

## Appendix C

### Core Educational Requirements for Certification

1. 60 hours of mediation specific classroom training (60 points)

Mediation specific classroom training shall consist of a minimum of 40 hours of lecture and discussion, 10 hours of practical training, as well as 10 hours of training in ethics.

a. 40 hours of lecture and discussion (40 points)

The 40-hour minimum of classroom training reflects the current basic training programs of many of the organizations reviewed for this report and was chosen so that those organizations would not have to make changes to their programs that would preclude them from joining the consortium. This training shall cover the following mediation-specific topics.

(1) The structure, design, practice, and theory of dispute resolution proceedings and services, including the varying roles, functions and responsibilities of neutral persons, and the distinction between binding and non-binding processes;

(2) Intake and convening skills, including agreements to mediate, and preparing parties and their counsel for mediation;

(3) Mediation theories and styles, including evaluative, facilitative and transformative models, assessing risks and advantages of models; matching models to contexts and parties;

(4) Communication skills and techniques, including developing opening statements, building trust, gathering facts, framing issues, taking notes, agenda setting, empowerment tactics, effective listening, framing, and clarification skills. Face-to-face as well as over-the-telephone communication skills shall be addressed;

(5) Managing challenges in dealing with different cultures, gender differences, language barriers, and other unique situations;

(6) Problem identification and disagreement management skills, including instruction in the establishment of priorities and areas of agreement and disagreement; and

(7) Techniques for achieving agreement or settlement, including instruction in creating a climate conducive to resolution, identifying options, understanding BATNA, facilitating negotiations, methods for breaking impasse, reaching consensus, and working toward agreement and drafting of settlement agreements.

b. 10 hours of Ethics Training (10 points)

The classroom training shall also consist of a minimum of 10 additional hours of lecture and discussion on mediator ethics, including but not limited to self-determination and the necessity of the voluntary and consensual nature of a disputant's participation in any dispute resolution proceedings; mediation confidentiality; and model standards of conduct for mediators.

c. 10 hours of Practical Experience (10 points)

The practical training shall consist of a minimum of 10 additional hours, which shall include role plays of simulated disputes and observations of actual dispute resolution services, including intake procedures as well as actual dispute resolution proceedings.

2. Specialized Training (20 points)

In addition to the required educational component which is defined by the topics to be included (see above), the applicant must also complete training in two areas of specialization such as elder mediation, family mediation, EEOC training, transformative mediation or other training within two years of submitting the application for certification. Each training should be 20 hours or longer, and is worth 10 points toward certification.

3. Written Exam/Ethics Agreement (30 points)

The training program shall be followed by a required exam on the core topics and ethics worth 30 points toward certification.