

# The Supreme Court of Ohio

COMMISSION ON DISPUTE RESOLUTION & DISPUTE RESOLUTION SECTION

## TRAINING PROGRAM STANDARDS – ADVANCED MEDIATION WORKSHOP

The Advanced Mediation Workshop Program Standards (hereafter “Advanced Mediation Workshop”) have been approved by the Supreme Court of Ohio’s Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution.

### I. Purpose

To set forth advanced mediation standards for Rule 16.23 of the Rules of Superintendence for the Courts of Ohio.

*(Training program sponsors may apply for Rule 16 training program approval by submitting the “Application for Training Program Approval” located on the [Dispute Resolution Section’s website](#))*

### II. General Requirements

An advanced mediation workshop shall last a minimum of 4 hours, not including welcoming remarks, introduction, breaks and closing remarks.

Course materials (written or electronic) shall be distributed to all participants prior to the training program. Nothing in this provision precludes faculty from sharing activities, exercises, and supplemental materials throughout the course, so long as such materials meet the School Attendance Standards set forth herein and are approved in advance by the Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution.

### III. Faculty Qualifications

Faculty shall be qualified by education, or have the necessary practical skills to conduct the program effectively in accordance with standards set forth herein. A training program 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.

### IV. Training Program Methodology

Both of the following techniques shall be used:

- A. Mediation Role Play – at least 1 hour must be devoted to supervised role play. It is strongly recommended, but not required, that the role play be conducted in small groups of 3-4 participants per role play coach; and
- B. A combination of at least three of the following techniques, shall be used:

1. Lecture
2. Group discussion
3. Written exercises/activities (e.g., drafting mediation documents, such as confidentiality, agreements, a memorandum of understanding, a mediator's introductory remarks, agreements to mediate, etc.)
4. Mediation demonstration

## **V. Training Program, Minimum Requirements**

The following categories shall be addressed for the minimum time specified for each subject (a non-exhaustive list of examples of topics that meet the requirement are listed in each category)

### **A. Rule 16 Framework (minimum of 15 minutes)**

1. Overview of New Requirements

### **B. Mediator Ethics (minimum of 60 minutes)**

1. Core Values approved by the Dispute Resolution Section based on standards established by the Commission on Dispute Resolution

- a. Self-determination
- b. Impartiality
- c. Neutrality
- d. Fairness of Process
- e. Flexibility and Informality
- f. Competence
- g. Confidentiality/Privilege
- h. Voluntary Resolution
- i. Cooperation
- j. No Conflicts of Interest

2. The Uniform Mediation Act (minimum of 60 minutes – may use online learning)

### **C. Mediation Approaches and Tools (minimum of 120 minutes)**

1. Transformative Mediation
2. Facilitative Mediation
3. Evaluative Mediation
4. Looping
5. Bracketing
6. Caucus
7. Use of Experts

## **VI. eLearning**

The Supreme Court of Ohio offers Fundamentals of Mediation training to court-connected mediators through a blended learning curriculum that contains a 2.25-hour eLearning course. The eLearning course can be accessed through The Ohio Judicial College course registration and online course portal to OhioCourtEDU (formerly Judicial eCademy), by creating an account using the following link <http://sc.ohio.gov/OhioCourtEDU/register/>.

Programs that choose to incorporate the eLearning course into their curriculum shall note this fact on their Application for Program Approval.

For purposes of calculating the training program minimum requirements, the eLearning course provides 225 minutes of instruction on \_\_\_\_\_, with 60 minutes of instruction on the Uniform Mediation Act and 75 minutes of instruction on \_\_\_\_\_, as well as \_\_\_\_\_ minutes of instruction on \_\_\_\_\_, with \_\_\_\_\_ minutes of instruction on \_\_\_\_\_ and \_\_\_\_\_ minutes of instruction on \_\_\_\_\_.

## **VII. Approval**

Any mediation training program approved by the Supreme Court of Ohio Dispute Resolution Section as meeting these standards, is approved for a period of two calendar years. The training program sponsor, however, 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.

## **VIII. 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.