

PROVISIONS REGARDING QUALIFICATIONS AND TRAINING OF RULE 31 MEDIATORS

Section 14. Rule 31 Mediators

No person shall act as a Rule 31 Mediator without first being listed by the ADRC. To be listed, an applicant must:

- 1) submit an application and pay application fees set by the ADRC;
- 2) comply with the qualification and training requirements set forth in this section. All training must have been approved by the ADRC as set forth in subsection (f) and must have been completed within the six years immediately preceding the application seeking Rule 31 Mediator listing;
- 3) certify in writing an intention to comply with the conditions and obligations imposed by Rule 31, including those requirements related to pro bono obligations;
- 4) submit two character references evidencing good character and suitability for the practice of mediation;
- 5) disclose convictions for any felony or for a misdemeanor involving violence, dishonesty or false statement if such conviction is ten years old or less as provided in Tennessee Rule of Evidence 609;
- 6) If the applicant's profession requires licensing, the applicant shall also provide documentation that the applicant is in good standing or possesses a valid license with the Board or Agency charged with issuing licenses to practice in the applicant's profession. Failure to pay board or agency dues when there is no intent by the applicant to practice in the licensed occupation or profession in the jurisdiction of licensure shall not constitute a lack of good standing for purposes of Rule 31;
- 7) If the applicant has held a professional standing which requires licensing, the applicant shall also provide documentation of the applicant's complete disciplinary history including closed and open grievances for each license the applicant has held. The applicant must not have a disciplinary history with the Board or Agency charged with issuing licenses to practice in any such profession that would demonstrate an unsuitability for the practice of mediation. 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 will not be approved for listing and may reapply when his/her license has been restored.

(a) Rule 31 Mediators in General Civil Cases.

- (1) To be listed by the ADRC as a Rule 31 Mediator in general civil cases, one must also:
 - (i) meet one of the following education/work experience requirements:

(A) have a graduate degree plus four years of full time work experience. Full time work experience shall be defined as 35 hours or more of work per week.

(B) have a baccalaureate degree plus six years of full time work experience. Full time work experience shall be defined as 35 hours or more of work per week.

and

(ii) complete and provide proof of attendance of 40 hours of general mediation training which includes the curriculum components specified by the ADRC for Rule 31 Mediators in general civil cases.

To read about training waiver requirements, go to Rule 31, §14(d) at:

<https://www.tncourts.gov/rules/supreme-court/31>