

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

**IN RE: PROPOSED AMENDED RULE 31,
RULES OF THE TENNESSEE SUPREME COURT**

M2006-01303-SC-RL2-RL - Filed: May 9, 2007

ORDER

Rule 31 of the Rules of the Supreme Court, as filed on January 2, 2007, substantially revised the then-existing Rule 31 based on a proposal submitted to the Court by the Alternative Dispute Resolution Commission. Inadvertently omitted from the list of subjects which must be covered in training for Rule 31 Mediation, as set out in Section 17(c)(1) of Rule 31, was the subject of confidentiality requirements, and any exceptions thereto, as required by law. The proposed amendment is attached hereto as Exhibit A.

In the interest of providing prompt and fair consideration of the proposed amended Rule 31, the Court hereby solicits written comments on the proposed amended rule from the bench, the bar, and the public. The deadline for submitting written comments is Monday, June 11, 2007. Written comments should be addressed to:

Michael W. Catalano, Clerk
Re: Proposed Amended Rule 31
100 Supreme Court Building
401 Seventh Avenue North
Nashville, TN 37219-1407

The Clerk shall provide a copy of this order to the media and to the Alternative Dispute Resolution Commission. In addition, this order and the proposed amended Rule 31 shall be posted on the Tennessee Supreme Court's website.

It is so ORDERED.

PER CURIAM

Exhibit A

Rule 31. Alternative Dispute Resolution.

The following amended Section 17(c)(1) of Rule 31 replaces the existing Section 17(c)(1) in its entirety:

Section 17. Rule 31 Mediators. No person shall act as a Rule 31 Mediator without first being listed by the ADRC. To be listed, Rule 31 Mediators must pay application fees set by the ADRC and must comply with the qualifications and training requirements set forth in this section. All training must have been approved by the ADRC as set forth in section (f) below and must have been completed within the ten years immediately preceding the application seeking Rule 31 Mediator listing.

* * *

(c) Content of Training Programs for Rule 31 Mediators.

(1) Before being listed either as Rule 31 General Civil Mediators or as Rule 31 Family Mediators, applicants shall complete a course of training consisting of not less than 40 hours, including the following subjects:

- (A) Rule 31 and procedures and standards adopted thereunder;
- (B) conflict resolution concepts;
- (C) negotiation dynamics;
- (D) court process;
- (E) mediation process and techniques;
- (F) communication skills;
- (G) standards of conduct and ethics for Rule 31 Neutrals;
- (H) community resources and referral process;
- (I) cultural and personal background factors;
- (J) attorneys and mediation;
- (K) the unrepresented party and mediation; and
- (L) confidentiality requirements, and any exceptions thereto as required by law.