

CRITERIA FOR ROSTER MEMBERSHIP
 A summary of research conducted on
 selected Federal and State rosters of mediators

July 2008

<u>CRITERIA (see descriptions)</u>	Air Force Workplace Mediation Program	Department of the Navy Workplace Mediation Program	Shared Neutrals Program	FEMA ADR Cadre	National Roster of Environmental Dispute Resolution and Consensus Building Professionals	Virginia Supreme Court	DC Superior Court - Family Mediation Program
Program Specifics	Internal mediators for workplace issues	Internal mediators for workplace issues	Federal Mediators for EEO workplace and other issues	Internal Mediators for workplace Issues	Professional staff couples with private sector mediators, focuses on managing public and private entities resolving environmental conflicts	Internal mediations for the courts, mediators are awarded contracts to perform mediations, some non-profit volunteer mediators	External volunteer mediators for family cases
Gatekeepers	Deputy General Counsel for Dispute Resolution certification. Installation Commander recommendation. Installation ADR Champion endorsement.	Deputy Assistant Secretary of the Navy (CP/EEO) signature. Regional ADR Coordinator review.	Sharing Neutrals Administrator	ADR Cadre Manager, ADR Office, Office of Chief Counsel	U.S. Institute for Environmental Conflict Resolution Senior Program Manager/Roster Manager	Office of Executive Secretary	Consensus process involving family mediation staff – Open Enrollment Program is the division director who reviews written applications
Qualifications, Credentialing and Quality Assurance							
<i>^Levels of credentialing</i>	Four Certification levels: -- Basic: training and 3 co-mediations. --Intermediate: 20 solo mediations, continuing development, qualified to mediate EEO cases, & satisfactory evaluations. --Advanced: 75 solo or principal mediations, settlement rate of 70% or better, continuing development, 10 mediations with party representatives --Master: 150 solo or principal mediations, settlement rate of 75% or better, continuing development, mediate complex/high visibility disputes.	Four Certification tiers: --Introduction: training. --Advanced: training with role-play evaluations --Screening and evaluation: training and one hour role play evaluation. --Co-mediations and coaching: 3 co-mediations with coaching by qualified mediator	Mediators and Co-mediators. Mediators and co-mediators are experienced and trained, however, co-mediators are less experienced.	Four Credentialing levels: – Trainee: entry level with strong workplace mediation and ADR experience. – Basic Qualified: disaster ADR experience, cadre training & satisfactory evaluations. – Fully Qualified: progressively more disaster ADR experience, cadre training & satisfactory evaluations. – Expert: progressively more disaster ADR experience, cadre training & satisfactory evaluations.	None	"VA General District Court" & "VA Circuit Court – Civil Division"	When people first start they are mentored (known as a "mentee") and then become a mediator. Mentee co-mediates until they become a mediator. The family program divides cases that have children issues (custody, visitation, support) or property issues subject matter expertise, which they place mediators with specific knowledge.

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<i>^Training/Standards</i>	Minimum of 30 hours of facilitative model of mediation in Air Force Basic Mediation Course or comparable	Minimum 20 hours of training in facilitative mediation skills.	Co-mediators must have at least 20 hours of basic mediation skills training. Lead mediators must have at least 20 hours of basic mediation skills training as well as completion of 5 mediations.	100+ hours of mediation, facilitation and/or public or group participation processes; 40 hours of FEMA specific training.	24 hours basic training and 16 hours of advance training in dispute resolution and consensus building	<u>General District Court:</u> 4 hours of VA court certified training & 20 hours basic mediation. <u>Circuit Court:</u> 4 hours of VA court certified training & 40 hours (20 hours of basic mediation & 20 hours advanced training) or 40 hours of VA certified mediation course	60 hours of training provided by the Court. Historically – required anyone interested to take combined basic mediation training and information about family cases. New plan (starting fall) training be in modules, basic training, then modules to provide substantive knowledge (i.e. family, small claims, landlord/tenant). **Open enrollment program, bring in 4 mediators – co mediations. See how the mediation goes and either invite them to join or not.
<i>^Education</i>	N/A	N/A	N/A	4 year degree minimum; MS, Ph.D or JD strongly recommended; MS in Conflict Resolution preferred.	Trainings taken and provided can be used as part of meeting the 60 point entry criteria requirement	Bachelor's degree	N/A
<i>^Amount of experience</i>	Basic: 3 co-mediations in AF disputes. Intermediate: 15 solo or principal mediations in AF disputes in preceding 2 years. Advanced: 34 solo or principal mediations in AF disputes, with 75% or better settlement rate, with 20 in preceding 3 years & 10 with party representatives. Master: 75 solo or principal mediations in AF disputes, with 75% or better resolution rate, with 30 in preceding 3 years.	3 co-mediations in DON disputes.	Lead Mediator needs evidence of ADR training, completion of 5 mediations or 3 co-mediations performed with a mentor mediator. At least 20 hours of basic mediation skills training.	3+ years mediation experience and several hundred cases mediated; additional skills and experience in workplace mediation, meeting facilitation, group facilitation, public participation processes, training in conflict resolution skills and teambuilding	Solo or co-mediator for at least 200 case hours in 2 to 10 environmental cases. Expertise in 1 or more: facilitation, mediation, consensus building, neutral evaluation/fact finding, settlement judge, conflict assessment, process design, or dispute systems design.	Not specified	N/A

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<i>^Mentoring and supervision</i>	3 co-mediations required for Basic.	3 co-mediations in DON disputes.	Co-mediation: The primary mediator is mentoring and giving feedback.	Minimum 3-5 weeks supervised and mentored first disaster deployment during trainee phase; successful ADR practice as determined by cadre manager and completion of benchmark standards for advancement in credentialing levels.	Experience points for principal professional or apprentice or junior professional	<u>General District:</u> Observation of 2 mediations or additional 8 hours training that includes observation. Co-mediation of at least 5 hours including minimum of 3 mediations. <u>Circuit Court:</u> Observation of 2 circuit court-civil mediations or additional 8 hrs VA court certified mediation training including 2 observations. Co-mediation of at least 10 hours including 5 circuit court-civil mediations	Staff person or other experienced mediator
<i>^Evaluation of training</i>	Role plays part of curriculum. Evaluation of co-mediations by qualified mentor.	Role plays part of curriculum. Evaluation of co-mediation by qualified mentor.	N/A	See above	N/A	Evaluation of co-mediations by qualified mentor	Role-playing, community based mediators have a two year renewable term they will be evaluated twice during that period of time, invite or not to continue. 3 full time staff mediators perform these evaluations and mock mediations
<i>^References</i>	ADR Champion endorsement.	Regional ADR Coordinator review of qualifications.	Written approval of their supervisors. Minimum of 2.	At least one reference from a person knowledgeable about the applicants mediation skills and abilities; prefer a reference from a community mediation center or comparable reference.	N/A	N/A	Yes
<i>^Interviews</i>	N/A	N/A	N/A	In-person interviews preferred; telephone interviews possible for those outside the DC-MD-VA region.	N/A	N/A	Yes

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<i>^Other prerequisites</i>	No pending complaints of ethical or professional standards violations.	Certified mediators must also demonstrate completion of 16 hours of advanced mediation skills training during the certification period.	Approval by supervisor and agency has signed agreement to be a part	U.S. Citizenship; background investigation; deployment to disasters for minimum 30 day assignments on short notice; Active attorney/bar membership preferred.	60 points across 3 categories: complex case and additional case experience, interactive process training, substantive education and experience.	Statement of experience/area of expertise	In regards to Open enrollment - certain amount of training 3 references, diverse pool because clients diverse, concerned about availability
Re-credentialing	Certification valid for 4 years. Renewal for additional 4 years by request within 60 days after expiration.	Certification valid for 24 months. Renewal by request with proof of 5 solo or 10 co-mediations.	N/A	No re-credentialing required but continuous assessment is made.	Roster members urged to keep their profiles up to date, but no re-credentialing once quality (unless practitioner goes "inactive", then must re-qualify to become active	2 years – complete 5 cases or 15 hours of mediation during period of certification	There is a 2 year time period, go through evaluation process.
Neutral Development							
<i>^Ethical standards</i>	"A Guide for Federal Employee Mediators" promulgated by the Federal Interagency ADR Working Group.	"A Guide for Federal Employee Mediators" promulgated by the Federal Interagency ADR Working Group.	Standards are modeled on the Standards of Practice for Postal Service Mediators. Modifications were made to reflect both the voluntary nature of Sharing Neutrals and the fact that mediators are federal employees.	"A Guide for Federal Employee Mediators" promulgated by the Federal Interagency ADR Working Group.	Roster removal linked to violations of Model Standards of Conduct for Mediators and other "for cause"	"Standards of Ethics & Professional Responsibility for Certified Mediators" adopted by Judicial Counsel of VA	2 hour training class on standards to be taken within the 2 years.

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Contact Information	Deputy General Counsel (Dispute Resolution), Air Force	Assistant General Counsel (ADR) DON ADR Program Office of the General Counsel 720 Kennon Street SE RM 214 Washington Navy Yard, DC 20374-5012 (202) 685-7000	Agencies interested in joining or participating agencies may contact Martha Flores for mediator referrals at Martha.Flores@hhs.gov or by phone at (202) 565-0134.	Robert Scott, ADR Cadre Manager Office of Alternative Dispute Resolution FEMA 500 C Street, SW, Suite 840 Washington, DC 20472 (202) 646-4604	Roster Manager, USIECR 1305 Scott Avenue Tuscon, AZ 87501 (520) 901-8501	Dispute Resolution Services Office of the Executive Secretary Supreme Court of Virginia 100 N. Ninth Street, Third Floor Richmond, VA 23219-2308 (804) 786-6455	Superior Court of the District of Columbia Multi Door Dispute Resolution 515 5th Street, N.W. Suite 105 Washington, D.C. 20001
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Program Specifics	Mediators from participating agencies, deals with issues in the agencies mostly EEO, human resources problems	Mediators are volunteers from participating federal agencies (FAA, HUD, SSA, DHS, GSA, etc.); internal mediations between the participating agencies	Mediators from participating federal agencies, mediating workplace issues between the federal agencies	Mediation assistance to participating agencies, focusing on workplace disputes, mediators from participating federal agencies. Periodically may search for volunteer mediators from member organizations	FEB SNP participating agencies workplace disputes, mediators internal to the agencies or retired employees of SNP. Mediators from participating agencies mediating workplace issues.
Gatekeepers	Shared Neutrals Committee being formed - Currently FEB staff.	FEB	Shared Neutrals ADR Program committee approves mediators. Must have an agency head letter of recommendation.	Currently SSA ADR Program Director	A roster of SNP-certified mediators is maintained by the SNP Administrator. Participating agencies designate only those who meet the training criterion.
Qualifications, Credentialing and Quality Assurance					
<i>^Levels of credentialing</i>	Use standards recommended by the MA Bar Association. In MA there are no certified mediators – merely individuals who have taken arbitration courses in law school or completed the training.	Juniors - recently trained, less than 5 mediations. Expert Mediators – do the training. Senior lead mediators, conducted at least 5 mediations and reviewed by Expert mediators.	No - primary mediators (co-mediators model)	If only completed basic training, co-mediator. After a certain amount of co-mediations and observation become mediator. The next class is advanced.	No separate credentialing, an individual is either a mediator or trainee.

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<i>^Training/Standards</i>	Minimum of 40 hours of mediation training by an approved source.	40 Hours	32 hours of formal mediation program (or comparable) and 4 SNAP mediations and feedback from co-mediator then can apply to be primary mediator	Completion of a minimum 40 hours that includes extensive role-playing.	The mediator must have completed at least 30 hours of formal facilitative mediator training, provided by SNP (or equivalent), completed within one year of application. Minimal training components are: mediation process steps; mediator opening; techniques such as active listening, effective questioning, reframing, and generating options; agreement-writing, mediator ethics; and at least eight hours of role play.
<i>^Education</i>	N/A	N/A	N/A	N/A	N/A
<i>^Amount of experience</i>	Must have a minimum of 2 mediations as a lead and 2 co-mediations.	Only matters as they move up in credentialing for mediation assignments	Have completed 32 hours of formal mediation program or comparable experience acceptable to the SNAP Committee	As a mediator or co-mediator, mediated at least five cases, three of which would have been as the lead mediator, with verification and satisfactory evaluation by a qualified source; or at least three mediations independently mediated (with verification and satisfactory evaluation by a qualified source plus at least one SSA observation.	At least 30 hours of formal facilitative mediator training.

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<i>Criteria regarding supervision</i>	Not in the plan as of yet.	Junior mediators co-mediate with a Senior or Expert Mediator at least 5 times before they can lead a mediation	Co-mediation: the primary mediator is mentoring and giving feedback	Co-mediation program of observing and assisting before becoming lead mediator.	Have to have completed one observation and 3 co-mediations
<i>Evaluations/Performance tests</i>	Yes, recommends sources for training, about six or seven different training facilities where they draw their mediators from. If unfamiliar with where the individual was trained may perform mock mediation.	Mock mediations is part of the 40 hours of training	Primary mediators will evaluate during co-mediation process.	N/A	N/A
<i>References</i>	Yes	N/A	From agency head	At least two written references from individuals familiar with the applicant's skills and abilities in conflict resolution and mediation.	Their agency has to agree to be a part of it – agency head nominates and agrees to be a part of the program
<i>Interviews</i>	Yes	N/A	N/A	N/A	Put in an application form – they apply and send credentials – and then assign them to co-mediate or observe and then let them go out on their own

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<i>^Other prerequisites</i>	N/A	During the training session the Expert mediators observe the trainee and some have been eliminated based on inappropriate comments, poor social skills (on the phone during class) and poor performance in mock mediations	Willingness to do the mediation when asked. Minimum 2 mediations a year.	Social Security may require other qualifications, such as subject matter expertise prior to mediating certain disputes. Supervisor's Approval Form signed by mediator's supervisor or manager.	EEO training is also required, a minimum of 3 ½ hours of EEO training that includes segments on EEO laws and the Federal Sector EEO process, theories of discrimination, and remedies available. The 3 ½ minimum EEO training requirement may be included as part of the 30 hour formal facilitative mediator training
Re-credentialing	Not yet	Advanced mediation training offered every 2 years	N/A	N/A	Mediators who have not completed the continuing education requirement will be listed as "inactive" on the roster.
Neutral Development					
<i>^Ethical standards</i>	Standards recommended by Massachusetts Bar Association	Not sure if we spell out anywhere	Confidentiality, Impartiality, Informed Consent and Self Determination. Handbook details/standards located online.	These standards are drawn from several existing codes, particularly the code developed by Professor Robert A. Baruch Bush in his The Dilemmas of Mediation Practice — A Study of Ethical Dilemmas and Policy Implications, and the ACR/ABA/AAA "Model Standards of Conduct for Mediators"	The conduct of mediators in SNP is governed by the ACR/ABA/AAA "Model Standards of Conduct for Mediators." Mediators may follow additional standards, such as codes of conduct observed by the individual mediator or by the Requesting or Providing Agency.

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<i>Continuing education or training</i>	As prescribed by the Massachusetts Bar Association	Advanced mediation training offered and literature that is relevant is shared with mediators in our pool	Do some periodic training, encouraged, not mandatory. Good opportunity to meet one another.	Nothing formalized, expect mediators to remain up to date with changes.	Mediators must complete at least six (6) hours of SNP-approved continuing mediator education or training courses, including EEO refresher, each year. This continuing education is to be fulfilled prior to the anniversary of the mediator's initiation into the SNP Program and/or of their most recent 30-hour training.
<i>Continuing supervision</i>	Not yet	Junior mediators co-mediate with a Senior or Expert Mediator at least 5 times before they can lead a mediation	No – once they are a part of the system primary mediators would handle mentoring.	With co-mediations there is feedback given.	8 hour course every year
Evaluation and Assessment					
<i>^User evaluation</i>	Yes	Yes	Agency Liaison's Evaluation, Confidential Peer Review Debriefing Critique and Confidential Evaluation by Participants.	ADR Exit Surveys. An SSA Exit Survey must be distributed to all participants AND representatives. All parties should complete the Exit Survey BEFORE leaving the mediation. The mediator is responsible for collecting the completed surveys and mailing them to the SSA.	Mediation Participation Exit Survey, Post Mediation Report
<i>^Complaint process/panels</i>	Yes	Never had any complaints	Complete evaluation form	A complaint by either party regarding a breach in the Standards of Practice will be reviewed by the ADR Coordinator, who will investigate the facts and determine what appropriate action should be taken.	N/A
Website (if any)	General website: http://www.boston.feb.gov	www.losangeles.feb.gov	http://www.chicago.feb.gov/index.htm	http://www.baltimorefeb.us/	http://www.newyorkcity.feb.gov

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Contact Information	Kim Ainsworth Executive Director Greater Boston Federal Executive Board (617) 565-6769 Kim.ainsworth@gsa.gov	Glenn M. Anderson Federal Building 501 W. Ocean Blvd, #3200 Long Beach, CA 90802 (562) 951-6970	Federal Executive Board 230 South Dearborn Chicago, IL 60604	Richard Howell 31 Hopkins Plaza Room 820 A Baltimore Maryland 21201	26 Federal Plaza Suite 3016, New York, NY 10278 (212) 264-1980
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