

ADR Commission Policies

(as of April 23, 2019)

1. Trainers with approved curriculum of 40 hours or more will pay the ADR Commission \$100.00 for each person attending the training session(s). Trainers with approved curriculum of less than 40 hours will pay to the ADR Commission \$50.00 for each person attending the training session(s). (Revised 4/23/19)
2. An applicant to become a Rule 31 listed Neutral will not be approved if the applicant has been licensed at one time and is no longer licensed in his/her occupation or profession due to disciplinary reasons. The applicant may reapply when his/her license has been restored. (Adopted 3/9/98)
3. All ADR Commission members shall fulfill and comply with all annual renewal requirements as required by all Rule 31 listed mediators. (Adopted 1/26/04)
4. No individual or applicant for listing as a Rule 31 Mediator under Rules of the Supreme Court of the State of Tennessee shall advertise or proclaim in any manner that he/she is listed as such until approved by formal action of the ADR Commission. (Adopted 11/1/04)
5. Law school attendance is not equivalent to practical work experience as required by Section 17 of Rule 31. (Adopted 7/18/06)
6. If a mediator from another State can demonstrate: (1) that he/she has received training which meets that State's requirements and that such training is substantially equivalent to Tennessee Rule 31 training, and (2) that he/she is in good standing with that other State's equivalent to the ADR Commission of the Tennessee Supreme Court, the mediator may ask the ADR Commission to waive the Tennessee training requirements based on the mediator's prior training. (Adopted 10/28/08)
7. A retired judge applicant's experience on the bench shall not be a substitution for the initial listing requirements indicated in Rule 31 Section 17 for purposes of Rule 31 Mediator listing. (Adopted 7/31/07)
8. Applicants for Rule 31 Mediator listing shall be required to take the initial 40 hour general civil training and 40 or 46 hour family training prior to taking a cross-over training for purposes of Rule 31 Mediator listing. This policy shall apply to applications for listing received on or after July 31, 2007. (Adopted 7/31/07)
9. Effective January 1, 2008 all mediators listed pursuant to Supreme Court Rule 31 will be required to submit reports as prescribed by the Commission, regarding any mediation beginning on or after January 1, 2008 except as to matters pending in state courts outside of Tennessee. Mediators will have 15 calendar days from the date of the last mediation session to submit the report to the AOC. This policy does not affect any other reporting obligation required of a Rule 31 listed mediator. (Modified January 1, 2016)
10. Credit may be earned through teaching in an approved continuing mediation education activity. CME credit will be given on the basis of two (2) hours of credit for each hour of presentation. (Adopted 1/24/12)

11. Rule 31 mediators are encouraged to make themselves available for and participate in pro bono mediation. This may be accomplished in several ways, including but not limited to the following:
 - a. Making oneself available for volunteer mediations at a community mediation center
 - b. Getting on a legal services referral list for acceptance of pro bono mediations
 - c. Advising clerks and judges that you are available for pro bono mediation
 - d. To earn pro bono hours comparable to the 50 hours of pro bono hours attorneys should aspire to achieve (Rules of Professional Conduct, §6.1), Rule 31 mediators can do the following:
 - Mediating pro bono cases, regardless of the referral source
 - Serving on a mediation board and committees
(See Comment 8 to RPC §6.1(b)(3) which permits lawyers to earn pro bono hours by serving on a bar association committee (any bar committee); serving on boards of pro bono or legal service programs.)
 - Teaching a mediation class to any community group, organization or group of individuals not for a fee and no expectation of fee. (but CMC or nonprofit can charge provided the money goes to the nonprofit for advancement of their mission)
(See Comment 8 to RPC §6.1(b)(3) which permits lawyers to earn pro bono hours by acting as a continuing legal education instructor.)
(Adopted 4/24/12)
12. Approved continuing mediation education providers and trainers are encouraged to announce during each training program that Rule 31 contains a pro bono requirement, and to describe the ways in which this requirement can be satisfied. (Adopted 4/24/12)
13. Applicants applying for a training waiver for the “specially trained in domestic violence issues” designation will pay \$50.00 to the ADR Commission for said training waiver. (Adopted 10/23/12)
14. Any complaint received by the AOC Programs Manager regarding an approved Rule 31 trainer or training course, or a CME course provider or CME course shall be requested to be put in writing and sent to the AOC Programs Manager, who will forward the complaint to the Training Committee for review. (Adopted 10/17/13)
15. An applicant deferred for Rule 31 listing must cure the specific listing deficiency requirement within one (1) year of being placed on deferral status. If the specific listing deficiency is not cured within one (1) year, applicant must reapply for listing. For an applicant deferred for Rule 31 listing before the adoption of this policy, he/she must reapply for listing if the specific listing deficiency requirement is not cured on or before one (1) year from the approval date of this policy. (Adopted 07/29/14)
16. A Rule 31 listed mediator must renew his/her listing on or before December 31 of each year. The renewal fee for renewal applications received on or before December 31 of each year shall be \$100.00. The renewal fee for renewal applications received between January 1 –March 31 shall be \$150.00. The Rule 31 listed mediator who renews his/her listing during this time will still be in “active” status and can conduct Rule 31 mediations. If a renewal application and fee are not received by March 31 for the current renewal year, the listing lapses. (Adopted 07/29/14) (Revised 4/23/19)
17. The renewal fee for renewal applications received from inactive Rule 31 listed mediators shall be a \$200.00 (Adopted 07/29/14). This policy is in effect until November 1, 2019, when the October 2018

revision in Rule 31 no longer allows for an inactive status. See Section Rule 31 (15(a)(4) and Adoption Section of the Rule. (Revised 4/23/19)

18. An applicant for Rule 31 listing that submits an incomplete application has six (6) months from the date his/her application is received by the Programs Manager to complete his/her application. If an application is not complete after six (6) months, an applicant must submit a new application for Rule 31 listing. No application refund will be given to an applicant for an incomplete application. (Adopted 01/27/15)

19. Rule 31 mediators will be required to report federal court system mediations through the AOC online process. (January 1, 2016)

20. Application Fee Structure (Effective June 1, 2016)

Application fees for Rule 31 listing shall be as follows:

\$100

- Application fee for general civil
- Application fee for family
- Application fee for family listing with “specially trained in domestic violence issues” designation based on attendance at ADRC approved DV course

\$150

- Application fee for general civil and family (dual listing).
- Application fee for general civil and family (dual listing) with “specially trained in domestic violence issues” designation based on attendance at ADRC approved DV course.

\$200

- Application fee for general civil with training waiver.
- Application fee for family with training waiver.
- Application fee for family listing with training waiver with “specially trained in domestic violence issues” designation based on attendance at ADRC approved course.

\$250

- Application fee for general civil and family (dual listing) with a training waiver for one listing or both.
- Application fee for general civil and family (dual listing) with a training waiver for one listing or both with “specially trained in domestic violence issues” designation based on attendance at ADRC approved DV course.

*You must have a Family Listing to apply for a Domestic Violence Listing