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Rule 31 Continuing Mediation Education Accreditation Request Form

Provider Name: Tennessee Association of Professional Mediators

Address: P. O. Box 150626, Nashville TN 37215

Telephone/Fax: 615-498-1005 (cell – Lisa Smith)

E-Mail Address: tapm@tennmediators.org

Course Title: ESTABLISHING A COURT MEDIATION PROGRAM IN YOUR DISTRICT

Practical & Ethical Issues in Mediating with Self-Represented Litigants

Date(s) Held: Friday, Nov. 18, 2016

Location(s): Lipscomb University, Ezell Center, Room 363, Nashville TN

Fee for Members/Non-Members: \$55.00

Does this course have CLE Commission Approval? Pending

Description: For more than a decade, Tennessee has worked to provide access to justice for its indigent and modest means citizenry. Despite efforts by the Bar and the Courts such as providing *pro bono* legal services, the State continues to struggle making it widely available. What is often overlooked is how mediation, with proper screening of cases, provides the Courts and litigants an affordable, efficient option to resolving many disputes. Beginning in the 1990s, steps have been taken across the State to provide mediation for such litigants Knoxville, Nashville and Mid South, community mediation programs serve both family and civil county courts. In addition, a Mediator of the Day Program has been implemented in Memphis and Jackson using Rule 31 mediators who want to fulfill their *pro bono* mandate and give back to their community. These programs provide mediators with a great opportunity to serve self-represented litigants and gain additional experience in mediation.

Panelists:

Mary Ellen Bowen
Executive Director
Mid South Mediation Services

Ms Bowen is the founding director of VORP of Nashville and was instrumental in getting the Victim Offender Mediation Center law passed in the 90's. She is the founding and current director of Mid South Mediation Services for the past 16 years. Mid South provides mediation and conflict resolution education for the counties in the 21st and 22nd Judicial Districts.

Sara Figal
Executive Director
Nashville Conflict Resolution Center

Dr. Sara Figal is the Executive Director of the Nashville Conflict Resolution Center. She is a TN Rule 31 listed General Civil/Family mediator with special training in domestic violence.

Jackie Kittrell
Executive Director
Community Mediation Center

Jacqueline O. Kittrell is an attorney and Executive Director of Community Mediation Center in Knoxville, TN. CMC, a nonprofit organization chartered in 1994, began as a collaboration between University of Tennessee College of Law, Legal Aid of East Tennessee, the Knoxville Bar Association Mediation Service (KBAMS) and the County Courts.

Stephen L. Shields
Attorney/Mediator
Jackson, Shields, Yelser & Holt
Board Member, Mid South Community Justice Center & Mediation Center

Mr. Shields is a lawyer/mediator - Rule 31, General Civil Mediator, and an approved Rule 31 Civil Mediator Trainer. He is a Adjunct Professor at The University of Memphis School of Law and teaches ADR and is the Director of the Mediation Clinic. In addition, he is President of the Board of the Mid-South Community Justice and Mediation Center (Memphis, Tennessee)

Session Description	Type of Credit Requested (General Continuing Education, General Mediation Issues, Mediation Ethics, or Family Law)	Start Time	End Time	Credit Approval (Office Use Only)
Registration		12:00	12:30	
Why Day of Court Mediation for Self-Represented Litigants	Overview of the workshop and handouts, with discussion of the need for mediation to increase access to justice for pro se parties in family, civil and non-court matters, and a snapshot of how Tennessee and other states handle this need.	12:30	1:30	1.0 hour General Mediation Issues
How is Day of Court Mediation Different from Other Kinds of Mediation?	Discussion of ways that mediation with pro se parties on the day of court presents challenges to the mediator. Judges and court staff role in setting up a program in your judicial district. (scheduling, ending with agreement, ending with no agreement)	1:30	2:00	1.50 Hour General Mediation Issues
Break		2:00	2:15	
How is Mediation for Self-Represented Litigants of Any Kind Different from Mediation with Represented Parties?	Discussion of issues arising when mediators take on cases when both parties are <i>pro se</i> , when only one party is represented. How to determine whether a case is able to be mediated. Presentation on intake & screening for safety and capacity to mediate, pre-mediation and ongoing. Use of joint & separate sessions; Memorializing agreements, use of forms. Special termination issues.	2:15	3:00	1.75 Hour Mediation Ethics
Special Ethical Issues in Mediating Self-Represented Parties	Review of Rule 31 in the context of special needs for pro se parties, to include screening for capacity, domestic violence, need for legal advice, process models, scribing, and knowing how to refer.	3:00	3:30	1.50 Hour Mediation Ethics

	Communication with court issues. Grievance and professional liability risks including UPL will be covered.			
Break		3:30	3:45	
How does it actually work and Toolkit for Implementation of a Program or for Individual Action	Discussion about how programs have formed, different models, how to initiate discussion with your judge and clerk, your bar association, how to connect with other R31 mediators in your district.	3:45	4:45	1.0 Hour General Mediation Issues
Panel Q & A	Panel will be available to answer questions on the presentation and more discussion of next steps. Attendees will be able to talk to each other to connect and make plans.	4:45	5:00	1.25 Hour General Mediation Issues

OFFICE USE ONLY
Total Approved CME: <u>4.0 Hours</u>
Date Approved: <u>October 21, 2016</u>