

Instructions, Obligations, and Responsibilities for the Approval of Required Dispute Resolution Trainings under the Supreme Court Rules of Superintendence for the Courts of Ohio

General information

Rule 16.23 and Rules 90.05 and 90.06 of the Supreme Court Rules of Superintendence for the Courts of Ohio outline qualifications for dispute resolution professionals that shall be met before local courts refer cases for mediation and parenting coordination.

Below is a general overview of the requirements relating to approval of the following Rule-required trainings:

- Fundamentals of Mediation Training – Sup.R. 16.23
- Parenting Coordination – Sup.R. 90.05 and Sup.R. 90.06
- Parenting Coordinator Continuing Education – Sup.R. 90.07
- School Attendance Mediation Training – Sup.R. 16.23
- Specialized Child Protection Mediation Training – Sup.R. 16.23
- Specialized Family or Divorce Mediation Training – Sup.R. 16.23
- Specialized Domestic Abuse Issues and Mediation Training – Sup.R. 16.23
- Advanced Mediation Workshop – Sup.R. 16.23

What is approved?

A training program that is going to take place or has taken place on a certain date and in a certain location within a calendar year. If there are several definite dates and cities scheduled, they may all be included on one application as long as all dates occur in the same calendar year.

Any mediation training program approved by the Supreme Court of Ohio's Dispute Resolution Section as meeting standards in accordance with those established by the Commission on Dispute Resolution, is approved for a period of two calendar years.

Changes to the Rules of Superintendence for the Courts of Ohio and to the training standards established by the Commission on Dispute Resolution may occur. In such circumstances, training programs will need to comply with the new standards and submit a new application for approval.

What is the general procedure for applying for approval?

An organization or individual providing a training program may apply for approval by submitting 1) An Application for Approval: and 2) A Training Program Standards Form.

For pre-approval the application SHALL be submitted at least 60 days prior to the first day of the first training. Forms can be found at www.supremecourtofohio.gov/dispute_resolution

***Applications shall be sent via email to **DisputeResolution@sc.ohio.gov**

Individuals seeking approval for a training program that was not approved by the Supreme Court shall submit the *Application for Participant Approval*.

Once the application is received, it will be reviewed for completeness. Incomplete applications will be denied with the reason for the denial (See “When would a training program be denied?” below). The typical turnaround time for reviewing an application is about 30-45 days. Filling out the application completely and submitting all required attachments will ensure timely review of the application.

What are the requirements for each training program?

The training program shall have significant intellectual and practical content, and the primary objective is to improve the participant’s professional competence as a dispute resolution professional.

The training program shall be an organized program of learning dealing with matters directly related to the practice of mediation or parenting coordination, professional conduct or ethical obligations, applicable statutes or rules, or other subjects that will maintain and improve the quality of dispute resolution services in Ohio.

The basic requirements of each training program required by the Rules of Superintendence can be found in the *Training Program Standards* form (click on the applicable title below):

- Advanced Mediation Workshop
- Fundamentals of Mediation Training
- Parenting Coordination
- Parenting Coordinator Continuing Education
- School Attendance Mediation Training
- Specialized Child Protection Mediation Training
- Specialized Family or Divorce Mediation Training
- Specialized Domestic Abuse Issues and Mediation Training
- Advanced Mediation Workshop

Can an individual submit an application for approval?

Yes. An individual who successfully completed a past training program that was not approved by the Supreme Court may submit an application to have said training retroactively approved.

How do I know if a training program has been approved?

If an application is approved, an approval letter will be sent via regular US mail or email to the applicant. Approved programs can be found on the Supreme Court of Ohio Dispute Resolution Section Web Site at: <http://www.supremecourt.ohio.gov/JCS/disputeResolution/training>. Once an upcoming program has been approved, it will be added to the list. Pending applications and applications for training programs that have already occurred will not be posted.

When would a training program be denied?

An application will be denied for the following reasons: 1) substantially incomplete application, 2) the application does not include all of the criteria listed in the checklist for the proposed program, 3) the sponsor obligations listed below have not been fulfilled, 4) the title is inconsistent, ambiguous, etc. with the training described in the applicable Rule of Superintendence, 5) failure to comply with the Rules of Superintendence, and/or 6) any other reason determined by the Dispute Resolution Section.

If an application is denied, the applicant will receive a denial letter including the reason(s) for denial. An applicant may reapply by submitting a new application form.

Revocation of Approval

The Supreme Court of Ohio Dispute Resolution Section has the right to audit approved training programs during the period for which the training program has been approved. Such an audit may include, but is not limited to: attendance of any part of the course, examination of evaluation forms, examination of curriculum and written materials, and interviewing participants. Approval of programs that are determined to no longer comply with these standards and/or the “*Obligations and Responsibilities for Sponsors*” outlined in the “*Instructions, Obligations, and Responsibilities for the Approval of Required Dispute Resolution Trainings under the Supreme Court of Ohio Rules of Superintendence for the Courts of Ohio,*” located on the Dispute Resolution Section web site, will be revoked.

What are the Applicant’s Obligations?

By submitting an Application for Approval, the Applicant acknowledges and agrees to comply with all obligations and responsibilities outlined herein:

- During the period for which the training program has been approved, the training program sponsor shall submit a listing of scheduled courses as least 45 days before each course, giving the date, time, location, and cost, if applicable, of the training program.

- Any material change in the course (such as a change in a primary faculty member, expert, or the curriculum) requires a new application to the Supreme Court of Ohio Dispute Resolution Section. (The Supreme Court Dispute Resolution Section does not approve sponsors, providers, or faculty/trainers.)
- Applicant agrees that all faculty are qualified by education, or have the necessary practical skills to conduct the program effectively in accordance with standards set by the Supreme Court of Ohio Dispute Resolution Section. Sponsor shall have an ongoing duty to report any activity, criminal or otherwise that would adversely affect the faculty's ability to perform the functions of faculty delivering a training program.

Failure to meet these obligations may result in revocation of the training approval.

Obligations and Responsibilities for Sponsors

How do I know if I am a Sponsor?

"Sponsor" is defined as an organization or an individual that is providing a Supreme Court Dispute Resolution Section approved training.

Who can be a Sponsor of CLE Programs in Ohio?

Sponsors of dispute resolution training programs are not required to be designated as an "accredited" or "approved" provider to have their programs considered and approved. The Ohio Supreme Court Dispute Resolution Section approves individual activities, not Sponsors. This means that any sponsor may submit an application for approval and, if the training meets the Supreme Court's standards, the program will be approved.

Can I advertise using the Supreme Court name?

Advertising with the use of the Supreme Court name is limited to the information included in the approval letter. Please note that you may not advertise that your training program has been "certified" or that your training program is approved until you actually have received the approval letter. You may advertise that your training program has been approved, not you or your organization.

What are my Responsibilities as a Sponsor?

Maintaining records

You are required to maintain accurate and complete records for at least two years following the training program. These records shall include (at a minimum) the title, dates, location, and CLE activity code of the program, if applicable. You also need to keep this information readily available for at least two years, in case any attendee (or this office) has a question.

Monitoring of Training Program and Attendees

Sponsors shall monitor and track when participants arrive and leave their program so that they can report accurate attendance hours. If an attorney wishes to leave the program early and has attended at least one 60-minute substantive hour, you may give the Activity Code to the attorney when he or she leaves.

Qualifications of Faculty

Faculty shall be qualified by education, or have the necessary practical skills to conduct the program effectively in accordance with standards set by the Supreme Court of Ohio Dispute Resolution Section. A sponsor shall have an ongoing duty to report any activity, criminal or otherwise that would adversely affect the faculty's ability to perform the functions of faculty delivering a training program.

Training Program Materials

Before or at the time of the training program, the Sponsor shall provide each participant with training program materials in printed, electronic, or other format that are of such quality and quantity to indicate that adequate time has been devoted to their preparation and that they will be of value to the participants. The Sponsor shall make materials available in printed or electronic format prior to or at the time of the activity.

Course materials in Power Point or other format shall be subject to the same criteria as other materials.

Physical Setting of Training Program

The training program shall be presented in a suitable setting, conducive to a good educational environment.

Training Program Evaluations

The Sponsor shall develop and implement methods to evaluate its training program offerings to determine their effectiveness and the extent to which they meet the needs of participants. Upon a request from the Supreme Court Dispute Resolution Section, Sponsors shall provide training program evaluations.

Minimum Hour Requirement; Calculation of Training Hours

Attendance at the activity shall consist of a minimum of one uninterrupted hour of instruction. Sixty minutes of instruction equals one hour. Only time of actual instruction counts toward a credit hour. Partial hours over the minimum of sixty minutes are rounded to the nearest one-quarter of an hour.

Credit is not awarded for breaks or opening and closing remarks.

Credit **may be** awarded for meals or presentations concurrent with the consumption of a meal as long as all other requirements for approval are met.

Certificates of Attendance

Certificates of attendance may only be provided for a participant who attended the minimum number of hours for the training program pursuant to the Rules of Superintendence.

For questions, contact the Dispute Resolution Section at DisputeResolution@sc.ohio.gov.