

FILED
AUG 22 2007
Clerk of the Courts

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

**IN RE: AMENDMENT TO SUPREME COURT RULE 31,
SECTION 17(c)(1)
ALTERNATE DISPUTE RESOLUTION COMMISSION**

M2006-01303-SC-RL2-RL

ORDER

In an order filed May 9, 2007, this Court solicited written comments from the bench, bar, and public regarding a proposed amendment to Supreme Court Rule 31, Section 17(c)(1). The order specifically directed the Appellate Court Clerk to provide a copy of the proposed amendment to the media and to the Alternative Dispute Resolution Commission and to post the proposed amendment on the Tennessee Supreme Court's website. The deadline for submitting written comments expired on June 11, 2007. The Court appreciates the comments submitted by the Tennessee Bar Association.

Upon due consideration, this Court hereby amends Supreme Court Rule 31 by deleting the current Section 17(c)(1) in its entirety and adopting the revised Section 17(c)(1) which is attached hereto as Exhibit A.

It is so ORDERED.

FOR THE COURT:



WILLIAM M. BARKER, CHIEF JUSTICE

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.