

Mediator Registration Standards and Procedures
(Adopted September 18, 1998) (Revised May 4, 2007)

- I. State Court Mediator Roster: The Alabama Center for Dispute Resolution (“Center”) shall maintain a State Court Mediator Roster (“roster”) which consists of those mediators who meet the mediator registration standards and procedures herein. This roster shall be maintained geographically by counties and shall be made available to all state court judges, attorneys and the general public.
- II. Definition of Registration: For the purpose of these provisions, the term “registration” and the related forms of this word shall mean only that the standards and procedures set forth herein have been met to the satisfaction of the center. This term does not imply any degree of mediation skills or competency on behalf of any mediator subject to these provisions.
- III. Mediator Registration Standards: To be registered on the roster, a mediator must meet certain minimal standards which are specified in Appendix I. To be registered specifically as a domestic relations mediator, an individual must meet the minimal standards specified in Appendix II. All applicants must meet the good character requirements of Appendix III.
- IV. Procedures for Registration: Individuals who seek to be registered on the roster shall submit to the center a completed application form. Should the individual meet the required standards and pay all applicable fees, his or her name shall be registered on the roster as a mediator. To remain on the roster, the mediator must meet such additional or different standards which may be hereafter imposed for registration. Registration decisions are made by the Alabama Center for Dispute Resolution. Applicants who are denied registration for any reason may appeal within thirty days of that denial to the Committee on Standards for Neutrals of the Alabama Supreme Court Commission on Dispute Resolution, which committee may grant a hearing to the applicant. The Committee on Standards for Neutrals will make a determination of whether the applicant should be registered. An adverse decision of the Committee on Standards for Neutrals may be appealed to the full Alabama Supreme Court Commission on Dispute Resolution within thirty days of the date of such decision. The commission shall grant a hearing, if requested, to the applicant.
- V. Fees: Individuals applying for mediator registration by the center shall pay a \$30 application fee. If registration is approved, an annual fee of [\$150] for registration will be assessed. Failure to pay the annual assessment or failure to meet the standards effective at the time of the renewal will result in the individual being removed from the roster.

Appendix I

Mediator Registration Standards

An individual registered by the Alabama Center for Dispute Resolution must meet the following minimum requirements:

1. Have reached the age of majority in Alabama.
2. Be of good character pursuant to Appendix III.
3. Satisfy either of the following criteria:
 - a. Be licensed as an attorney by one of the fifty states of the United States or the District of Columbia and in good standing, with 4 years' legal or judicial experience; or
 - b. Have either a baccalaureate degree and at least 5 years of management or administrative experience in a professional, business, or governmental entity or a high school diploma and 8 years of management or administrative experience in a professional, business, or governmental entity. Applicants seeking registration under this subsection also must have served professionally as the mediator in at least 10 mediations within 2 years immediately preceding submission of a application for registration, and must present, if requested, documentation of the mediations and names, addresses and telephone numbers of persons who may be contacted regarding the mediations.
4. Have successfully completed a 20-hour mediation training program approved by the Center within 2 years preceding application. The mediation training must include one hour of Alabama mediator ethics education, or the applicant must take a separate one-hour training in Alabama mediator ethics. To be approved, training programs must include as part of their curricula, at a minimum, mock mediation exercises and ethics education.
5. Agree to subscribe and adhere to the Alabama Code of Ethics for Mediators and the rules of the Center for mediator registration.
6. Be willing to provide, upon request, at least 10 hours annually of pro bono mediation services to the public.

Appendix II

Domestic Relations Mediator Standards

Individuals registered with the center specifically to engage in mediation in the area of domestic relations must meet the following minimum requirements:

1. Have reached the age of majority in Alabama.
2. Be of good character pursuant to Appendix III.
3. Satisfy either of the following:
 - a. Be licensed as an attorney by one of the fifty states of the United States or the District of Columbia and in good standing, with 4 years' legal or judicial experience; or
 - b. Have at least a masters degree and at least 5 years of professional experience in any of the fields of psychology, social work, or mental health, and be in good standing with any licensing board or agency and able to present a current license number if applicable; or
 - c. Have either a baccalaureate degree and at least 8 years of management or administrative experience in a professional, business or governmental entity or at least a high school diploma and 10 years management or administrative experience in a professional, business or governmental entity. Applicants seeking registration under this subsection also must have served professionally as the mediator in at least 10 domestic relations mediations, within the 2 years immediately preceding submission of an application for registration, and must present, if requested, documentation of the mediations and names, addresses and telephone numbers of the persons who may be contacted regarding the mediations.
4. Have successfully completed a 40-hour mediation course on domestic relations issues within 2 years preceding application which has been (a) certified by the Academy of Family Mediators (AFM) or (b) approved by the Center as functionally equivalent or superior to an AFM 40-hour course. The mediation training must include one hour of Alabama mediator ethics education, or the applicant must take a separate one-hour training in Alabama mediator ethics. To be approved, training programs must include as part of their curricula, at a minimum, mock mediation exercises and ethics education.
5. Agree to subscribe and adhere to the Alabama Code of Ethics for Mediators and the rules of the center for mediator registration.
6. Be willing to provide, upon request, at least 10 hours annually of pro bono mediation services to the public.

Appendix III

Good Character Requirement

1. General. No person shall be registered as a mediator unless the person first produces satisfactory evidence of good character, as required in Appendices I and II. A mediator shall have, as a prerequisite to registration and as a requirement for continuing registration, good character as set forth in subsequent sections.
2. Purpose and Disclaimer. The purpose of the good character requirement is to help protect participants in mediation and the public, and safeguard the justice system. Any inquiry into an applicant's good character should not be deemed to be exhaustive or conclusive. Participants to a mediation also should use their own due diligence to ascertain the fitness or capability of an individual mediator to serve appropriately as mediator in their dispute.
3. Registration and Removal. The following shall apply for initial and continuing mediator registration:
 - a. The applicant's or mediator's character is subject to inquiry.
 - b. In assessing whether the applicant's or mediator's conduct demonstrates a lack of good character the Center will consider, without limitation, the following factors:
 - (1) the extent to which the conduct would interfere with a mediator's duties and responsibilities;
 - (2) the area of mediation in which registration is sought or held;
 - (3) the factors underlying the conduct;
 - (4) the applicant's or mediator's age at the time of the conduct;
 - (5) the recency of the conduct;
 - (6) the reliability of the information concerning the conduct;
 - (7) the seriousness of the conduct as it relates to mediator qualifications;
 - (8) the effect of the conduct or the totality of information gathered;
 - (9) any evidence of rehabilitation;
 - (10) the applicant's or mediator's candor;
 - (11) denial of application, disbarment, or suspension from any profession; and
 - (12) treatment or commitment for treatment of alcohol or other substance abuse.
 - c. An applicant for initial registration who has been convicted of a felony shall be ineligible for registration until such person has received a restorative of civil rights or has been pardoned.
 - d. A registered mediator shall be subject to removal from registration for any knowing and willful incorrect material information contained in any mediator application. There is a presumption of knowing and willful violation is the application is completed, signed and notarized.

4. Conviction of Crime. A conviction of a felony or misdemeanor shall be reported by the mediator in writing to the Center within 30 days of such conviction. The report shall include a copy of the judgment of conviction.
 - a. Upon receipt of a report of felony conviction, the Center shall immediately suspend all registration and refer the matter to the Alabama Supreme Court Commission on Dispute Resolution (Commission).
 - b. Upon receipt of a report of a misdemeanor conviction, the Center shall refer the matter to the Commission for appropriate action.
 - c. If the Center becomes aware of a conviction prior to the required notification, it shall suspend registration in case of a felony, and refer the matter to the Commission for appropriate action.