claims)	8:45 a.m. & 12:45 p.m.
11	02	Hagerstown	Friday	9:00 a.m.

* The Princess Anne Day of Trial ADR program operates once a month during the civil docket on the fourth Friday of the month.

The Salisbury Day of Trial ADR program operates once a month during the civil docket on the first Friday of the month.

□ The Upper Marlboro Day of Trial **afternoon** program operates every Tuesday and Wednesday (with the exception of the first Wednesday of the month).

** In addition to staffing ADR volunteers on a weekly basis for the 1:15 p.m. civil dockets, the ADR Office provides ADR volunteers in Annapolis at 8:45a.m. on the 2nd Thursday of the month and in Glen Burnie at 8:45a.m. on the 2nd Tuesday of the month.

*** The Ellicott City Day of Trial Landlord/Tenant (LL/T) dockets are every Friday for the 1:15 p.m. dockets; and 8:45 a.m. on the last Friday of the month.

District Court of Maryland
Alternative Dispute Resolution (ADR) Office

Phone: 410-260-1676

Fax: 410-260-3536



Peace Order Mediator Application Addendum

FOR OFFICE USE ONLY:

Received: _____ Responded: _____

Location(s): _____ Model: _____

PO TRNG Date: _____

Please mail your completed application along with supporting documentation to:

District Court of Maryland, Alternative Dispute Resolution (ADR) Office
251 Rowe Boulevard, Suite 307, Annapolis, Maryland 21401 Phone: 410-260-1676 Fax: 410-260-3536

I. Applicant Information.

Please print. Provide only your preferred contact information.

Full Name _____

Mailing Address _____

Telephone _____ E-Mail Address _____

I am interested in mediating peace order cases in the following District Court locations: _____

II. Mediation Style.

Mediation Framework (Circle **all** that apply): Facilitative Transformative Inclusive

Mediation Model (Circle **all** that apply): Solo Mediation Co-mediation

III. General Experience.

I have been a mediator since _____ (year).

I have mediated approximately _____ (#) disputes since becoming a mediator.

I have mediated approximately _____ (#) cases in the past 15 months in the District Court Day of Trial program*.

**This number should not include cases mediated as part of meeting the requirements of the Mediator Apprentice Process.*

I am on the following mediation or program rosters and have mediated approximate (#) of disputes in the past 15 months as follows:

_____ # of MCCR Disputes _____ # of DC Multi-Door Disputes _____ # of Other Disputes
_____ # of Community Mediation Disputes with the _____ Community Mediation Center(s)

IV. Advanced Skills High-Conflict Mediation Training.

Check here if you ATTENDED a Peace Order Mediation Training. (Note: Previous training not required.)

Please provide the training date, location, title, trainer name/organization and a copy of the syllabus and/or curriculum.

Include your course syllabus and certificate with this application.

Date Location Training Title Trainer / Organization

V. Affirmation.

Ethics, Monitoring and Other Requirements. _____ (Please initial) I agree to abide by any Code of Ethics approved by the Court of Appeals, to submit to periodic monitoring of court-connected ADR proceedings by a qualified person designated by the District Court of Maryland ADR Office, and to comply with the procedures and requirements prescribed by the District Court of Maryland ADR Office. (Required)

I represent that all information provided by me in this application is true and correct. I understand that while volunteering for the District Court of Maryland, I may hear, observe, or collect information of a confidential or sensitive nature and that this information is not to be shared in any manner with anyone outside of the District Court of Maryland ADR Office.

Signature of Applicant _____

Date _____

Step 1: Determine the category that the applicant falls within

Affiliation w/ our District Court ADR Program	Mediator (does not vol. thru a CMC)	CMC Mediator	CMC Mediator	CMC Mediator	CMC Mediator
How Mediators are selected	by ADR Staff Member or Initiated by the Mediator	by CMC Exec. Director		by ADR Staff Member or Initiated by the Mediator	
Model	SOLO	CO	SOLO	CO	SOLO

Step 2: Review Mediator's activity on Day of Trial Program (via STATS Spreadsheet and Quarterly Audits) to determine if applicant has the required experience to be a Peace Order Mediator.

Mediation Experience in the Day of Trial Program	Mediator (does not vol. thru a CMC)	CMC Mediator	CMC Mediator	CMC Mediator	CMC Mediator
# of cases mediated since completion of the Mediator Apprentice Process	10 cases	5 cases	10 cases	5 cases	10 cases
Time frame to have acquired requisite experience	w/in 15 months immediately preceding PO Application				

Step 3: If Mediator meets minimum experience requirements, ask the Mediator to complete the Peace Order Mediator Application Addendum.

Step 4: Upon receipt of the Peace Order Mediator Application Addendum, an approved applicants must attend District Court of Maryland ADR Office Peace Order Mediator Training prior to volunteering in a Peace Order Mediation Program.

Step 5: Mediators who attend the entirety of Peace Order Mediator Training must participate in a Peace Order Mediator Apprentice Process, as follows:

Peace Order Mediator Apprentice Process	Mediator (does not vol. thru a CMC)	CMC Mediator	CMC Mediator	CMC Mediator	CMC Mediator
Observation Requirements	1 Obs + Debrief	Co-mediate w/ a Lead Peace Order Mediator a minimum of 8 peace order cases (prior to being eligible to co-mediate with another roster Peace Order Mediator).	1 Obs + Debrief	1 Obs + Debrief	1 Obs + Debrief
Optional components* (after 1st Obs)	2nd Obs + Debrief		2nd Obs + Debrief	2nd Obs + Debrief	2nd Obs + Debrief
Review Requirements	1 Review + Debrief		1 Review + Debrief	1 Review + Debrief	1 Review + Debrief
Optional components* (after 1st Review)	Add'l Observation(s); Add'l Review(s)		Add'l Observations; Add'l Review(s)	Add'l Observation(s); Add'l Review(s)	Add'l Observation(s); Add'l Review(s)
Additional Requirements	1 Review w/in 18 months of attending Peace Order Mediator Training		1 Review w/in 18 months of attending Peace Order Mediator Training		

* At the discretion of the Regional ADR Programs Director (RPD).

Affiliation w/ our District Court ADR Program	Mediator (does not vol. thru a CMC)	CMC Mediator	CMC Mediator	CMC Mediator	CMC Mediator
How Mediators are selected	by ADR Staff Member or Initiated by the Mediator	by CMC Exec. Director		by ADR Staff Member or Initiated by the Mediator	
Model	SOLO	CO	SOLO	CO	SOLO

Step 6: After successful completion of the Peace Order Mediator Apprenticeship Process, the Mediator is subject to periodic monitoring.

Quality Assurance	Mediator (does not vol. thru a CMC)	CMC Mediator	CMC Mediator	CMC Mediator	CMC Mediator
Review ADR Forms	On-going review of ADR Participant and ADR Attorney Feedback Forms from Peace Order Mediations. Follow-up with Peace Order Mediator occasionally and/or after RPDs reads comments on ADR Practitioner Activity Report or Participant Feedback Forms.				
Observe the Mediator	Periodic Monitoring by ADR Staff Member				

Qualifications of Lead Mediators

Approved at 4/8/13 ADR Staff Meeting

- a. Mediated at least 5 cases in the Day of Trial program (after successful completion of the Apprentice Process);
- b. Mediator consistently and accurately follows our policies and procedures;
- c. Mediator completely and accurately completes all ADR forms;
(If form completion is an obstacle to inviting an otherwise qualified Mediator, the concern should be addressed by the ADR Staff Member and corrected behavior observed, or else the Mediator will not be considered “qualified” to be invited to the Giving and Receiving Feedback Training.)
- d. Mediator is reviewed by ADR Staff Member to determine appropriateness for selection as a Lead Mediator; and,
 1. ADR Staff Member completes a Lead Mediator Review Form during Review.
 2. ADR Staff Member returns completed Lead Mediator Review Form to labeled mail bin in ADR Office.
- e. Selected mediator lists submitted by ADR Staff members to all staff for discussion at a designated staff meeting. Selected Lead Mediators will be approved after group discussion.
- f. Mediator must attend District Court ADR Office 'Giving and Receiving Feedback Training.'

Purpose

To develop objective (a, b and d, above) and subjective qualifications (c, above) to identify mediators to join Lead Mediator roster. The most critical component to the qualifications is the observation of the mediator, mediating by the ADR Staff Member to determine not only the mediators skill and comfort level conducting a mediation, but also to gauge the mediator's demeanor and receptivity to feedback from the ADR staff member and how they engage in that debrief conversation. Mediators may meet the components of "a" and "b" above, but may fall short on "c" when being observed and therefore do not qualify to (i) attend our 'Giving and Receiving Feedback Training,' and (ii) be selected to serve in the capacity of a Lead Mediator on our roster.