

## **PROVISIONS REGARDING QUALIFICATIONS AND TRAINING OF RULE 31 MEDIATORS**

### **Section 14. Rule 31 Mediators**

No person shall act as a Rule 31 Mediator without first being listed by the ADRC. To be listed, an applicant must:

- 1) submit an application and pay application fees set by the ADRC;
- 2) comply with the qualification and training requirements set forth in this section. All training must have been approved by the ADRC as set forth in subsection (f) and must have been completed within the six years immediately preceding the application seeking Rule 31 Mediator listing;
- 3) certify in writing an intention to comply with the conditions and obligations imposed by Rule 31, including those requirements related to pro bono obligations;
- 4) submit two character references evidencing good character and suitability for the practice of mediation;
- 5) disclose convictions for any felony or for a misdemeanor involving violence, dishonesty or false statement if such conviction is ten years old or less as provided in Tennessee Rule of Evidence 609;
- 6) If the applicant's profession requires licensing, the applicant shall also provide documentation that the applicant is in good standing or possesses a valid license with the Board or Agency charged with issuing licenses to practice in the applicant's profession. Failure to pay board or agency dues when there is no intent by the applicant to practice in the licensed occupation or profession in the jurisdiction of licensure shall not constitute a lack of good standing for purposes of Rule 31;
- 7) If the applicant has held a professional standing which requires licensing, the applicant shall also provide documentation of the applicant's complete disciplinary history including closed and open grievances for each license the applicant has held. The applicant must not have a disciplinary history with the Board or Agency charged with issuing licenses to practice in any such profession that would demonstrate an unsuitability for the practice of mediation. 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 will not be approved for listing and may reapply when his/her license has been restored.

#### **(b) Rule 31 Mediators in Family Cases.**

(1) To be listed as a Rule 31 Mediator in family cases, one must also:

(i) meet one of the following education/work experience requirements:

(A) have a baccalaureate degree with ten years full time work experience in psychiatry, psychology, counseling, family mediation, social work, education, law, or accounting. Full time work experience shall be defined as 35 hours or more of work per week.

(B) be a Certified Public Accountant and have four years of full time work experience in psychiatry, psychology, counseling, social work, education, law, or accounting. Full time work experience shall be defined as 35 hours or more of work per week.

(C) have a graduate degree and have four years of full time work experience in psychiatry, psychology, counseling, social work, education, law, or accounting. Full time work experience shall be defined as 35 hours or more of work per week.

(ii) complete and provide proof of attendance of 40 hours of training in family mediation which includes the curriculum components specified by the ADRC for Rule 31 Mediators in family cases and which also includes four hours of training in screening for and dealing with domestic violence in the mediation context; and

(iii) complete and provide proof of attendance of six additional hours of training in Tennessee family law and court procedure. It is provided, however, that the ADRC may approve fulfillment of this requirement for applicants who have substantially complied with completion of at least six hours of ADRC-approved training devoted to Tennessee family law and/or procedure within the three-year period immediately prior to the completion of the requirements of Section 14(c)(1)(i) through (xii) of this Rule.

To read about training waiver requirements, go to Rule 31, §14(d) at:

<https://www.tncourts.gov/rules/supreme-court/31>