

# Overview of Michigan Court Mediation Roster Qualifications

The following information is provided to help prospective mediators identify the qualifications required for service on courts' general civil and domestic relations mediation rosters. The qualifications are derived from MCR 2.411, MCR 3.216, and the State Court Administrative Office's "Mediator Training Standards and Procedures."<sup>1</sup> A list of SCAO-approved training programs appears here:

<http://courts.mi.gov/Administration/SCAO/OfficesPrograms/ODR/Pages/Mediation-Training-Dates.aspx>

A set of Frequently Asked Questions regarding mediation training is available here:

<http://courts.mi.gov/Administration/SCAO/OfficesPrograms/ODR/Documents/Med%20Qualification%20FAQs-C%202.11.14.pdf>

## General Civil Mediation

There are three different means of becoming qualified to serve on general civil mediation rosters. By far the most common is to complete the general civil court rule training, the first of the three options.

### 1. General Civil Court Rule Training (MCR 2.411(F)(2))

This is the most commonly offered training program and is generally referred to as "court rule training" for general civil mediation. To be eligible to serve on a court roster, an applicant must demonstrate:

- Completion of a mediator training program approved by the Michigan Supreme Court, State Court Administrative Office;
- A juris doctor degree or graduate degree in conflict resolution or 40 hours of mediation experience in the two years prior to the application; and
- Observation of two general civil mediation proceedings conducted by an approved mediator, and conduct one general civil mediation to conclusion under the supervision of an approved mediator.

### 2. Michigan Community Dispute Resolution Program (CDRP) Training

All Michigan Community Dispute Resolution Program centers now require that new mediators complete the "court rule" training identified above. Some mediators may have completed a "community mediation training" prior to a center's offering the "court rule" training.

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<sup>1</sup> The Mediation Training and Standards appears here:

<http://courts.mi.gov/Administration/SCAO/Resources/Documents/standards/odr/Mediator%20Training%20Standards%20and%20Procedures%201.1.2013.pdf>

To be eligible to serve on a court roster, persons who have completed the “community mediation training” must demonstrate:

- Completion of a Community Dispute Resolution Program 40-hour training;
- Observation of two general civil mediations, conducting one mediation under the supervision of an approved mediator or if not an attorney or holding a graduate degree in conflict resolution, demonstration of 40 hours or 18 cases of mediation experience in the two years prior to application to serve on a roster; and
- If the 40-hour training was more than two years prior to the application, completion of eight hours of advanced mediator training in the two years prior to application to serve on a roster.

### **3. Mediation Training Outside of Michigan**

The following qualifications relate to completing a mediation training program outside of Michigan. To be eligible to serve on a court roster, an applicant must demonstrate:

- Completion of a 40-hour mediator training program approved by a court or agency targeted to prepare persons to serve as mediators for general civil cases;
- Observation of two general civil mediations, conducting one mediation under the supervision of an approved mediator or if not an attorney or holding a graduate degree in conflict resolution, demonstration of 40 hours or 18 cases of mediation experience in the two years prior to application to serve on a roster; and
- If the training was more than two years prior to the application, completion of eight hours of advanced mediator training in the two years prior to application to serve on a roster.

## **Domestic Relations Mediation**

Two different means of becoming qualified to serve on domestic relations mediation rosters appear below. Under either instance, unless the applicant can demonstrate completion of 80 hours or 20 cases in domestic relations mediation, an applicant must (a) be a licensed attorney, a licensed or limited licensed psychologist, a licensed professional counselor, or a licensed marriage and family therapist; or (b) have a master’s degree in counseling, social work, or marriage and family therapy; or (c) have a graduate degree in a behavioral science; or (d) have 5 years of experience in family counseling, and one of the following:

### **1. Domestic Relations Court Rule Training (MCR 3.216)**

- Completion of a domestic relations mediator training program approved by the Michigan Supreme Court State Court Administrative Office;
- Observation of two domestic relations mediations and conducting one mediation under the supervision of an approved mediator;

- Completion of an 8-hour domestic violence screening training program;<sup>2</sup> and
- If the training was more than two years prior to the application, completion of eight hours of advanced mediator training in the two years prior to application to serve on a roster.

## **2. Mediation Training Outside of Michigan**

The following qualifications relate to completing a mediation training program outside of Michigan.

- Completion of an approved Association of Conflict Resolution 40-hour training program;
- Observation of two domestic relations mediations and conducting one mediation under the supervision of an approved mediator;
- Completion of an 8-hour domestic violence screening training program [See footnote 2] and;
- If the training was more than two years prior to the application, completion of eight hours of advanced mediator training in the two years prior to application to serve on a roster.

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<sup>2</sup> Persons who completed an SCAO-approved 4-hour domestic violence screening training prior to December 31, 2012 are not required to meet the 8-hour requirement, but must demonstrate completion of an SCAO-approved 4-hour domestic violence screening training.