

Requirements for Roster Mediators in the Sixth Judicial District Family Mediation Program

The Program Director will place any mediator applicant on the Roster of Mediators who meets the following qualifications:

1. Mediation Training.

Any person who has participated in a 40-hour divorce and custody mediation training that is certified by Association for Conflict Resolution-certified and has participated in 4 hours of domestic abuse role-play/skills based trainings offered by Mediation Services of Eastern Iowa or an approved provider. (Part of the *Introduction to Mediation and Domestic Abuse* course)

ACR-certified divorce and custody mediation trainings require 15 identified training outcomes, six of which deal with helping trainee mediators develop the skills to help the parties communicate, and the requirement for a minimum of 6 hours of supervised mediation role plays. Not all professional 40-hour mediation trainings emphasize gaining the skills to help people have a difficult conversation, an ability that is particularly important in mediating family issues. The mediation profession recognizes role plays as vital to gaining skills.

2. Continuing Education

a. **Required *Introduction to Mediation and Domestic Abuse* course within first six months on roster:**

1. Mediators who can document having had 2 full hours of training on mediation and domestic abuse issues in their 40-hour divorce and custody mediation training must take the 2-day *Introduction to Mediation and Domestic Abuse* course within the first six months on the roster.
2. Mediators who cannot document having had 2 full hours of training on domestic violence and mediation issues in their 40-hour mediation training must take the 2-day *Introduction to Mediation and Domestic Abuse* course before they are put on the roster.
3. As part of the 2-day *Introduction to Mediation and Domestic Abuse* course, MSEI offers a 4-hour role play-based training on situations with domestic abuse or power imbalances.

b. **General Continuing Education Requirement.** Roster mediators are required to complete 7 hours of relevant continuing education each year. In addition to the required courses on domestic violence and mediation issues, relevant topics include divorce mediation, mediation, divorce-related issues, family law, child development, family dynamics, couples therapy, etc.

3. Other conditions of being on the roster

- a. Annual fee: Roster mediators pay an annual fee of \$120 to be on the roster. This begins to cover the costs of online marketing: each roster mediator has a webpage on the MSEI web page: mediateiowa.org; referrals through the county 'default mediator' lists; free three hour orientation session for new roster mediators; administration on the roster; etc. Mediators joining the roster after January will pay a prorated annual fee.
- b. Every person listed as a mediator on the Roster shall maintain malpractice insurance which specifically covers mediation.
- c. Every person listed as a mediator on the Roster shall agree to do a limited number of mediations on a reduced fee basis. They will be assigned as reduced fee mediators on a rotating basis by the Court. "Reduced fee basis" means that parties who apply to the court independently and qualify will be charged \$10 an hour. The program will insure that no one is denied mediation services for financial reasons.
- d. Every person listed as a mediator must attend the Roster Mediator Orientation, which shall include, among other things, review on screening for domestic abuse, program procedures, confidentiality, standards of practice, and the legal system.
- e. In every 6JD divorce/custody court order, a roster mediator is selected as the 'default mediator' on a rotating basis. Parties may select their default mediator but have to go to the default mediator if they are unable to agree on another mediator.
- f. Roster mediators may place themselves on the roster in counties where they do not have an office. That places them on the 'default mediator list' in a county. If mediation is court-ordered and if a mediator is the court-appointed default mediator, the mediator must be willing to travel to the parties' county and

the mediator cannot charge the parties for his /her travel time and/or transportation costs related to traveling to the parties' county for mediation. The mediator can ask those parties whether they want to come to the mediator's office to mediate. It is the parties' decision where they will mediate. Mediators may arrange to use court house space for mediation.

(New as of October 2016: Mediators should inquire whether the parties could afford to travel to me with the mediator. If they cannot afford to travel, then it is incumbent upon the mediator to travel to the parties.)

4. Standards of Practice and Ethical Rules.

The program has adopted the 2005 Model Standards of Conduct for Mediators. Every Roster Mediator shall comply with these standards and requirements in the 6JD Program Document. Lawyer mediators shall also abide by the Rules Governing Standards of Practice for Lawyer Mediators in Family Disputes, and in the event of a conflict, the mandatory rules of the Supreme Court govern lawyers' conduct.

(Revised 2/2016)